

Devon Association of Governors

Issues raised at Area Governor Meetings Spring 2010

Introduction

This report is a summary of points raised by governors at the Area Meetings held earlier this term in the following Local Learning Communities:-

- Axe Valley, Exmouth, Honiton, Ottery-St-Mary + Sidmouth
- Dawlish, Newton Abbot, Teign Valley + Teignmouth
- Culm Valley + Tiverton

Unfortunately the meeting for Holsworthy, Okehampton and Tavistock LLCs had to be cancelled because of bad weather but governors from these schools have seen the documents used and also been invited to make comments and raise questions on the topics.

These meetings were attended by about 100 governors, clerks and HTs from 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 Support website: 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. **Comments in red have been brought forward since the round of Area Meetings**
- *in italics indicate comments made by governors at the meetings*
- **in bold indicate governor questions with responses in red (where received) from the LA, DAG, NGA and others**

This is a very detailed report which will almost certainly have items of immediate relevance to your school / GB. **The first 5 items, in particular, interlink and warrant considerable consideration. Above all we would urge your GB to discuss and respond to the Devon Education Forum consultation document sent to all schools and referred to under items 1 and 2**

Section **A** offers answers to questions that may have been concerning your GB

Sections **A + B** provide insight in to what fellow governors are thinking about topics of current concern

Section **C** adds additional key information since the Checklist was published

Please share this report with your GB, in particular committee chairs. Governors who attend clearly value these meetings.

Key sources of Communication for Governors

- **DAG**
 - Monthly newsletters + items sent directly by e-mail to **DAG Intermediary Governors (IGs)** in schools.
 - Local / national information on **DAG website** (www.dag.gb.com)
- Our communications routes / methods are being re-evaluated continually. The one aspect however which will not change is the need for an Intermediary Governor in each GB to receive regular DAG info. To date over 75% of Devon schools (284) take advantage of this service. **If your school does not yet have one please seek a volunteer, let your Area Officer know and they will start the process**
- **Local Authority**
 - Gold Sheet <http://www.devon.gov.uk/index/learning/schools/governors/dgs-clerks/dgs-goldsheet.htm>
 - The weekly distribution sheet - <http://www.devon.gov.uk/schoolsdistribution> - lists all items sent to schools over the previous week. For governors the first 2 sections (HT + GB) hold most of the key documents
- **National Governors' Association (NGA)**
 - If you are not a member, basic information can be found on the website (<http://www.nga.org.uk/>)
 - However, access to the weekly newsletters, members' forum, NGA magazines and papers is only possible if you / your school join NGA (details on website) **DAG recommends schools to join NGA**

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Documents available at meetings and on DAG website (<http://www.dag.gb.com/areameetingspring2010.htm>)

- Item 1 Feedback from First Federation Visit
- Item 2 Guidance on school balances
WMN Article re Fairer Funding
- Item 3 SIPs – Programme for this term / Feedback from last term
- Item 4 Safeguarding Newsletter & Updates
- Item 5 Explanation of Carbon Reduction Commitment
- Item 6 Conservative Education Priorities - Our plan for change in schools
- Item 12 DCSF Summary of MPs' Committee Report on School Accountability
- Item 17 Draft Interim Protocol for Statutory Inspection of Anglican Schools
Playing Fields Strategy – Interim Report

List of main items

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- Related Papers on Website page 2

Section A (pages 3 – 13)

<ul style="list-style-type: none">1. LLC Partnership Working, Area Reviews, Collaboration and Federation2. Financial Issues including Devon Education Forum Consultation and Fairer Funding3. New OfSTED Framework, SEF and SIPs	<ul style="list-style-type: none">4. Safeguarding Issues5. Renewable Energy and Energy Efficiency6. Political Party Policies7. Additional General Questions
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Section B (pages 14 – 15)

<ul style="list-style-type: none">8. Building Schools for the Future and the Primary Capital Programme9. DAG News	<ul style="list-style-type: none">10. Training11. Unitary Authority
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Section C (pages 16 – 18)

<ul style="list-style-type: none">12. Government White Paper13. Job Evaluation14. Teaching Awards	<ul style="list-style-type: none">15. NGA Issues16. Early Years17. Snippets
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There is also a list of useful documents for GBs at the end of the document on page 18

Finally on page 18 there is outline information about future meetings

A Issues seeking Feedback from LA Officers, DAG and NGA

1. Local Learning Community (LLC) Partnership Working, Area Reviews, Collaboration and Federation

- **Local Learning Community (LLC) Area Reviews** are being undertaken by Devon's Strategic Planning Group. All LLCs will be invited to take part during the next 3 years - or sooner. The prioritised list is available on the website www.devon.gov.uk/cypstrategicplanning.htm. Prior to each Area Review taking place a range of information will be sent out to HTs and GBs. To ensure the success of these Reviews it is vital that everybody taking part has had access to and has read the information available. This includes Devon's Strategy for Change, (available on the above website), and Devon's Vision for Learning, available at <http://www.devon.gov.uk/bsf-avisionforlearning.pdf>. Governors also need to have had an opportunity together with their HT to study the information presented within the relevant LLC dataset. Please ask your HT if you have yet to set eyes on this. The quality of the debate within the Area Reviews rests to a large extent on all those taking part being fully informed prior to the event. CoGs received a letter from Judith Johnson (Head of Schools and Learning) last term saying GBs should receive the **2009 Education Profile Datasets** in LLC groupings which are available online via a password which HTs hold. CoGs are invited to sign up to a protocol prior to accessing the data, as some data will need to be treated with sensitivity. **This is important information which all GBs should have the opportunity to discuss. DAG is keen to ensure that governors are well informed and able to play a full and equal part in the Area Reviews. To facilitate this it is essential that the data is shared, discussed and explored at an early stage by HTs within their own GB meetings** (for more details read <http://www.devon.gov.uk/sc-nov0937030.pdf>). They will only be able to access the dataset for the LLC within which their own school situation. The data offers a broad picture with regard to numbers on roll and pupil forecasting, standards, ICT, school premises etc and is an extremely useful document for identifying trends and assisting in future planning. This data will have been checked by HTs for accuracy.
- **Role of LLCs** LLCs have **significant** funding allocated to them and sharing resources and pooled budgets are all part of partnership working. To support work in LLCs the authority has developed a Business Models Guidance Pack. This pack provides guidance on how to develop business infrastructures for schools working in partnership (LLCs, 14-19, ESS funding etc) and also the business framework required for joint procurement and commissioning by groups of schools. Every school has been sent a pack and additional copies can be obtained from sue.clarke@devon.gov.uk
- **Local Learning Communities – reporting back to governors** The structure and role of LLCs has been developing and increasing with some pace. Those groups of HTs of one or more local secondary schools with their partner primaries, until quite recently, came together only in a fairly informal way, to share good practice and forge links. The national agenda is focused very firmly on our duties to our community, not just the community on our doorstep, but much more widely. Also the emphasis on partnership working and collaboration has quite rightly identified LLCs as a pivotal group to take this forward. These groups are now budget holders, with action plans and priorities for the LLC as a whole. It is important that GBs are kept updated on progress - information on the action plan for the development of extended services (most LLCs have already recruited one or more staff to support this), and access to the relevant LLC dataset. If such items are not a current feature of your own GB agendas, then governors and HTs need to agree how to formalise an opportunity for feedback and questions on such developments through the annual cycle of work. Councillor Christine Channon (Cabinet Member, Schools & Skills) would like GBs to request a report from their HTs regarding attendance and outcome of LLCs. She is mindful that some heads do not play as active a part as we might wish and sometimes their governors are not aware of this. She believes that we have some very strong and effective LLCs in Devon, feeding into the Local Children's Trusts. School governors should be fully aware if their school is not as active in the loop as it might be.
David Tall: The DAG Board hopes to see much deeper Governor involvement in LLCs and held an Away Day on 30 January to determine the best way to take any initiative forward. The DAG Chair and EO will be attending the LLC Chairs Meeting on 9th March to take this forward.
- **Federations** - Ed Balls has again asserted that schools will need to cope with the coming financial storm by federating to save money on leadership scale salaries. He has yet to produce any evidence to show that federations achieve cost savings. There are a number of very good reasons why schools might wish to federate, and it is possible that economies of scale could achieve cost saving over the long term. But in the short term it actually costs money to federate and the main motivation for any schools thinking of a formal partnership should be teaching and learning gains – alongside the increased 'capacity' that comes with a larger organisation. (see document 7 on website)
- **Devon Education Forum Consultation** This important consultation raises a large number of questions about the role of LLCs and individual schools within those LLCs. **It is very important that GBs respond to the questions raised**

