



THE ROYAL BOROUGH OF  
**KENSINGTON  
AND CHELSEA**

**AUTUMN TERM – GOVERNORS’ NEWSLETTER  
OCTOBER 2018**

Dear Governors

Welcome to our latest newsletter and we hope you find interesting items to keep you up to date.

The last few months have seen a few changes brought in to enhance current governance practices, announcements on teacher pay increases and a new Keeping Children Safe in Education 2018 document.

This newsletter covers several subjects to support governors, including Safeguarding, SEN, Schools Block Funding arrangements, Admission Arrangements, Careers Guidance, Apprenticeships and Ofsted updates.

As usual, the governance team continues to work closely with Governing Boards and Headteachers. Schools have been signing up to the School Improvement SLA, which includes access to the governor training programme and on-line training through Modern Governor. Schools are also choosing to use some of the School Improvement SLA allocation for whole governor training or have entered into bespoke governance arrangements on a case by case basis.

A recent survey on the future direction of the Chairs Forum has just closed and the outcomes will be shared with Chairs once the analysis has been reviewed.

**Further information on all aspects of schools’ governance is available via Jackie Saddington – Head of School Governor Services at [Jackie.saddington@rbkc.gov.uk](mailto:Jackie.saddington@rbkc.gov.uk)**

You can also contact [Julie.farmer@rbkc.gov.uk](mailto:Julie.farmer@rbkc.gov.uk) for further information.

Richard Stanley  
Deputy Director of Education

**IMPORTANT DATES**

**Chairs’ Forum -**

**Thursday 15 November 2018 6.30pm - 8.30pm  
Kensington Town Hall – Committee Room 1**

Following the issue of the draft, revised KCSIE guidance at the end of the summer term, new statutory KCSIE guidance came into effect from 3<sup>rd</sup> September 2018. The guidance has been updated to fully reflect schools' and colleges' role in the new safeguarding partner arrangements (as highlighted in the updated *Working Together to Safeguard Children* guidance) and provide guidance on information sharing practices under the new GDPR regulations and the Data Protection Act.

The statutory guidance applies to **all** schools and is for:

Headteachers, teachers and staff; and

Governing boards, proprietors and management committees.

It sets out the legal duties that must be followed to safeguard and promote the welfare of children and young people under the age of 18 in schools and colleges.

As governors, it is essential that at least Part 2 of the updated guidance (The Management of Safeguarding) is read and we recommend that Boards maintain a sheet signed by governors highlighting that they have read and understood Part 2 of the 2018 guidance. As strategic leaders, it is also important that the Board are confident that **all** school and college staff have read at least Part 1 of the guidance.

The guidance is split into five distinct sections (Safeguarding information for all staff; The Management of Safeguarding; Safer Recruitment; Allegations of abuse made against teachers and other staff; and Child on child sexual violence and sexual harassment) and is supported by eight annexes which include further information on issues such as online safety, the role of the safeguarding lead and disclosure and barring service checks. Key points from the updated guidance, which places more emphasis on children with SEN/D, care leavers, previously looked after and adopted children, include:

- Schools should have their own individual safeguarding policy that meets the needs of the children in their community – referred to as contextual safeguarding.
- There is clear guidance on peer-on-peer abuse and sexual violence and sexual harassment.
- A greater focus on online safety, including the need to have a policy around children accessing the internet whilst at school (Annex C).
- Whilst Trust headquarters can keep the master MAT Single Central Record, the updated guidance states it must be accessible in each academy. Given the logistics of this, it is likely that individual academies within a MAT framework will look after their own SCR.
- The guidance makes it very clear that section 128 checks in academies and free schools includes governors/trustees, headteachers, members of SLT and departmental heads.

- Schools will be required to complete a risk assessment for every volunteer to determine whether an enhanced DBS is required. Remember that if the volunteer is not involved in a regulated activity then a barred list check is not permitted.
- It is emphasised that the school is still responsible for the safeguarding of children when they are placed in Alternative Provision. Schools must obtain a written confirmation from the AP provider that they have completed all the necessary vetting and barring checks on their staff.
- Schools must ensure they hold more than one emergency contact number for children.

Induction training for new staff must include:

- The school's behaviour policy;
- The school's procedures on managing children missing education;
- The staff code of conduct;
- The school's Child protection policy;
- Keeping Children Safe in Education Part 1; and
- An overview of Annex A which provides further information on issues such as domestic abuse, children in the court system (as witnesses), child sexual exploitation, preventing radicalisation and peer on peer abuse.
- Home-stay arrangements (covering school exchange trips) need to include Enhanced DBS checks for those parents where overseas pupils will stay for the duration of the exchange visit.

**The updated KCSIE 2018 guidance can be accessed [here](#)**

In addition to the updated KCSIE 2018 guidance:

*Working together to safeguard children* was updated in August 2018 and can be accessed [here](#).