Governor comment

- ❖ *Not all those present at meetings were aware of the Area Reviews or what was involved. Some questioned why it was planned to take up to 3 years to complete the reviews across the county*
- ❖ *The purpose of the Area Review process was for LLCs to understand and analyse better organisation and options that might suit them. It was felt essential that communication must be transparent and feedback from Reviews already held were quite encouraging*
- ❖ *One LLC had held a seminar where DCC had outlined plans for an Area Review this year. Some thought that Area Reviews encouraged Federation in LLCs, localising everything to the community especially funding and that there was the danger that the more experienced schools would get the lion's share of funding. A warning was made to go into this exercise warily. One governor questioned the whole system of the Area Reviews.*
- ❖ *Others felt that barriers come down when HTs, LLCs and Governors share knowledge and all should be working towards the benefit of the children.*
- ❖ *Some GBs have not seen the LLC Data Sets. There have been access / sensitivity issues of Data Set availability. One governor commented that under the Data Protection Act the information has to be made available if requested.*
- ❖ *Others suggested that the data is out of date, but conceded that it was still useful.*
- ❖ *A number of governors felt that if Governors participate they would, at least, get some say in how the funding is spent within LLCs. Already there is a lot of funding available for LLCs to develop collaborative work and GBs should be asking their HTs for feedback on how this is allocated/spent as a regular Agenda item*
- ❖ *A number of governors felt there was a tendency for HTs only to meet up at LLC meetings and not include governors and that best practice would be for governors to attend LLC meetings. One governor went so far as to say that HTs were notoriously bad at sharing experience and information! At the end of the day HTs have to want their governors to attend but at the very least HTs should be reporting back to governors on these meetings. Many would welcome DCC representatives on LLCs as well*
- ❖ *Governors from Tiverton LLC explained how they had set up a meeting with governors, HTs and members of SMTs to discuss the topic of community cohesion and that similar events were planned for the future*
- ❖ *Once again there was considerable interest in Federation. It was much regretted that Ofsted was not up to speed on federations*
- ❖ *Several schools also spoke with enthusiasm about Management Partnerships although some had gained the impression that this was 'Federation by the back door'. One school was about to go for a Management Partnership rather than federating because their HT is retiring. There would be a 4 term contract with lots of monitoring meetings. It was likely they would opt for federation eventually, but there is a get-out clause for the current arrangement if it proves to not be working. Another school was in its third term as a Management Partnership and reported that it was working well. They were originally looking at federation within their own LLC and again it was reiterated to 'jump before you are pushed'.*
- ❖ *Several governors felt that it was unlikely that Catholic schools would consider federating with any school other than another Catholic school*
- ❖ *Sue Clarke will sponsor days to look at Managing Partnerships and Federation. A number of governors who had been involved in considering Federation or Management Partnerships spoke very highly of the support they had received from Sue*
- ❖ *HTs and GBs need to work towards cooperation. One HT had met with Debbie Clapshaw and talked at length about collaboration – there will be 400 surplus places in a particular LLC in the coming year - therefore school closure will be on the agenda. Another long term implication is the difficulty of recruiting HTs.*
- ❖ *Schools often have to wait for a natural break in leadership. However, if the departure of a HT is unexpected this places the GB in a difficult position and does not give them the time to consider the option of federation sufficiently carefully*
- ❖ *There were concerns about the survival of small schools in 2011. One governor suggested that non-teaching HTs would kill off small schools - paying too much attention to management and not teaching the children!*

Governor questions

1. Why is the Area Review process planned over such a long period of time?

Chris Dyer (Acting Deputy Head of Strategic Planning): The timescale is linked to the LA's ability to resource the process. There is a paper on Area Review priorities at <http://www.devon.gov.uk/cypsp-pcp-updatefeb09.pdf> The paper explains that the length of the programme is due to the complexities involved and the LA's capacity to administer. Area reviews have been completed in the Okehampton LLC, the three LLCs in Exeter, Torrington LLC and South Molton LLC. Before the end of March, further reviews will have been completed in the Bideford, Barnstaple and Axe Valley LLCs. The review team is learning 'on the job' and will have a more definitive model by the end of March.

2. Will GBs get enough warning about the Reviews, bearing in mind they will be held during the day and not in the evenings which could pose problems for governors who go out to work?

CD: The reason we have not previously committed to review dates beyond this financial year is because we

have been trying to establish a budget for the review process. This has now been achieved and LA officers are working with LLC Chairs to agree the next round of review dates. As soon as the dates are agreed we will post them on the website as well as sending out letters of invitation via clerks to the CoGs together with letters informing all governors within the LLC of the process and the importance of the data sets (currently available to all governors via head teachers).

3. Can the LLC Area Review process be speeded up?

CD: We are looking at the potential to undertake more than one review on the same day, (as we did for Exeter) and thereby speeding up the process

4. Is there anything individual LLCs can do in the meantime?

CD: Governors are encouraged to become familiar with the LLC data sets. Some LLCs (both governors and HTs) have invited officers to attend an LLC preparation meeting to explain what the data is suggesting and how to prepare for the review day. There is not much capacity to change the programme but LLCs can do their own mini-review, based on our model, ahead of the actual event if they wish.

5. Is the purpose of the Area Reviews to target capital spend?

CD: Although the DCSF has allocated capital for the Primary Capital Programme, the area review is primarily aimed at raising standards and trying to create a sustainable pattern of schools.

6. Once Area Reviews have been held who will make the final decisions on how to proceed?

CD: If the LLC or individual schools propose options that do not require capital investment then governors can choose when to move forward (supported by the LA as required). If an option requires capital investment then this will need County Council Cabinet approval.

7. Are successful schools not better off fighting their own corner rather than going into LLC links?

CD: Head teachers and governors are being encouraged to consider the needs of all children within the LLC. Schools with a good track record are well placed to take a lead in sharing good practice as part of this process.

8. Is a Management Partnership (MP) arrangement just the first step towards Federation?

Sue Clarke (Strategic Lead for Achievement through Collaboration): A Management Partnership can certainly act as 'a bridge' to federation either for schools to 'test drive' a shared leadership model or to allow time for the preparation and statutory consultation processes to be undertaken. An MP arrangement can be very useful in the short and medium term but we strongly recommended that these arrangements last no longer than two years due to work life balance pressures and contractual issues.

9. Doesn't federation do away with parental choice?

SC: Admission arrangements do not change because a school is part of a federation. A parent's right to express a preference for a particular school remains the same.

10. Have schools actually improved since federating?

SC: Federations are a fairly recent phenomenon and research into their impact on standards is just beginning to emerge. Manchester University have published one national study but our own local experience offers many examples of where schools have improved since becoming part of a federation. These improvements haven't happened just because a school joins a federation but because that structure has been used to bring strong strategic leadership, to release leadership capacity and expertise across schools and to target resources more strategically at classrooms.

11. How can OfSTED be persuaded to treat federated schools as a single inspection?

SC: One inspection would suit an 'All Through' federation (e.g primary with secondary) but may not be manageable for one executive HT working in a federation made up of a number of schools. Devon has a thriving Federation Network and this issue has been thoroughly discussed at this forum. The general consensus was that leadership and management should be inspected and reported as one strand running across the federation but quality and standards inspected and reported for each school individually. We have shared these views with the DCSF (who were sympathetic and interested) and talked about the number of different barriers to partnership including the Ofsted framework and we also suggested that a 'Federation SEF' be introduced.

12. Have any federated schools actually experienced efficiency savings in, for example, admin costs?

SC: The Federation Network has looked at this. In the short term small savings can be realised through joint purchasing of goods and services and some leadership costs. Our executive HTs report that real efficiencies can only be realised after a couple of years as staff changes and vacancies offer new opportunities. If a school has a falling pupil roll then federation can to some small extent cushion the need to downsize but if that fall in numbers is sharp and sustained then this issue will have to be addressed like any other school. The Network has concluded that federations are more likely to achieve better 'Value for Money' rather than pure savings due to flexibility in the way resources and expertise can be used across schools cutting out unnecessary duplication.

13. Is it possible to have a 'balanced' view of federations – there must surely be some federations that are having regrets?

SC: Whilst federation is not all plain sailing and there will inevitably be some teething problems it appears that for the Devon federations there are few regrets. However, it is very important to recognise that any move to federation must be well considered and planned for in much detail. Thorough preparation and a robust dialogue between schools means that for those governors who feel that federation is not for their school, they have the opportunity to step out of the partnership process before it becomes formalised.

14. Is there a possibility for Special Schools to be involved in a federation?

SC: There are many examples of special schools working in federations in other areas of the country and these have shown that special schools have much to contribute to a federation and particularly to an all through campus federation model.