Although not directly targeted at Governing Boards, it makes useful background reading for the Safeguarding Link Governor. The guidance focuses on inter-agency working, looking specifically at assessing need and providing help, organisational responsibilities, multi-agency safeguarding arrangements and child death reviews.

**Disqualification under the Childcare Act 2006** was also updated in August 2018 and can be accessed [here](#). This statutory guidance is aimed at Governing Boards of all schools (academies and maintained, including nursery schools).

The guidance sets out:

- The responsibilities of Local Authorities and schools;
- What they need to do to comply with the legislation;
- Who is covered by the arrangements – including the changes to the arrangements for staff who live in the same household where a disqualified person lives or is employed; and

- The circumstances where staff should be directed to apply to Ofsted to waive disqualification.

The 2018 regulations have been set under s75 of the Childcare Act 2006 and set out the circumstances in which an individual will be disqualified for the purposes of s75 of the Act. S76(2) of the Act provides that a person who is disqualified under the 2018 regulations may not:

- Provide relevant childcare provision; or
- Be directly concerned in the management of such provision.

Under s76(3) schools are prohibited from employing a disqualified person in connection with relevant childcare provision in the settings set out in the offences and orders section of the statutory guidance, unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake. An employer will be seen as committing an offence if they contravene s76(3), except if they prove that they did not know, and had no reasonable grounds for believing, that the person they employed was disqualified.

### **SEND UPDATE**

September 2018 marks four years since the introduction of statutory changes\* in the way children and young people with special educational needs (SEN) are supported and an expectation that the changes are well embedded. Governing Boards will know that their duties include identifying children and young people with greatest difficulty learning, making provision to meet those needs through the 'assess, plan, do, review cycle and reporting to parents on the progress of SEN pupils. Every school must have a named teacher with the mandatory SENCO qualification supporting the wider workforce.

As the academic year gets underway, the Governing Board will want to satisfy itself that the school is discharging these statutory duties. The governor with responsibility for SEN will be taking an interest in the school's SEN register to ensure that it contains only those whose barriers to learning call for SEN provision, rather than those where class teacher is meeting their needs through differentiation.

Finance governors will want to ensure that the budget resources for SEN are the financial expression of the school's SEN policy, particularly as statutory guidance sets out an expectation of up to £6k per pupil to ensure individual needs are being met. Governors will want to verify that pupil progress evidences value for money.

Governors with an interest in curriculum and premises will want to satisfy themselves that all pupils have equality of access in their learning.

Implementation of the reforms nationally will be scrutinised jointly by Ofsted and CQC on a 5-year cycle and we are anticipating a visit from them during the forthcoming academic year. They will want to look at the local area SEND strategy:

[https://search3.openobjects.com/mediamanager/triborough/directory/files/send\\_strategy\\_wcc\\_final\\_150518.pdf](https://search3.openobjects.com/mediamanager/triborough/directory/files/send_strategy_wcc_final_150518.pdf)

[https://search3.openobjects.com/mediamanager/triborough/directory/files/send\\_strategy\\_rbkc\\_final\\_140518.pdf](https://search3.openobjects.com/mediamanager/triborough/directory/files/send_strategy_rbkc_final_140518.pdf)

Inspectors will ask whether the right children are being identified at the right time; whether provision in place is improving their outcomes and how satisfied they and their parents are with their rate of progress.

Your school's Governing Board may think this is an opportune time to ask whether children and young people feel their needs are identified and well met and whether their parents and carers are as satisfied as all parents of pupils at the school.

If you would like more information about the statutory duties, the SEND Strategy or the inspection process, please contact Julie Ely, Assistant Director for SEN and EPs

\* Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

Accompanying SEND Regulations

[http://www.legislation.gov.uk/uksi/2014/1530/pdfs/uksi\\_20141530\\_en.pdf](http://www.legislation.gov.uk/uksi/2014/1530/pdfs/uksi_20141530_en.pdf)

## RELATIONSHIPS AND SEX EDUCATION

The Children and Social Work Act 2017 placed a duty on the Education Secretary to make Relationships Education at primary schools and Relationships and Sex Education (RSE) at secondary schools' compulsory. The Act also provided powers to make elements of Personal, Social, Health and Economic Education (PSHE) mandatory in all schools. In December 2017, the DfE launched a call for evidence to seek public views from adults and young people on the content of the new subjects and to inform the update of the current guidance on sex education. The call for evidence closed in February 2018, having received over 23,000 responses.

The start of the summer holidays saw the DfE launch a consultation on draft regulations and draft statutory guidance to make Relationships Education in primary schools, RSE in secondary schools and Health Education (a new component of PSHE) compulsory in all schools. It is not proposed to make all of PSHE compulsory, as had been called for by the PSHE Association. The new proposals include topics like mental wellbeing, consent, keeping safe online, physical health and fitness and LGBT issues.

The guidance will replace the current statutory guidance for Sex and Relationship Education which was last updated in 2000. The draft proposals can be accessed [here](#). The consultation is open until 7<sup>th</sup> November 2018.

## SCHOOLS BLOCK FUNDING ARRANGEMENTS

The Department for Education (DfE) introduced the national funding formulae (NFF) for schools, high needs and central school services from 2018-19 which is currently used to distribute resources to Local Authorities (LAs).

The NFF introduction represents a significant change. To provide stability for LAs and schools through the transition before the NFF is introduced in full, in 2018-19 and 2019-20 each LA continues to set a local schools formula, in consultation with local schools. These local formulae determine individual schools' budgets. The DfE have decided that in order to continue to support a smooth transition, LAs will continue to determine local formulae in 2020-21. The Councils will consult with the Schools Forum on the local formula.

### Schools Forum Dates

**WCC:** 15/10/18, 21/01/19, 25/03/19, 03/06/19 (all Mondays @ 4.45 p.m. – venues to be confirmed).

Contacts: [Jackie.Saddington@rbkc.gov.uk](mailto:Jackie.Saddington@rbkc.gov.uk) and [Julie.Farmer@rbkc.gov.uk](mailto:Julie.Farmer@rbkc.gov.uk)

**RBKC:** 08/11/18, 29/01/19, 26/03/19, 12/06/19 (all @ 5.00 p.m. – venues via Governance Administrator).

Contact: [Deborah.Robinson@rbkc.gov.uk](mailto:Deborah.Robinson@rbkc.gov.uk)

## SCHOOL TEACHERS' PAY AND CONDITIONS DOCUMENT 2018 (STPCD) AND TEACHER'S PAY AWARDS

The DfE has confirmed the 2018 teachers' pay award, which will see a 3.5% uplift to the main pay range, a 2% uplift for the upper pay range and a 1.5% uplift for the leadership pay range. This will be funded through a separate teachers' pay grant, covering the difference between the award and the cost of the 1% award that schools would have anticipated under the previous public sector pay cap. This grant will be over and above the core funding that they receive through the NFF. Children's Service finance are following up with the DfE to ensure that the grant covers special schools, hospital schools, and alternative provision.

The School Teachers' Pay and Conditions Document 2018 continues to allow for discretion for governing boards to make regarding the implementation of the pay award in their schools. The purpose of this communication is to provide the necessary information to enable your governing board to consider and reach a decision regarding the pay implementation.

The changes to pay have been confirmed as:

- 3.5% to the minimum and maximum of the unqualified pay range and main range
- 2% to the minimum and maximum of the upper pay range, leading pay range and all allowances
- 1.5% to the minimum and maximum of the leadership pay range



The Local Authority HR service has consulted with the relevant teaching unions and their position is that everyone should receive a pay uplift. Their view is that the pay uplift is applied equally to the whole range and not to the minima and maxima of the ranges only.

The Local Government Association (LGA) has outlined various options for pay. This includes the LGA pay modelling tool (which is based on the options the LGA has outlined). This information has already been circulated to schools for information.

It is worth noting that each school will have to fund the first 1% of the pay award and because of the way the grant is calculated, it may not cover fully the difference in the increase. There is also no guarantee that the pay grant will be available after two years. Governing Boards should have regard to the budget implications of their decision, plus the sustainability of any awards and may wish to seek advice from their finance advisers.

The three options that schools can consider are:

**Option 1:** To increase the minima and maxima of the respective pay ranges and nothing else.

**Option 2:** To increase the minima and maxima of the pay ranges and uplift the specific pay points within the minima and maxima of the ranges as the basis for an annual pay award.

**Option 3:** Governing Boards can implement the proposed changes, increasing the minima and maxima of the pay ranges as detailed previously AND can determine their own pay points provided they meet the minimum statutory requirements.

The following HR Guidance on considering and implementing the pay award and an updated version of the Model Pay Policy via the following links may assist governing boards.



Schools' HR  
Guidance\_Pay Policy



Model Pay Policy  
update with 2018.doc

Pay Scales – based on Option 2. Due to the complex nature of the award, if you have any queries about Option 1, please liaise with your Schools' HR provider as the leadership spine might need to be tailored to individual schools.

If you would like further information or advice, please do not hesitate to contact Shereen Moussa, Schools' HR Business Partner  
Email: [Shereen.moussa@rbkc.gov.uk](mailto:Shereen.moussa@rbkc.gov.uk)

## CONSULTATION ON ADMISSION ARRANGEMENTS FOR THE 2020/2021 YEAR OF ENTRY

Schools and Academies that propose changes to how places are allocated must carry out a formal public consultation in accordance with requirements set out in the Admissions Code. The window of opportunity to consult starts from 1 October

and must end by 31 January in the preceding year of entry. A consultation must take place for a minimum of six weeks. The Council is the responsible body to fulfil this requirement for community schools, **the governing board for faith schools, academies and free schools.**

As a matter of process, most schools and academies will present their proposed changes to the maintaining Council (Admissions and Access to Education Team) before opening their consultation. This allows for an element of scrutiny to avoid proposals that may not be compliant with Code requirements. Where issues have been identified these have been raised with the respective school/academy before formally consulting.