2. Financial Issues including the DEF Consultation and Fairer Funding

- **Major Consultation** The Devon Education Forum has been working on the development of a major consultation with schools across Devon on how to continue to deliver excellent and sustainable 21st century education during a period of considerable financial restraint. All schools should have received paper copies of this consultation and details of a series of briefing meetings during March for senior staff and governors to consider the issues behind this document – see <http://www.devon.gov.uk/sc-feb103001.pdf> **Governors are urged to participate fully in this consultation – deadline for comments is April 24th**
- **NGA View** The one over riding issue that we feel GBs keep needing to be apprised of is the funding challenges that are likely in the next few years – not just for schools but for those that support schools, most especially LAs, and how this will impact on schools. Of particular concern is staffing structures and the need for realistic reviews which acknowledge the changing climate as well as the need to look long and hard at effectiveness – for, of course, staffing is the biggest cost in any school and we fear that this is the aspect of funding management that GBs are least happy / confident in addressing.
- **Capital Spending (Vic Ebdon, Head of Strategic Planning)** The County Council's finances are coming under intense scrutiny by the new administration and CYPS are being asked to find very significant cuts from our next five years' capital budgets. These budgets are, of course, notional - because there has been no announcement on the funding allocations for the next three year comprehensive spending review period so what we normally do is extrapolate historical levels of funding. The requirement to cut capital expenditure arises from the "prudential borrowing" ceiling which limits the Council's expenditure on repayment of borrowing to 12% of its revenue - this ceiling is being approached and so we have been told that the planned capital simply will not be available. Until Members approve the cuts we are not at liberty to publicise the matter but I thought it might be worth a shot across the bows of schools and governors. Grant funding represents about two-thirds of our capital programme and this is not affected - it is the one-third that is "supported borrowing" that will suffer. The net effect is that even before any national cuts we shall have to make a 10% cut in capital expenditure across CYPS. It is almost inevitable that many 'pet' schemes will be shelved because we simply have to meet our statutory duties of providing "basic need" places. Governors should assume that for the next three years the number and scale of capital investment projects will diminish and will be targeted at legislative compliance (not a wish list).
- **Clawback and school balances** The DCSF has issued guidance to local authorities about the 'clawing back' of surplus schools balances in the coming year. This advice sets out the limits of what schools may reasonably retain, and outlines the circumstances by which a school might define a surplus as 'committed'. (see document 3 on website)
- **Securing our Future – Using our Resources Well** Children's Secretary Ed Balls has called for a new drive in schools and LAs towards investing public money effectively, while securing frontline services post-2011. The discussion document 'Securing Our Future – Using Our Resources Well' sets out four main areas in which finances could be run more efficiently.
 - greater value for money from sharper procurement, collective buying and better use of technology
 - greater efficiency through the wider adoption of partnerships and shared services between schools
 - stronger strategic financial planning – including through greater use of School Business Managers and more effective financial management skills
 - more effective use of external advice, already available, in strengthening financial management – and setting out a clear future role for central and local government and expert School Improvement Partners in supporting frontline delivery.

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-01097-2009&>

DAG: David Tall has condensed a 27 page document about better use of resources in to 9 pages. Contact him if you would like a copy. The issues for discussion are set out in three groups

 - Procurement and technology
 - Resource use and financial management
 - Partnership and shared services
- **Extra Funding** Last year the government brought forward money from 2010-11 budget and made it available to spend this year. **Latest figures show that over a quarter of this money has yet to be spent.** LAs were given money for their schools related capital programmes, but schools were also given money direct. £390 million was allocated a year early direct to every school in the country – bringing forward 40 per cent of all Devolved Formula Capital allocated for 2010-11 to 2009-10. This meant:

- a typical unmodernised primary school of 250 pupils received £47,950 this year, including £13,700 brought forward from their 2010-11 allocations. A primary newly built, rebuilt or refurbished in the last decade received £23,975, up from £17,125
- a typical unmodernised secondary school of 1000 pupils received £158,200, including £45,200 brought forward. A secondary newly built, rebuilt or refurbished in the last decade received £79,100 up from £56,500

Governors need to be sure that they have taken account of this additional funding in their spending plans.

- **Extra 'Headroom' Funding for 2010/11** - see <http://www.devon.gov.uk/sc-feb105007.pdf> (letter from Anne Whiteley). This letter outlines some extra finances available for schools during the coming financial year but also warns of much tighter budgets in the years ahead and, in particular, about the reduced capacity for central resources to be able to support schools in the future as they have in the past. Please draw it to the attention of your Finance Committee.

- **Fairer Funding (Hands-Up Campaign)** (see document 5 on website) The launch of the Fair Funding campaign last term was successful and attracted wide coverage from the media. Gary Chown and David Fitzsimmons represented DAPH and DASH whilst Don Paterson and Josh Wright spoke on behalf of DAG and the teaching unions. This united front from Devon's schools, with support from SHAD and DEF, played very well with the media. The leadership of DCC, including councillors John Hart, Christine Channon and Andrea Davis, are fully behind the campaign as are the main local opposition parties. We need the public to be in no doubt that this is an all-party effort if we are to win the maximum support, which is what is needed to influence our national politicians. The Teignbridge MP Richard Younger-Ross had an adjournment debate in the House of Commons last month and was able to highlight the unfairness of Devon schools' funding. At the end of February the Rural Services All-Party Parliamentary Group was holding a short inquiry into the funding formula for education in rural areas at which we have been asked to give evidence. David Fitzsimmons is representing DASH and DAPH will also be sending a representative. The LA has set up a dedicated website which you can access on <http://www.fairfundingfordevonschools.org.uk/> and has also launched a petition on the Downing Street website which can be viewed and signed at <http://petitions.number10.gov.uk/handsup4schools/>

They are also utilising DCC's stable of award-winning e-zines to promote the message including the "In Touch" publication, the County Council's monthly e-zine which is distributed to 1,000 Town and Parish Councils, Parish Magazines, MPs and MEPs in Devon. The feature on the campaign can be found at <http://system.newzapp.co.uk/GPage.asp?LID=MjE4MjM3LDA=>

Finally there are 2 new features on the Hands Up website:

- A page which provides ten tips on how supporters can help the campaign to be found at <http://www.fairfundingfordevonschools.org.uk/howyoucanhelp.html>
- A tool which enables supporters to find the email address for their MP and PPCs and send them a prepared email asking them to support the campaign to be found at <http://bit.ly/8MsoFf>

In this context NGA has issued information that a national consultation on the Funding Formula should be out during the week commencing March 1st. NGA will send out an alert.

- **Costs** At a recent Schools' Commissioning Board meeting, school representatives recommended that Devon Services should maintain their price for 2010/11 based on current levels. This has now been endorsed by Service Managers who, despite the difficulties this may pose, recognise the very real budget pressure facing schools. The only exception will be cleaning and caretaking provided by Devon Catering and Cleaning Services. This has been agreed by the Devon Education Forum.

In addition Capita have set the following charging structure for 2010 – 2011 for SIMS Software Annual Maintenance.

Primary charge is £2.93 per pupil

Secondary charge is £3.65 per pupil

This represents an approximate increase of 5%. There will be no increase to the charges for Lesson Monitor or Dinner Money. The number on roll at each school will be determined by the January 2010 school census. Please note these charges only apply to schools using SIMS software under Devon LA support.

- **FMSiS** Reminder that the deadline for all schools to have FMSiS in place is March 31st 2010 – i.e. **the end of this month!!!!**
- **OPEN** The Commissioning Board receives regular presentations from Graham Newbery who is seconded to the DCSF to work on the OPEN (Online Procurement for Educational Needs) project. OPEN is a **free**, fully secure web based buying tool designed specifically for schools that enables them to access suppliers in one place. The DCSF has been piloting work with schools within LLCs in Devon who are benefiting from making their purchases through OPEN. Schools have already received a letter explaining its benefits and inviting them to consider using it. For further details please contact Mandie Kirk at mandie.kirk@dcsf.gsi.gov.uk or phone her on 07825 105108. There is more information at www.dcsf.gov.uk/open
- **Broadband Issues (Harnessing Technology Grant + Internet Connectivity)** A few schools have officially informed the LA in writing that they wish to downgrade their Internet Connectivity Services to a SWGfL ADSL service from 1st April 2010. Whilst this type of service still provides a similar level of safeguarding of children on line, it is not a recommended solution for the following reasons:-

- it does not meet the Becta minimum specifications
- the video conferencing service will be of very poor quality and will conflict and restrict other internet use
- uploading data or materials to pupils individual learning space or Learning Platform (as required by DCSF) will be very slow
- it is contended and therefore will be affected by other users use in the geographical area
- degradation / unreliable performance of services which rely heavily on bandwidth i.e. Terminal Server, Remote backup, and media streaming websites
- finally there may be significant costs, that the school will have to pay, to return to or upgrade to a fully synchronous service

If your school wishes to downgrade to a SWGfL ADSL, please can you inform Nick Pearce in writing or email as soon as possible as a later decision may result in considerable Telecoms Company contract termination charges. For further details of this service see <http://www.swgfl.org.uk/Services/Broadband-Connectivity>.

Please be aware that there may be additional setup costs for this service e.g. cabling, BT Lines.