All admission authorities must formally determine their admissions arrangements by 28 February each year and publish for public viewing by 15 March. This requirement also applies to schools and academies that did not make changes to their arrangements. On scrutinising websites, many schools do not have their 2018/19 or 2019/20 admissions arrangements published. Governors are therefore asked to check their school website to ensure compliance.

To support schools in the consultation process, a training PowerPoint can be provided with a Guidance pack.

Please contact the Admissions and Access to Education team for further advice on 0207 745 6432/6433.

## PROCUREMENT FOR SCHOOLS

The DfE are constantly reviewing their schools financial health and efficiency and webpages (which can be accessed via <https://www.gov.uk/government/collections/schools-financial-health-and-efficiency>). At the end of August 2018, the DfE published guidance on supporting excellent school resource management which documents the help and support, both current and planned, the DfE is making available to schools in order to help them reduce costs and get value for money. The guidance documents apply to all maintained schools, academies and free schools and are directly aimed at school leaders, including the Governing Board. The guidance can be accessed [here](#).

Over the summer the DfE refined its **guide for schools to buying goods, services and works**, focusing on:

- The stage before starting the procurement process – how to prepare and research before purchasing items in order to help schools gets the best deals, value for money and help save money.
- Finding the right way to buy – when to buy from a national deal or framework and when to obtain bids and quotes.
- How to effectively write a specification.
- Selecting a supplier directly from a framework agreement.
- Running a mini-competition – when purchasing from a framework agreement where all the suppliers are able to bid.



- Writing and management contracts.
- How to avoid fraud and what to do if fraud is suspected.

The summer also saw the DfE update its list of **deals** negotiated nationally for schools, covering procurement for energy and utilities; ICT; printers, copiers and multi-functional devices; insurance; audit services; facilities management and estates; and books and materials. These deals can be accessed via:

<https://www.gov.uk/government/publications/deals-for-schools/deals-for-schools>

The [workforce planning guidance](#) provides help with reviewing staffing structures. This guidance provides prompts and questions, linked to evidence, on the effective use of school staff.

The [toolkit for schools](#) to help reduce unnecessary workload, developed and tested by school leaders and teachers themselves.

Consider how well your school is planning its curriculum and finances together, and whether [video guidance](#), the (secondary) [planning tool](#) and [a case study example](#) could help.

The [step-by-step guide](#) that explains the apprenticeship levy and helps schools access their allowance.

The DfE has introduced the agency supply framework to bring transparency to agency mark-ups and hold agencies to standard levels of practice, including on temporary-to-permanent fees.

Keep an eye out for the DfE's free teacher vacancy listing which will help schools reduce the costs of recruitment advertising. This vacancy listing is currently being piloted in two areas and, over the coming months, the department will work with more schools and teachers to further develop the service.

## **ACADEMIES AND FREE SCHOOLS – RISK PROTECTION ARRANGEMENT**

The [Risk protection arrangement](#) provides an alternative to commercial insurance for academies and free schools, generating significant savings. The RPA General Annual Grant deduction will remain at £20 per pupil until August 2019.

A range of [recommended deals](#) are available to schools which have been negotiated nationally to help provide schools with the best value on regular purchases such as IT hardware and multi-functional devices.

From September 2018, at no additional GAG deduction, new [Risk protection arrangement](#) covers will apply on overseas travel (including winter sports) and cultural assets, helping academies/free schools save further on insurance. The list of recommended deals will continue to expand.

## DATA AND TRANSPARENCY

The [top 10 planning checks for governors](#) - these cover the key metrics and information that governors and trustees should consider in order to ensure that the school is operating efficiently.

Don't forget to use the [schools financial benchmarking service](#) which allows schools to easily compare their spending with other, similar schools, and includes contact information, so you can make contact with your comparator schools and share best practice.

This will be updated regularly as the DfE continues to develop the site, including improving data collection and timescales.

## FINANCIAL PLANNING AND GUIDANCE

There is a range of support on strategic financial planning and guidance on financial efficiency with curriculum planning available to help school leadership teams, including a curriculum planning tool.

The DfE are working with the Institute of School Business Leadership, supporting the development of qualifications (including apprenticeships) available to school business professionals.

The DfE will work to raise the status of school business professionals amongst school leaders.