Governor comment

- ❖ *Many governors are worried about budgets for the future*
- ❖ *Concern was expressed that the £4.8million headroom (plus annual budget under-spend) might actually suggest that Devon is better off and undermine the bid for fairer funding for the county. However under-spends usually represent carry forwards to float schools for the forthcoming year.*
- ❖ *One governor commented that, if schools know they have a carry forward they should raise this at a governor meeting and either identify a use or minute the need to earmark it for specific future projects.*
- ❖ *One governor brought up the question of expensive teachers at the top of the pay scale staying on in small schools and not moving on (some times new blood is beneficial as well as cheaper). In response others suggested that there is no ways that schools can 'cull' staff on grounds of cost, but that federating could be a way around the issue as career progression should be the natural way for staff at the top of the pay scale to move on. Someone suggested that another option for experienced staff might be to operate as consultants and charge a fee*
- ❖ *Another governor was concerned about making good teachers redundant when school numbers were dropping. Although sympathising, many felt that funding will necessitate redundancies, that this is a reality and schools will just have to bite the bullet. One school currently undergoing making redundancies said that hesitating too long would cause problems for GBs and that schools simply could not afford to just keep staff*
- ❖ *With regard to Broadband, one school had gone ahead and found its own Broadband provider at a considerably cheaper price. The governor said schools needed their own IT 'geek' to approach DCC. Another person present said that the charge to schools did not just include the cost of Broadband and if the total of what the charge offered was looked in to it was a reasonable deal.*
- ❖ *Concern was expressed by many at what they perceived as the unfairness of the current funding formula. Many had already signed the Fairer Funding petition (<http://petitions.number10.gov.uk/handsup4schools/>). Although those who have signed have now received a reply from No. 10 this does not mean the petition is closed – it remains open until October*

Governor questions

1. **How can the headroom figure and the underspend figure be explained in the context of Devon's bid for Fairer Funding?**

John Barnard (Head of Resource Strategies): The headroom figure was allocated by DCSF and was still less in % terms than other LAs. It still leaves Devon around £400 below the national average. Devon's carry forward is based on a % of allocation. Both in cash terms and % terms, Devon has a very low underspend and six years ago, Devon introduced a policy of capping school underspends, one of the few Authorities to do so

2. **Will schools be told they cannot have as much carry forward if given additional funding?**

JB: If schools are given additional funding, their carry forward 'allowance' will, in fact, increase ever so slightly as it based on a percentage of allocated funds

3. New OfSTED Framework, changes to the Self-Evaluation Form (SEF) and the role of SIPs

Ofsted - at the recent NGA conference Christine Gilbert **Ofsted's** Chief Inspector of Schools acknowledged 'teething problems' with the new inspection framework. This has now been followed up with a briefing note to LAs. In this briefing **Ofsted** acknowledges that there have been problems and makes the following points:

- There have been some reports that if pupils' attainment is no better than satisfactory this will limit the overall grade for the school. This is not the case. It is true that more weight is now given to attainment. But achievement - not attainment - remains the prime focus of the inspection.
- If attainment is low (grade 4) but learning / progress are outstanding (grade 1), a school may receive a grade 2 (good) for achievement. If the majority of the other outcomes for pupils are outstanding, the

school could be judged to be an outstanding school. This scenario might describe schools in challenging circumstances.

- If attainment is average (grade 3) but learning and progress are good, a school is likely to receive a grade 2 for achievement. Again, if the majority of the other outcomes for pupils are outstanding, the school could be judged to be an outstanding school.
 - If attainment is high (grade 1) but learning and progress are no better than satisfactory (grade 3), the school is likely to receive a judgement that achievement is satisfactory. If achievement is no better than satisfactory, the overall effectiveness grade is unlikely to be any better than satisfactory.
 - It is not the case that all high-attaining schools will be judged outstanding, because there is no guarantee of an outstanding overall effectiveness grade on the basis of high attainment alone. Outstanding overall effectiveness is usually only considered if the effectiveness with which the school promotes equal opportunity and tackles discrimination, the quality of pupils' learning and progress and the school's capacity for sustained improvement are at least good and the majority of judgements about the quality of provision are outstanding.
 - If attainment is low and learning / progress satisfactory but with no signs of improvement, it is unlikely that attainment will improve. Therefore, achievement might well be graded inadequate. This would impact on the overall effectiveness grade which may also be inadequate because achievement is a 'limiting grade'.
- **Self-Evaluation Form / RAISEonline** Schools may now provide access for governors to download the RAISEonline Full Report. School governor user access accounts are a new development that allows the school's RAISEonline administrator to provide any school governor who requests it access to the school's current RAISEonline Full Report and those archived from previous years. These accounts do not provide access to the interactive part of the system, and do not allow the user to see named pupil data. When setting up governor accounts, please remember that the terms and conditions of using RAISEonline require that all accounts should apply to one user. Shared accounts for the joint use of all governors should therefore be avoided. Governor accounts are set up by the school's RAISEonline administrator. Full details about this at <https://www.raiseonline.org/News.aspx?NewsID=108> OfSTED will use RAISEonline data and the school's SEF to decide its timing programme for school visits. A key element of the new SEF is the separation of teaching and learning. Governors will need to know school's strengths and weaknesses. It is helpful to use the OfSTED Evaluation Schedule which shows what inspectors are looking for to identify grades 1 – 4 under all headings - <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Evaluation-schedule-of-judgements-for-schools-inspected-under-section-five-of-the-Education-Act-2005-from-September-2009>
- **School Improvement Partner Programme for Spring Term** (see document 9 on website) Note also a current DCSF consultation on the role of SIPs with a version on the DAG website (www.dag.gb.com) – deadline for completion March 31st.

Governor comment

- ❖ *There was a mixed response to the new SEF.*
- ❖ *Governors were encouraged to access RAISEonline data via the school password – many had not yet used this facility.*
- ❖ *One governor told a meeting that he had been given what he felt was a trick question by Ofsted - 'Do you feel there are issues in school not mentioned in the SEF?' Governors were advised to be wary!*
- ❖ *Carol Woodhouse (member NGA Executive) commented that NGA were meeting DCSF representatives and asking that SIPs report back to full GBs once a year. She was of the view that the SIP should report in person to GBs.*
- ❖ *Generally those present were satisfied with their SIP.*

Governor questions

1. What happens when a CoG cannot be present for the inspection?

David Lowes (Interim Lead Schools and Settings Improvement Portfolio): The inspector will be happy to meet other governors or to hold a telephone conversation with the Chair if attendance is not possible. This can be negotiated with the lead inspector.

2. Should a SIP report back to the whole GB on an annual basis?

DL: Currently, the requirement is that the GB is provided with an annual report. In Devon, in addition to the annual report, governors are provided via the Chair with reports each time a SIP visits throughout the year. This exceeds the current DCSF requirements for reporting. Regarding the annual report: the existing requirement is to provide a written report and National Strategies advice is that this need not be presented in person. To support schools as well as possible the approach in Devon is differentiated. For example, in primary, schools at SIP support level 1 receive an annual report whilst for schools at SIP support levels 2 and 3 the report is discussed with the HT and any governors who are able to attend.

4. Safeguarding Issues including Safer Recruitment (see document 2 on website)

- **The Independent Safeguarding Authority (ISA) Vetting & Barring Scheme** was introduced in October 2009. The DCC policy / procedure can be found (but NOT on a home computer – see answer to Item 7 question 2 below) at http://staff.devon.gov.uk/cr/er/gap/pp_er_gapisareferralpolicyandprocedure.htm. This sets out DCC's statutory duty to refer information to the ISA about individuals who pose a risk, detailing when to refer, how to refer and how the ISA make their decisions. ISA registration is not expected to start until 26th July, with it becoming a legal requirement from Nov. 2010. There will be a 5 year phased approach to the roll-out of the scheme determined by the Criminal Records Bureau. If you have any queries please direct them in the first instance to the Records Disclosure Service at disclose@devon.gov.uk / 01392 382206
- **Safeguarding** – Last term your HT should have received a letter dated from Beverley Dubash (Safeguarding Lead Officer, Education at LDP) concerning maintenance of CRB Single Central Record. In addition the Safeguarding / Child Protection Handbook is being delivered to schools by LDP staff during the first two weeks of term. Each school will receive a copy for the Senior Designated Officer / HT and a second copy for the CoG / Designated Governor. Additional copies can be requested from LDP. The purchase price (including delivery) will be about £15 per extra copy. Regular updates and new information have already been e-mailed to schools, to be added to the Handbook.