## ASSESSING THE EFFECTIVENESS OF CAREERS' GUIDANCE

Following the January 2018 publication of the DfE's statutory careers guidance (part of the DfE's overall careers strategy to make sure all young people in secondary school get a programme of advice and guidance that is stable, structured and delivered by individuals with the right skills and experience), one of Sean Harford's summer Ofsted blogs looked at how Ofsted Inspectors assess the effectiveness of this provision. Key points made within this blog include:

- Ofsted does not have a preferred style of careers education, information, advice and guidance (CEIAG) for schools and colleges.
- That said, Ofsted does expect, as a standard, that young people will be offered CEIAG which includes guidance on their subject choices, discussion on their career aspirations and how they can achieve them and how they're progressing towards this. Work experience and guidance on a vocational or

academic path and routes post-16, whether it be A levels, training or vocational education, should all be available.

- For young people with SEND another very important element should be included: preparation for independence, or supported independence, to equip these young people for further study. Sean Harford emphasises that this is a particularly important feature of a special school Inspection.
- The DfE's statutory January 2018 guidance makes clear that 'a successful careers guidance programme will also be reflected in higher numbers of pupils progressing to positive destinations such as apprenticeships, technical routes, sixth form colleges, further education colleges, universities or employment'. Ofsted have instructed its Inspectors to bear in mind the Government's careers strategy and the specific Gatsby career guidance benchmarks. Ofsted expect that, over time, these will become more and more widely used in schools and colleges.
- Sean Harford references a representative sample of around 120 school inspection reports from the past two years when making his claim that that careers guidance within schools is improving. Inspectors have seen evidence of integrated, coherent and effective careers strategies in more schools, with more frequent opportunities for pupils to access workshops, themed events, work experience and contact with employers. The publication of the government's careers strategy has given schools and colleges a solid framework to build their careers offer around.
- Mr Harford highlighted that as Ofsted plans for its new Education Inspection Framework, effective from September 2019, it is considering how careers provision fits into this Framework. To this end, Ofsted will be consulting on its careers linked proposals.

It should be noted that the Careers and Enterprise Company (CEC) has a careers benchmarking tool, Compass, which can be used to help evaluate a school/college's careers activity against best practice. This evaluation framework is based on the Gatsby Good Career Guidance Benchmarks, referenced in the January 2018 statutory guidance, meaning schools/colleges will be working with one, rather than two discrete, evaluation frameworks.

<https://www.careersandenterprise.co.uk/schools-colleges/compass-benchmark-tool>

## **GUIDANCE ON APPRENTICESHIPS**

The DfE has updated its guidance on apprenticeships for the school workforce. The guidance provides information specific to school leaders, including Governing Boards, and local authorities on what apprenticeships are, how your school can use them to benefit its workforce, and how the apprenticeship levy and public sector target apply to schools. The guidance also contains FAQs, case studies showing

examples of best practice, and an up-to-date list of apprenticeships available to schools. The apprenticeship guidance can be accessed [here](#).

Bi-Borough Schools' HR have also issued an advisory document detailing guidance on Apprenticeships. The purpose of the document is to support Governing Boards to understand:

- the background regarding apprentices;
- how the apprenticeship levy affects them and details some of the practical arrangements for schools of administering this;
- how apprentices can be successfully used as part of their school workforce.

The documents have been sent to governors separately.

## OFSTED UPDATES

### **Ofsted's Inspection of Academies within a MAT framework**

In a pre-summer holiday speech to the Education Policy Institute, Ofsted's Chief Inspector, Amanda Spielman, focused on the inspection of schools operating within a MAT framework.

Ms Spielman started by highlighting the continued rate of change in the school landscape. 2016/17 saw c.1,200 new academies open; c.900 new academies opened in the first six months of 2018. In addition, around 100 more MATs have opened since August 2017. This amounts to 1,100 MATs in the system, of which 150 are what Ofsted define as large MATs i.e. those with at least 9 schools. Existing MATs continue to grow, as the vast majority of new academies join trusts.

Ms Spielman acknowledged that MATs come in many shapes and sizes, ranging from "back-office models" all the way through to fully-integrated models. The latter are MATs where many education-related decisions about curriculum, teaching and assessment are being taken at the centre as well as decisions about policies and actions, planning and governance. She emphasised that Ofsted does not have a preferred model, but there was a debate to be had about scrutinising the range of MAT models and how they are contributing to the delivery of educational standards.

Increasingly, trusts are informing Ofsted they want to have a joined-up conversation about the cross-MAT decisions they make, rather than repeating essentially the same conversation with a different lead inspector on every inspection of a school within a MAT. – perhaps shoring up further support for Ofsted's desire to inspect MATs as a whole, rather than targeting individual academies within the MAT.

The Chief Inspector acknowledged that whilst Ofsted has been doing its best on this within the limitations of its remit, it had fallen short on this ideal. This was driving Ofsted's revision to its existing approach to MAT inspections. The Summer Term

saw Ofsted visit a small number of MATs to trial aspects of a new MAT approach. Ofsted's key objectives for this amended approach are:

- To better understand the way MATs are organised, operate, and the role they play in their own right and ensure that the Ofsted inspection reflects this.
- To improve Ofsted's reporting on the impact that MATs are having, whether this is as part of a MAT focused review or a standalone inspection of an academy that is part of a MAT.
- To make focused MAT reviews more intelligent, through better coordination and through the sharing of evidence between inspection teams.