Governor comment

- ❖ *The Safeguarding Book is very big (and expensive to produce) – DCC should find some way of making it available electronically.*
- ❖ *Ofsted will want GBs not just to know the policy but to be aware of its effectiveness. They will ask for evidence beyond just seeing the policies. Parents' perception via the parent survey is also an aspect of this.*
- ❖ *A governor from one school present reported that at a recent Ofsted 2 inspectors had spent all morning on Safeguarding. Governors would be asked to demonstrate effectiveness and implementation of policies not just that they existed – e.g. 'how does the GB ensure that proper Safeguarding procedures are being implemented in your school?' Appropriate and adequate training is something else Ofsted will be looking for*
- ❖ *Special Schools have particular issues – at one Special School 60 out of 87 staff members have undertaken the necessary training and consider themselves well covered*
- ❖ *One governor questioned whether current safeguarding was not going overboard, but others disagreed*
- ❖ *One person told the meeting that there were only vacancies left at Buckfast on the 'Safety Equipment' training and this is the last session being offered this academic year.*
- ❖ *Fiona Collier will ensure sample Ofsted questions are placed on the DAG website*

Governor questions

1. **Is it not possible for all Safeguarding material to be accessible online and, more importantly, to be updated online?**

Beverley Dubash (Principal Education Welfare Officer/Joint Interim Head of LDP): Model policies, procedures and guidance will all be on the LDP website from 10 March, with a link to the Devon Safeguarding Children Board (DSCB) website. These policies and procedures will be regularly updated. The draft of the Child Protection / Safeguarding Handbook was e-mailed to schools. The final version is not available electronically because this is a publication which LDP is making available to a range of potential customers. All updates for the Handbook will be e-mailed to schools and added to the LDP website

2. **Is there guidance for governors on handling questions about safeguarding issues?**

BD: LDP plans to compile a short guidance document for Governors to assist them in discharging their safeguarding functions appropriately. This will be added to the Handbook and made available on the LDP website

3. **How does the school know, when employing a foreign national, that the NI number they give is legitimate?**

Tara Hall (Records Disclosure Manager): The school would usually see proof of the NI number from the NI card, a payslip or a letter from the tax office. Foreign nationals typically would not have an NI number initially. Once an NI number has however been issued the foreign national would have confirmation from Department for Work and Pensions which they should evidence

4. **Is it possible to accept a CRB check for out of county PGCE students coming in to schools for work experience who already have a certificate from another county?**

TH: CRB checks for PGCE students should be undertaken by the teaching university / college - confirmation only sent to the school. If however they have been done by another Local Authority then ideally we should have one of our own done. This should be rare as the university / college are responsible for doing them.

5. **Do transport staff get CRB'd by DCC and, if so, can this information be communicated to schools?**

TH: All transport staff are CRB checked through DCC and we have input into the suitability decision. Schools do not need to hold this information individually on the Single Central Record as a result.

Lisa Boon (Schools Access Services Manager): All transport staff (drivers and escorts) are subject to CRB checks which are managed by Paul Edmonds, Safety and Compliance Manager in the Transport Co-ordination Service (TCS). It is not possible to provide this information to schools - there is a data protection issue but also the sheer scale of the task with different drivers provided by operators on some routes regularly changing would make it almost impossible to keep up to date at a school level. That aside there should be no requirement for schools to need this information as school transport is a function of the LA rather than schools themselves as and such it is our responsibility to ensure that drivers and escorts undergo the necessary CRB checks. I suspect this question is borne out of a recent spate of Ofsted inspectors seeking this information from schools - some schools often put under intense pressure to provide it at very short notice. This happened last summer in a few schools and I raised the issue with Andrew Riley, Lead Primary Adviser in School Improvement. He in turn raised this with Kevin Jane regional HMI who advised Andrew that the Inspector was wrong in expecting the school to have this information and that he would bring it to the attention of Inspection Teams. I have heard of another couple of cases very recently where this information has been required of a school so the issue is clearly not resolved. However as the legal duty is clearly upon the LA to make transport provision for eligible pupils it is also our legal duty to ensure appropriate safeguarding processes are followed for these staff. I have copied Andrew into this response so he is aware that this remains an issue for schools in Devon.

David Tall: In response to a letter from Anne Whiteley seeking clarification from OfSTED the Chief Inspector, Christine Gilbert, has replied to confirm that the response received in August 2009 from Kevin Jane was correct. **There is no requirement for schools to provide evidence of CRB disclosures for drivers and escorts providing home-to-school transport because they are employed by the LA and not individual schools. She is taking steps to ensure that all OfSTED inspectors are aware of this.**

5. Renewable Energy and Energy Efficiency in Schools

- **The Carbon Reduction Commitment** A new emissions' trading scheme called the Carbon Reduction Commitment (CRC) is due to be phased in from April 2010 and will seek to reduce carbon emissions through a cap and trade mechanism. The scheme will be mandatory and will include all organisations whose electricity consumption through half hourly meters is greater than 6,000 MWh/yr. Larger LAs will therefore come under the scheme and schools, as large users of energy, will be expected to play their part in meeting emissions targets. (see document 6 on website)
- **Energy Audits** At the meeting of the School Organisation Forum on 9th December 2009, the Forum agreed a recommendation for the LA to instruct NPS South West Ltd to undertake a preliminary Energy Audit of the schools estate. The Audit will specifically focus on potential savings from low cost technologies, including cavity wall and loft insulation, draught-roofing and low energy lighting. For the avoidance of doubt, the proposed Audit above is not the same as the energy survey previously promoted. NPS propose to administer the audit only. The audit will be carried out by specialist contractors who will be invited to visit schools within a geographic area at a mutually convenient time. The specialist contractors may not have been subject to CRB enhanced disclosures and therefore schools are advised to take their own precautions when permitting access to school.
- **Seminars and Web Resources** The Centre for Energy and the Environment at the University of Exeter recently teamed up with LAs from Devon, Cornwall, Somerset, Plymouth and Torbay to deliver two seminars on the subject of Renewable Energy and Energy Efficiency in Schools. The seminars brought together a range of speakers from environmental and funding groups as well as representatives from industry to present on the current state of renewable energy technologies. The aim was to explain some of the science behind climate change and to highlight the importance of reducing carbon emissions in order to reduce the impact of global warming. Delegates at the seminars were presented with a Schools Renewable Energy Guide with details of the science and available technologies for reducing carbon emissions. Suggestions for teachers on how to develop the topic of energy use in the classroom environment were also included to encourage children to become efficient energy monitors. The ReX software tool, developed by Dr. Coley, was also introduced as a guide for schools interested in sizing small scale renewable energy projects. Details of the seminars and copies of the presentations are available to download from the CEE website along with the ReX software tool at <http://centres.exeter.ac.uk/cee/re/> Hopefully this will be a useful resource for schools who are interested in saving energy or in renewable energy projects.

Governor comment

- ❖ *DCC do free surveys – they are very useful and recommended. If you have paid for a survey you can request a refund*

- ❖ DCC has a statutory duty to adhere to reducing carbon emissions. Governors of small schools felt they would find it difficult to fund the recommendations
- ❖ Ed Balls has announced money to enable a smart meter reader to be installed in all schools. There is a need to register as they will be installed on a 'first come, first served' basis – the link was sent to schools on 28th January <http://www.energydisplaymeter.co.uk/>. It will, however, take a couple of years for this to happen. Ian Bateman has recently communicated with schools about this and distributed a questionnaire which schools are encouraged to return asap
- ❖ One clerk mentioned BRE Grants and the fact that there is still £49 million available to distribute to encourage sustainability on all levels

Governor questions

1. Will the costs of meeting the CRC be particularly difficult for small schools?

Vic Ebdon (Head of Strategic Planning): There are a number of options for all schools, some more labour intensive than others. Schools that use the corporate gas contract and adopt automatic meter reading will have met all the compliance requirements. Of course, they should still manage their energy use efficiently (which will save them revenue expenditure)

2. Is there a single list of schemes to which schools can apply in order to help them reduce energy costs?

VE: The LA is planning a series of guidance booklets to inform schools of legislative requirements and signpost them to good practice, grant sources, energy reporting options and specific LA initiatives

6. Political Party Policies

Governor comment

- ❖ Any discussions on education issues at the moment must be tempered by the imminence of the general election and the possibility of a change of government
- ❖ There was concern that a new government might introduce new measures that might create unnecessary disruption at a time of financial difficulty
- ❖ Concerns were also expressed about whether, post election, there would be major cutbacks or even the abandonment of schemes such as Building Schools for the Future and the Primary capital Programme

Governor questions

The list below has emerged partly from meetings and partly from e-mailed questions passed to DAG since the last round of Area Meetings. The questions focus in the main on topics covered at meetings this term and last term and do not cover by any means all educational issues. We have also received a copy of a 'mini-manifesto' from Michael Gove, Conservative Shadow Secretary for Education (see document 4 on website) and copies of various speeches / statements from Labour education ministers. DAG is currently discussing with NGA the best way to take forward the question of developing a full and open education debate in advance of the election. The questions below will go in to that debate ... and others will be welcome. The responses below are from officers and not politicians!!