Ofsted also wants to ensure that in individual inspections of MAT schools, the MAT's role is "properly considered".

The Chief Inspector highlighted the two common misconceptions that Inspectors encounter, sometimes when conducting focused MAT reviews but more commonly when they are inspecting individual schools within a MAT framework who do not fully understand their own status within a trust.

- Individual schools often continue to see themselves as separate from the MAT's leadership. The trust is perceived as something 'out there' that acts on them in a school improvement capacity, in the same manner as local authorities once did.
- There is deep confusion about governance. Often, local governing bodies are presented to inspectors as responsible for governance, when it is the Trust Board who are the trust's governors. The local bodies may have some delegated responsibilities or may be purely advisory: often LGBs will be unclear as to their roles and delegated responsibilities, and don't know to whom, if anyone, they report. The position is sometimes no clearer at trust level with published schemes of delegation often confusing rather than helping matters. Ms Spielman highlighted that she wanted all Ofsted Inspectors to be clear: MAT leadership and management comes from the MAT executive team; governance comes from trustees and, only in the last resort, members.

Ms Spielman also acknowledged that an Ofsted inspection still sometimes fails to address these misconceptions, with it often still being the case that individual inspections of MAT schools, when they aren't part of a focused inspection, will make only limited reference to the MAT's role. She accepted that Ofsted must do better, referencing the commencement of a training programme for Ofsted's school inspectors in the autumn term, to make sure that Ofsted better understand MAT structures and governance within.

Ofsted is also looking at improving the quality of information it holds about MATs. Ofsted wants its Inspectors to have a more accurate understanding of the way MATs are set up and operate *before* starting an inspection. Ofsted have been engaging with MATs on this and will continue to do so.

Ofsted began focused MAT inspections back in 2013, and has visited 21 different MATs since then, 6 of them in the last 12 months. There are a number of common issues that Ofsted have found in poorer performing MATs. Generally, trust leadership has been unable to secure sustainable trust-wide improvement. This is down to a number of weaknesses, including: inconsistent quality of teaching; poor quality middle leadership; inconsistent professional development and training; leadership that did not know the schools they ran well enough; and a lack of clarity in the MAT's governance arrangements. That said, Ms Spielman acknowledged that there were many high performing MATs, many of whom also share some common characteristics, such as:

- An ability to recruit and retain strong executive leaders;
- A well-planned, broad and balanced curriculum;
- A commitment to providing a high-quality education for all pupils;
- Investment in the professional development of teachers;
- The sharing of knowledge and expertise across a strong network of constituent schools;
- A high priority given to initial teacher training and leadership development to secure the pipeline of talent;
- Clear frameworks of governance, accountability and delegation; and
- Effective use of assessment information to identify, escalate and tackle problems quickly.

Ms Spielman highlighted that in the new Inspection framework due in September 2019, Ofsted want to take the inspection conversation further on education itself and less on data. Data should always be just the start of the conversation that Ofsted inspectors have with schools.

Ms Spielman also addressed concerns that a move by Ofsted to define what a good approach to curriculum looks like, will lead to the creation of an 'Ofsted-approved' curriculum. She clarified that this would not be the case. Instead, Ofsted will be interested in *why* schools make the decisions they make, whether that's about shortening Key Stage 3 or the range of qualifications on offer.

### **Obesity, Healthy Eating and Physical Activity in Primary Schools**

As part of the Government's 2016 plan of action for tackling childhood obesity, Ofsted has reviewed healthy eating, physical activity and obesity within England's primary schools. The Chief Inspector's commentary at the start of the report highlighted that:

- By the start of primary school, almost a quarter of children in England are overweight or obese, rising to over one third by the time children leave Year 6.
- Obesity in children starting Reception has risen for the second year in a row.
- Schools have an important role to play in reinforcing the importance of choices that lead to better health. But, however important the contribution



of schools, Ofsted acknowledged that schools alone cannot have a direct and measurable impact on children's weight. There are too many factors beyond the school gate that make this impossible for schools to control.