NGA Election Updates – summaries of key issues from all the main parties + cross-references to speeches and manifestos can be found in the weekly NGA newsletters ... yet another reason for becoming paid-up members of NGA!!

1. Is free nursery provision going to continue?

John Barnard: Currently, parents of 3 and 4 year olds are entitled to a free 12.5 hours per week. From September 2010 this increases to 15 hours per week and can be taken flexibly over a 3, 4 or 5 day period.

2. What will happen to the planned investment in new buildings under BSF and PCP?

Vic Ebdon: All parties recognise the national economic value of good education. On that basis it is reasonable to expect continued investment. The Conservatives have signalled their intention to redirect 15% of BSF money to new academies and more pupil places (to provide more choice). Officers remain optimistic but recognise that because of the general economic climate there may be some modest contraction.

3. What will happen to the proposals in the current White Paper?

Ivan Godfrey: Only politicians can answer this question!!!

4. Will the ContactPoint scheme continue?

Tim Leishman (Integrated Solutions Manager): Yes. We are taking a controlled roll out to ensure maximum benefits can be achieved. It is now being actively used in Devon by a team within the Youth Offending Service. We are working with existing multi agency groups such as joint agency team, referral and consultation unit (social care) and the new Multi Agency Safeguarding hub to schedule training for their referral staff. Over March and April the local data systems for education and social care will feed data into the child's record to provide a more detailed view of information.

Beverley Dubash: The Conservative Party has said that it will scrap ContactPoint if elected. However, Devon is likely to continue with a local information sharing database should this be the case.

5. Will there be any change in CRB arrangements and the planned move to the Vetting & Barring Scheme?

Tara Hall: The legislation has been written in 2006 for the new vetting and barring scheme and as such cannot be dropped or significantly changed by political changes. The detail of the scheme however could be subject to review but not the main aspects. Again, with CRB checks, the legislation is in place for the entitlement to do the checks. There is however a planned review already about the statutory requirements.

6. What will happen to Diplomas which have had, it is true, a difficult time but have not yet had the chance to bed in?

Julia Foster (14-19 Strategy Officer): As far as is known Diplomas are expected to remain. The structure and component parts may be altered under any government as they are evaluated over the next few years ... as would any qualification. It is more appropriate to consider the whole of the qualification pathways and consider how the entire curriculum will meet the needs of all learners including diplomas, GCSE/A level, Foundation Learning opportunities. Planning for the whole curriculum will become more and more important as we move towards the Raising of the Participation age in 2013.

7. Given that schools are deemed to be successful or otherwise according to their SATS, GCSE and 'A' level results how can such a judgement be valid given that the more academically able students are continually allowed to be creamed off into grammar schools? The statistics are bound to be in favour of the grammar schools, are they not? This is therefore not a like with like comparison and is thus a complete nonsense - yet schools are still judged to be successful (or not) based on the academic results of their students. Why?

David Lowes: The measure of success comes from comparing the results students achieve at the end of Yr 11 or Yr 13 with their target grades (ie what they might have been expected to achieve given their starting point on entry to secondary school or Yr12). This gives a progress measure, which is the best indicator of how well schools do for their students. Progress measures are converted in the annual RAISE document into 'contextual value -added' scores [CVA]. CVA scores are a means of comparing the progress of all students or groups within a school with that of students at similar schools nationally. Grammar school students produce high attainment raw scores because they only admit able students but they do not necessarily show high levels of progress. However some, for example Colyton Grammar, do both - students attain highly and also make very good progress.

7. Additional Questions

Governor questions

1. How should GBs handle the issue of the potential boycott of SATS?

Helen Dickson (Schools' Personnel Team Manager): Under their contract of employment, teachers (including HTs) are required to carry out their job in accordance with the School Teachers' Pay and Conditions Document and under the provisions of the 'Burgundy Book'. A refusal to carry out SATS would mean that the teacher could be in breach of their conditions of service and therefore, disciplinary action could follow. However, further information will be available to GBs depending on how this issue progresses.

NGA: The NUT and the NAHT continue to march towards the prospect of a boycott this spring. The NGA's view on this has been consistent. Despite our doubts about the current SATs regime we do not support the boycott and we are concerned about the possible effects. If ballots do take place, and if the NAHT ballot supports the boycott, then governors will be faced with some difficult decisions. The NGA will offer advice at the time but, until the two unions have balloted their members our current advice is to wait and see. The Government is not going to change its position regarding SATs. NGA has asked, if the action did go ahead, that the Government issue guidance for GBs. The Minister has said that it would.

2. How can governors access and print the Grievance Policy and other Personnel documents?

HD: 99% of Devon schools purchase Personnel support from the DCC Schools' Personnel Service. Schools pay a subscription for this service which includes the drafting of new policies as well as the full consultation process for implementation, on behalf of schools. We feel therefore, it is only right and proper that these policies should not be available to the general public via a public website as schools have paid for them. We believe that access to all schools' personnel policies should be restricted to school management and GBs via the DCC intranet so that schools are not subsidising use of these policies by other organisations. Governors Services are aware of the problem whereby individual governors are not able to access information generally and they have looked into what can be done. However, the complexity of developing such a system that will allow access for non DCC/school employees but, at the same time, protect the DCC systems from data corruption and breaches of confidentiality, makes such a system unviable at this time. However, please be

aware that Clerk to Governors, HTs, school managers and administrators can access personnel policies via the DCC Intranet by using the 'Schools' Personnel Policies' pages on 'The Source'.

3. **Does the new Grievance Policy also include the new guidelines?**

HD: The new Grievance Policy meets all legislative requirements and it is recommended that it should be adopted by GBs as soon as possible.

4. **What is the role of the Parent Representatives on the Scrutiny Committee?**

Councillor Vanessa Newcombe (Chair CYPs Scrutiny Committee): There were always parent governors on the former Education Committee, as well as church representatives. When the Education Committee became the Scrutiny Committee, Schedule 1, para. 9(4) of the local Government act 2000 said that: "The Secretary of State may by regulations require an overview and scrutiny committee or sub-committee to which this paragraph applies to include one or more persons elected, in accordance with the regulations, as representatives of parent governors at maintained schools which are maintained by the relevant authority concerned." The rules were set out in the Parent Governor Representatives (England) Regulations 2001. It is a statutory obligation that we have parent governors on the committee and their role is to comment upon all educational issues brought before the Scrutiny Committee. At the moment, we need a new secondary governor. For details about this please contact Gerry Rufolo (gerry.rufolo@devon.gov.uk).

5. **What steps does a GB need to take to ensure they are safeguarded when choosing to opt for a contractor not on the approved list?**

Tara Hall: The GB must ensure that company is aware of their responsibilities as far as recruitment and vetting checks and safe working practice are concerned. They must have written confirmation of CRB checks as usual, prior to the company working on site

B Issues offering just Governor Feedback Comments

8. BSF (Building Schools for Future) and PCP (Primary Capital Programme) Devon has made a successful BSF bid. This means that we will re-build or substantially refurbish Chulmleigh, Dartmouth, Ilfracombe and Tiverton secondaries along with Marland special school in Torrington. Work will start on planning the new schools almost immediately with building work beginning in three years. Devon was one of 30 LAs invited to bid for the early release of funds because of its success in delivering other projects. It will mean £80 million from the Government with DCC contributing up to £7 million.

Governor comment

- ❖ *Several governors queried whether there any significance in Dartmouth and Chulmleigh having gone for federation and now being part of the BSF programme. This was not thought to be the case as the federations pre-dated the opportunity to bid for BSF*
- ❖ *It was confirmed that proposals to develop a 6th form at Uffculme were not a BSF project*

9. DAG News

- The new DAG team looks forward to being of service in the future. The Area Officers (AOs) have already sent out their first letters and have begun to approach GBs who do not have a nominated contact with DAG. If you know that your GB does not have such contact please can you bring it to our attention
- The 2010 DAG Conference will take place in Exeter on Saturday 8 May. You can book electronically through the DAG website. Once again we shall be entertained by local school children
- The new Ofsted regime has been in place since September 2009 and DAG is always interested to hear from GBs who have undergone an inspection since then, to get feedback which might be useful to other GBs
- If you have an event for the opening of a new building there is an Authority Protocol in place for such events, (i.e. who should be invited). Contact David Tall for details
- **DAG and DGS gave a presentation to the NGA January Conference on their partnership work. Full details can be found on the NGA website**
- **The DAG AGM takes place on March 25th at County Hall at 6.00pm**

Governor comment

- ❖ *Some governors felt that there was still 'far too much stuff' being sent to GBs. Fiona Collier pointed out that DAG was aware of this problem and was aiming to sift through information for circulation and to produce information relevant to discrete groups*
- ❖ *On the other hand many said that the information was very useful and that the bullet pointed Newsletter was very good – 'what DAG produces is great, particularly the approach of sending out a précis but with links if more information needed. David Tall is hitting the right note!'*
- ❖ *Some were not sure that IGs were actually passing on information in some schools*

10. Training

Governors are reminded to consult the middle pages of this term's Devon Governor for the Summer Term 2010 training dates. To book a place on any DGS training courses telephone 01392 383613 or visit: www.devonldp.org
DGS Training (full details in Checklist) **NB Summer 2010 training dates in this term's Devon Governor** To book a place on any of our training courses please telephone 01392 383613 or visit: www.devonldp.org
Other Training / Events (full details in Checklist)

- **HTs' Early Years' Transition Conference 'Crossing the Bridge from Foundation to Year 1 – is it a smooth journey?'** - 25/03 Exeter. Bookings can be made at www.devonldp.org/cpd For more information call Sue Larkins on 01392 384856
- **'The Mix' (the Devon schools music festival)** - an incredible mix of top international artists, professional musicians, community musicians, and young performers from Devon's primary and secondary schools will showcase their work at Westpoint Arena near Exeter on June 23rd. The annual event, now in its fifth year, incorporates over 100 individual concerts and workshops with a wide spectrum of musical styles, from rock and gospel to jazz, folk, world music and classical. This year only schools that have signed up to attend 'The Mix' will be sent details of the performance and workshop slots. Those who sign up now will be given first chance to access workshops. For information visit <http://www.devon.gov.uk/musicservice/dms-mix10.htm>

Governor comment:

- ❖ *Fiona Collier asked those present to let her know if there was any particular accredited training requirement they might have that could possibly be offered at the DAG Conference on 8th May*
- ❖ *A few governors felt that the standard of training was not as good as before and had become stereotyped without enough variation in training and insufficient training for experienced governors*
- ❖ *Whole GB training was highly recommended by those who had undertaken it.*

11. Unitary Authority

Since the round of meetings the news has been given that the government has appeared to ignore the advice of the Boundary Committee and opted for unitary status for Exeter and the status quo for the rest of Devon. Whilst this has been welcomed by Exeter City Council officers and councillors, Devon County Council and the overwhelming majority of County Councillors have expressed dismay.

Peter Doyle (Head of External Affairs, DCC): Opposition in Parliament to the Government's draft order for a unitary Exeter is substantial and mounting. No timetable has yet been announced by Ministers for when the Order will be debated and voted on in the Commons and the Lords. The draft Order requires the approval of Parliament and it is increasingly questionable whether there is sufficient time for Parliament to consider the draft Order before the General Election is called. Meanwhile, Devon and Norfolk County Council have been granted leave to present their joint case for judicial review in the High Court at the end of April and Parliament will certainly take that into account.

On March 4th there was a significant development within Parliament. The influential Lords Merits Committee which reviews such Draft Orders to see if they correctly achieve the intention of the relevant parent legislation published its report on the Draft Orders for Exeter and Norwich. The Merits Committee criticised the Department of Communities and Local Government for failing to provide any evidence in support of the claimed "compelling reasons" why Ministers had departed from the Government's five criteria for approving unitary proposals. The following news release provides a useful summary of the Committee's views plus a link to the full report.

EXETER AND NORWICH: MERITS COMMITTEE CRITICISES DCLG FOR INSUFFICIENT EVIDENCE

The House of Lords Merits Committee has today published its report on proposals made by the Department for Communities and Local Government (DCLG) for the creation of two unitary councils in Exeter and Norwich. The Committee notes that the proposals do not conform to criteria published by the DCLG, and considers that a more detailed case for the proposed course of action than the assertion of "compelling reasons" should have been provided. The Department's response to supplementary questions from the Committee was considered to have failed to provide any more robust evidence. The Committee therefore remains unclear about how unitary status is expected to solve the problems identified. The Committee also commented that the parts of the explanatory material to which it routinely looks for evidence to support a policy proposal, in particular the Impact Assessment and the outcome of consultation, did not combine to make a clear, evidence-backed case for the proposal. The evidence received by the Committee, published in the report, illustrates to the House the different circumstances in Exeter and Norwich.

Chairman of the Merits Committee, Lord Rosser, commented: "Our report raises a number of questions about the way the DCLG has gone about formulating its proposals. The evidence we have received from the public illustrates concerns about a range of potential consequences. Parliament deserves better information about what effect these proposals will have, both in the cities and in the surrounding areas. It is not our role to reach a view on which local government structure is the right one, and we have not done. It is our job to draw to the attention of the House any issues which it may wish to take into account when it comes to debate the specific proposals in these Orders".

1. The full report can be found at: http://www.parliament.uk/parliamentary_committees/merits.cfm

2. *The role of the Merits Committee is to examine statutory instruments (such as these Orders) laid before the House of Lords, and to draw important instruments to the special attention of the House.*
 3. *The Merits Committee has no power to amend or delay a statutory instrument. Its role is to scrutinise all secondary legislation and advise the House if there are any items that are interesting or flawed. (Its full terms of reference are set out on the website.) Once its report is published, the Committee has no further influence on an instrument: it is up to the House to follow up its comments or not as it sees fit.*
 4. *Details of the draft structural changes Orders are on the OPSI website: <http://www.opsi.gov.uk/si/dsis2010> (scroll down to Local Government England)*
 5. *The Orders are subject to the affirmative procedure, meaning that they cannot come into effect until each House of Parliament has passed a resolution approving them. A date for the debates has not yet been announced.*
- Governor comment (before news of the decision):

- ❖ *There was a strong, unconfirmed rumour circulating at meetings that Exeter would get unitary status and the rest of Devon would get the status quo. This news was met with total dismay by those present*
- ❖ *It was felt that if this were true it would make it difficult for education in both the county of Devon and in Exeter. There was uncertainty as to where the new administrative centre for Devon would be located*

C Additional Issues / Information

12. 21st Century Schools White Paper (www.dcsf.gov.uk/21stcenturyschoolssystem) sets out proposals including

- Requirement for GBs to consider formal partnership arrangements in specific situations such as before appointing a new HT or being placed in special measures or given notice to improve or formal warning notice
- Requirement for clerks to GBs to be trained
- Ensuring SIPs (School Improvement Partners) provide information and advice to the GB about their school's performance
- Reminding governors about their powers to challenge performance
- Enshrining in law GBs' fundamental duties to children.

NGA Update (Feb. 26th): The Bill finished its passage through the Commons this week with much furore about an amendment to clauses 11-13 which introduce compulsory PSHE (specifically relating to clause 13 concerning sex and relationships education). The original clause has been amended to include provision for faith schools to teach PSHE in such a way that reflects their religious character. Opponents of the amendment believe that it may mean pupils in faith schools will not receive a balanced and objective sex-education. Ed Balls insisted this was not the case and that faith schools would be required to teach a broad and balanced curriculum. In defending the amendment he said for example that at present there was no requirement for faith schools to teach about contraception but that under the new rules they would have to do so. The amendment would not change this, but would allow faith schools to set such issues in the context of their own religious beliefs. The Bill has now passed through the Commons and heads for the Lords. There is very little parliamentary time left between now and the election (whatever date that occurs) so it remains open to question which bits (if any) of the Bill will make it to statute. The full proceedings relating to the Bill can be found at <http://services.parliament.uk/bills/2009-10/childrenschoolsandfamilies.html> (see also document 1 on website)

13. Job Evaluation Under JE the job of Clerk to Governors was originally graded as B. This has been the subject of a formal appeal and the formal panel has determined that the Job (Clerk to Governors.G.0308) is Grade C. Initially the JE team will be liaising with Payroll regarding those Clerks to Governors who appealed, to advise that the final grade is Grade C. The JE team will work with payroll to ensure that all other post-holders who are on job 308 will also be at Grade C. It should be emphasised that - if Payroll is to follow past practice - any Arrears and Compensation payments due will only be made to Clerks who were actually in Job G.0308 at the JE notification date of February 2007. Back pay will be made to all qualifying Clerks including those who were appointed after February 2007. Payroll is aware that, in many schools, the function of Clerk to Governors is carried out by employees in other Jobs e.g. Clerical Assistant Generic.G.0383. While this Job is paid at the same level as Clerk to Governors, Payroll would not expect an individual in this Job to benefit from any grade change to Clerk to Governors.G.0308. If a school has concerns about the effect a change to grade for Clerk to Governors might have

on its own Clerk, please email sharon.samuel@devon.gov.uk. Clerks should be aware that there will be a delay in making payments to those who qualify. Funding for the JE Payments Team ended at the end of October and calculation and processing of JE payments will need to be picked up by Payroll Operations teams. Even though letters have now gone to all appellants to notify the grade change, there is not yet a date for payments to be made. Records show that for the majority of Clerks, they remain white circled therefore no payments are due. Finally it must be pointed out that some Clerks were paid higher than grade C so it may be timely to ask any schools in this situation to remind their Clerks that protection finishes at the beginning of April and therefore their pay will be reduced at that date.