- That said, schools have a responsibility for a curriculum that gives children a solid body of knowledge about healthy living and the skills to pursue it. Children need to learn about how our bodies work, why physical health is important and how to prepare food. They need to grow in competence in sport and physical pursuits so that being active is enjoyable for them as well as challenging.
- In the shared effort to tackle obesity, schools should focus on improving those things they are best placed to do:
  - Planning a challenging and well-sequenced curriculum, including learning about the body in PE and science about healthy eating and cooking;
  - Providing ample opportunity for children to take physical exercise during the school day – with lots of opportunities to 'get out of breath';
  - Teaching particular skills like how to cook or how to dance;
  - Updating parents on their children's physical development such as agility, balance and coordination.
- Ofsted inspectors found no reason to believe that schools are not following the Government's school food standards. Indeed, the best school leaders were going much further and were taking a personal interest in the quality of the meals they were providing.
- Ofsted saw no strong evidence in its research to suggest that packed lunches are playing a significant role in the obesity crisis.
- There is a risk that by focusing on activities other than education, schools neither reduce weight, increase health nor teach children what they need to know. Indeed, the Chief Inspector argues that the more schools are expected to become a 'catch-all' for all society's ills, the more they will be distracted from their core purpose. Schools need to focus on the positive role they can play - educating children about healthy living by getting the curriculum right. Ofsted's evidence identified a number of areas in which schools were not doing enough in this respect:
  - For something explicitly set out in the Key Stage 2 curriculum, the proportion of children being taught to cook was very low. More cooking in the curriculum was something parents also wanted to see.
  - Less effort spent inviting working parents into the school and more effort providing accessible information about school lunches, was also deemed by Ofsted to be a good starting point.
  - Parents also wanted to see more time allocated to PE in the curriculum. In addition to timetabled PE, the extra-curricular offer is a good way to broaden the opportunities for children to learn new skills and be active. However, a quarter of parents said that their child could not access all the clubs and activities they wanted.
  - Ofsted were disappointed to find schools using their sports premium funding for planning, preparation and assessment (PPA) cover. The

government has been extremely clear that this specific finding stream should not be used in this way.

Ofsted's report can be accessed in full [here](#)

## OFSTED'S INSPECTIONS OF NEW SCHOOLS AND SCHOOLS CHANGING STATUS

Ofsted has updated its guidance on when it will inspect new (free) schools and schools that have changed their status, such as converting to academy status. Ofsted's guidance clarifies that:

- The first inspection of new schools, including academies, will usually be inspected within three years of opening. In most instances, the inspection will not take place until the school is in its third year of operation.
- Academy converters judged outstanding before their conversion are exempt from routine section 5 inspections unless concerns have been raised regarding their performance.
- However, outstanding special schools and Pupil Referral Units who convert to academy status are not exempt from routine inspection but are eligible for a s8 (short) inspection.
- Good schools that have converted to academy status will also be eligible for a s8 inspection.
- Ofsted will consider the inspection history of the predecessor school when determining the precise timing of an academy inspection. If the school's last inspection took place a while before conversion, Ofsted may be of the opinion that the school will benefit from an earlier short inspection.
- If a school, including a PRU and a special school, judged good at its last Ofsted inspection, subsequently undergoes a significant change (examples provided include the addition of a new key stage, the school merging with another), then the school in question will be subject to a s5 rather than a short, s8 inspection.

## LITERACY AND NUMERACY CATCH UP STRATEGIES

The DfE has updated its guidance on [Literacy and Numeracy Catch-up Strategies](#), to reflect the latest evidence.

The guidance is intended to support teachers to make evidence-informed decisions based on statistical analysis of what strategies do and do not work. It is also useful for Governing Boards in ensuring that that this year 7 catch-up premium funding is being spent effectively.

The evidence highlights that with respect to literacy, interventions for writing and reading comprehension, generally produced good results, as did computer-based interventions and some one-to-one methods. Evidence around phonics

approaches, summer and Saturday schools and blended interventions was not as conclusive. Much less is known about what works to support low-attaining year 7 pupils catch up with their peers in numeracy, as the few interventions trialled did not prove to be effective.

The guidance also highlights that a smooth transition from primary to secondary school also helps low-attaining pupils catch up with their peers.

## TEACHER WORKLOAD REDUCTION TOOLKIT

The DfE, in consultation with school leaders, teachers and other sector experts, has designed a toolkit to help schools to address workload issues for their staff. In 2016, the DfE's teacher workload survey found that a significant 93% of teachers think that teacher workload is a fairly serious problem. The survey identified that the top three workload concerns for teachers were marking, planning and data. The new toolkit aims to support schools in reducing workload and to address the drivers of excessive workload at a national level. The toolkit is split into 3 stages, supporting school leaders to:

- Identify the workload issues in their schools with the help of workload audit tools
- Address the key issues that can lead to excessive workloads in areas such as communication or data management; and
- Evaluate the impact of actions taken.

The tools developed for each stage may also be used as standalone materials. Whilst use of the toolkit is not mandatory, governors may want to ask their senior leadership team if they are aware of these tools and whether they have found them to be beneficial and fit for purpose.

The workload reduction toolkit can be accessed [here](#).

## ACADEMY UPDATES

### **Academies Financial Handbook 2018**

A new version of the Academies Financial Handbook came into effect on the 1<sup>st</sup> September 2018 for the 2018/19 financial year. Compliance with the AFH is an essential component of each Academy Trust's Funding Agreement with the Secretary of State.