14. Teaching Awards You can find all the information you will need about this wonderful process at <http://www.teachingawards.com/nominations/>. Making a nomination is a unique opportunity to give teachers, teaching assistants, governors and schools the recognition they deserve. Nominating is a quick and easy process which only takes a few minutes. If you have any queries about making a nomination call 020 7776 2340 or e-mail nominations@teachingawards.com

There are 3 new categories, bringing the total number of awards to 13. They are:

- Teaching Award for Outstanding School Team of the Year, which will recognise all kinds of excellent teams of staff working together in different ways and achieving exceptional results
- Film my school' - a competition that invites children and young people to make a short film about their school. It's an opportunity to tell the world what makes it such a great place to be. There's a prize of £5,000-worth of video equipment for the UK winner
- Henry Winkler Teaching Award for Special Needs. Henry Winkler (aka 'the Fonz' in Happy Days) is a keen campaigner for special needs and won significant funding from Absolute Radio for the Teaching Awards - his favourite charity. Outstanding special needs teams can now bid for the funds to support their crucial work.

There are three awards, one of £15,000 and two of £10,000.

9 other categories of Teaching Awards reward individual staff - teachers, HTs, teaching assistants and governors; the tenth is the DCSF Award for Sustainable Schools, a whole-school award now entering its third year. In a letter to judges from Will Wyatt, Chair of Trustees, he states: *“ One of the aims of the trustees is to encourage more schools to take part in the awards. Just being nominated for an award does wonders for the individual or team concerned, and also for the whole school and school community. I am asking judges to develop the role that they and fellows play in promoting the awards, by inviting them all to encourage nominations from local schools. The Teaching Awards is a wonderful institution. We know that the awards benefit teachers, pupils, students and schools, pupils. Let's make more of them part of it all. “*

15. NGA Issues

Work-life balance – as a result of the revisions to the School Staffing (England) Regulations 2009 (HT's work life balance) some governors have concluded their GB needs to conduct an enquiry in order to meet this 'new duty'. Two points here:

- This is not a new duty; it simply attempts to clarify an existing duty. GBs have employer responsibilities and as such they have a responsibility to ensure that all staff, including the HT have a work life balance. If a GB became aware or suspected their HT was overworking or under strain they have a clear duty to investigate. If the GB found that the HT was at risk they would have a clear duty to intervene. They might instruct the HT to take some time off, to delegate more work, or even to employ more support staff to take some of the strain off the HT. The GB cannot pass the blame to others – this is a clear GB responsibility.
- All GBs should however bear in mind that HTs are well paid senior managers. As such there is a clear expectation that HTs will be required to work longer hours than teachers. Part of the problem in schools is the intensive nature of the job, with 52 weeks work squeezed into a 39 week school year. Possible changes to the length of the school year as a means to address workload issues have not, as far as NGA can ascertain, been discussed by the social partnership between the unions and the government.

➤ **Learning Outside the Classroom (i.e. School Trips)** - we have now had time to take a careful look at the government's proposed new guidance for health and safety outside the classroom (HASLOC). The HASLOC document will replace previous guidance that has been in place for some years. Part of the rationale for the update has been the perceived need to reassure teachers and group leaders that they would not face legal action if a 'genuine' accident happened on an out of classroom activity. Unfortunately, in its attempt to do this, the DCSF appears to have thrown the baby out with the bathwater. The new document is badly written (appallingly so in places) and has the potential to create confusion. The NGA understands that the Outdoor Education Advisors Panel (made up of LA safety advisors) has already told the DCSF that the document is 'not fit for purpose'. It is both inaccurate and misleading about governors' responsibilities for health and safety and it seriously understates the legal requirements for the kind of preparations that any adult should perform if they are to take charge of the people's children. The NGA will be responding to the consultation in due course, but we urge governors (and HTs) to take a close look at this document – and to respond to the DCSF accordingly.

- **CEO** - Phil Revell has been replaced as CEO to the NGA by Emma Knights, currently Joint Chief Executive at the Daycare Trust, a role she has fulfilled since 2006.
 - **Legal Support for GBs** NGA has come to an agreement with a legal firm to provide some legal support for GBs. For details visit <http://www.nga.org.uk/Resources.aspx>
 - **Governance Review** The Ministerial Review Group on Governance is due to meet, at last, on 16 March. As soon as we have further information we will alert members to the report and consultation dates. Please respond to the consultation, late as it may be.
 - **Consultations** There are a number of current consultations which GBs should be aware of as they will have an impact on governors/governance.
 - Consultation on the draft new 'School Governance (Transition from an Interim Executive Board) (England) Regulations 2010
 - Support for All: the Families and Relationships Green Paper
 - Public Consultation on the Introduction of the Pupil and Parent Guarantees
 - Considering pupils' views
 - Consultation on Regulations and Guidance on School GBs' Power to Refer Pupils to Off-site Provision to Receive Education or Training to Improve their Behaviour
- All these consultations can be found on the DCSF website at <http://www.dcsf.gov.uk/consultations/>

16. Early Years

- In 2007, as part of the Childcare Act 2006, a new statutory duty was given to LAs to undertake a **Childcare Sufficiency Assessment (CSA)** every 3 years. As part of the assessment the LA has to assess the level of childcare provided in the area and work to ensure there is enough childcare of the right type for families who need it. LAs are required to act as strategic leaders, overseeing the development of the childcare market, to work in partnership with childcare providers locally and to create a stable and sustainable environment for childcare. As part of the assessment the LA consulted with a range of stakeholders including childcare providers, parents/carers, employers and children and young people. The assessment of needs and provision enabled the LA to identify gaps in the provision of childcare, and from this plans were then established which were designed to 'fill' the gaps where practicable to do so. The LA is required to publish a new CSA by April 2011 and the DCSF will expect assessments to be a repeat of those completed in 2007. Planning for the next CSA begins now as time will be needed to develop the Sufficiency Action Plan. The Early Years' Team see schools as integral to the consultation process.
- From April 2010 Children's Centres will be inspected by OFSTED. LAs now have a new duty to ensure that Children's Centre provision is in place.

17. Snippets

- **Results (Anne Whiteley)** I know many of you have little time for SATs and particularly the way the Government uses the information. However it was encouraging to see Devon now stands at joint 49th out of 151 LAs compared to joint 60th last year. Our aggregate score in the three tests has risen for the past five years and now stands at 251 compared to the national aggregate of 247. As our Cabinet Member for Schools and Skills, Christine Channon, pointed out in her press statement, that is despite Devon sinking to 148th out of 151 LAs for Government funding. It is a measure of your hard work and commitment that primary schools across Devon can still manage to deliver this sort of sustained exam performance despite our unfair funding – no matter how discredited those exams may be.
- **Stepping Stones** New programme for SEN provision ... look out for details
- **Fire Risk Assessment** Schools will need to complete a copy of the Fire Risk Assessment document sent out at the beginning of term
- **SIAS Inspection System – Draft Interim Protocol** Information for Diocesan schools. This new system is working really well, with more transparency and accountability. The actual inspection itself has not changed (in case governors panic!) It is just the way it is administered from the Diocese which is different. (see document 8 on website)
- **Sherford All Through School** - the consultation is now reopened. The first proposal did not progress beyond the consultation to the next stage of public notice.

Devon Playing Fields Strategy – request to bring the development of Devon's Playing Fields Strategy to the attention of the governors, for their information. There is an interim report from Bennett Leisure and Planning, an organisation which has been commissioned to undertake the research. If you would like any more information about this contact melanie.webb@devon.gov.uk. Primary schools have received their surveys through CYPs document distribution. (see document 10 on website)

D Useful documents for GBs

1. **Effective Governing Body File and CD** produced by Devon Governor Services – templates for standing orders, agendas etc
2. **Finding & Keeping Effective School Governors** produced by Devon Governor Services (2007)
3. **Exploring Federation - A Toolkit for Schools** from DCC
4. **Learning Data Sets** – sent to all LLCs by DCC
5. **Matters Arising magazine** – 6 times a year from NGA to members
6. **Devon Governor** – termly magazine
7. **Governors** – termly magazine from DCSF

E Future Meetings

Future meetings for the Academic Year 2010 / 2011 are planned as follows:

Autumn Term 2010 for the following clusters of LLCs – dates in July and venues tbc by early September

- Axe Valley, Exmouth, Honiton, Ottery-St-Mary and Sidmouth
- Dawlish, Newton Abbot, Teign Valley and Teignmouth
- Culm Valley and Tiverton
- Holsworthy, Okehampton and Tavistock

Spring Term 2011 for the following clusters of LLCs – dates in November and venues tbc by early January

- Chulmleigh, Crediton and South Molton
- Barnstaple, Braunton, Bideford, Ilfracombe and Torrington
- Dartmouth, Ivybridge, Kingsbridge, South Dartmoor and Totnes
- Clyst Vale and Exeter