As in previous years the AFH helpfully identifies the changes that have been made to the previous version. Again, the changes made have focused on refining requirements already in place, providing more detailed explanations, rather than

the implementation of new requirements. Key clarifications to note for 2018 include:

### **Governance**

- Emphasising that the Education Secretary can make directions to remove Members or Trustees from the Academy Trust as well as prohibit individuals from participating in academy trust management.
- The definition of Trust Members has been updated to align with the definition used in the Governance Handbook – although it would be fair to state that many are still unsure of the precise role members play within Trust Governance.
- Greater emphasis is placed on the need for Trustees to apply the highest standards of governance and work alongside the Education and Skills Funding Agency.
- Boards who now meet less than six times a year must describe in their governance statement within the audited financial statements how it has maintained an effective oversight of the Trust's finances with fewer meetings.
- Expectations have also been strengthened with regards to the process of setting executive pay, ensuring the Trust's approach to pay is transparent, proportionate and justifiable. This follows on from the letters that the ESFA's Chief Executive has written to Academy Trust Chairs on the issue of executive pay in the last twelve months.
- Greater emphasis has been placed on the importance of responding to audit advice in a timely and appropriate manner, taking the opportunity to strengthen the Trust's financial management and control systems.

### **Finance**

- Emphasising that Trusts must apply robust cash management, avoiding a scenario of becoming overdrawn.
- Setting clearer budgeting requirements, updated to reflect the requirement for Trust's to now submit three-year financial forecasts to the ESFA by the 30<sup>th</sup> July each year.
- Further directives on related party transactions has been issued: from 1<sup>st</sup> April 2019, all related party transactions must be reported to the ESFA prior to the transaction taking place; and also, from 1<sup>st</sup> April 2019 Trusts must obtain the ESFA's prior approval for related party transactions involving the contractual supply of goods/services which exceed £20K.
- Emphasis is also placed on the issue of whistleblowing – all Trust's must have appropriate procedures in place for whistleblowing, making sure all staff are aware of the process and concerns raised will be managed. It is also emphasized that all Trusts must ensure that all whistleblowing concerns are responded to properly and fairly.

The AFH 2018 can be accessed [here](#)

## GOVERNING BOARD MEMBERSHIP

The Local Authority has a statutory duty to maintain a database of the membership of Governing Boards in maintained schools. Although Julie Farmer requests termly updates from clerks on the Governing Board membership we still have a number of Governing Boards where we do not have up to date information. We would like to request that Chairs/Clerks ensure the information is sent to Julie Farmer on a termly basis, with any changes in Chairs or LA governors, notified to Julie at the time the changes occur. Can you please ensure we receive this information, along with your clerk's name and contact details, as soon as possible? Without this information we are unable to keep governors fully informed.

## WEBSITE COMPLIANCE GOVERNANCE

The DfE is clear that school websites must be compliant with legislation and guidance and the information on the websites **must be up to date**. Schools should ensure that their websites are compliant and up to date. Governance information must be kept up to date and should include the governance arrangements, including committee structures, up to date declarations of interests and up to date attendance records of governors.

## GOVERNOR TRAINING

The training programme for 2018-2019 is in place. This was re-sent to Chairs at the start of this term and the following training courses are available this term. If your Governing Board would like to commission bespoke whole Governing Board training or joint training with other Governing Board (s) please contact Jackie or Julie.

## HOW TO PRESENT YOUR CASE EFFECTIVELY AT APPEAL HEARINGS TRAINING – **NEW COURSE**

This is a new course and we would encourage governors to attend this training as you never know when you may have to sit on a panel and then subsequently have to present a case at an appeal hearing. The next course is on:  
Wednesday 21 November 2018 at 6.30pm at Kensington Town Hall

## GOVERNOR TRAINING COURSES FOR AUTUMN TERM 2018

| Title & Booking (click on course title)  | Date       | Time              | Venue*   |
|--|------------|-------------------|----------|
| <a href="#">New to being a SEND Governor</a>                                       | 3/10/2018  | 6.30pm-8.30pm     | CR1, KTH |
| <a href="#">Welcome to New Governors</a>   | 6/10/2018  | 10.00am-3.00pm    | LH       |
| <a href="#">Safeguarding for Governors</a>   | 10/10/2018 | 10.00am-12.00noon | CR1, KTH |
| <a href="#">Health &amp; Safety for Governors</a>                                  | 16/10/2018 | 6.30pm-8.30pm     | KTH      |
| <a href="#">Prevent Awareness</a>  | 30/10/2018 | 6.00pm - 8.00pm   | LH       |
| <a href="#">GDPR Briefing for Governors</a>  | 01/11/2018 | 6.30pm – 8.30pm   | WCC      |
| <a href="#">Ofsted Update for Governors</a>  | 06/11/2018 | 6.00pm-8.00pm     | LH       |
| <a href="#">Role of Staff and Parent Governors</a>                                 | 13/11/2018 | 6.30pm-8.30pm     | KTH      |
| <a href="#">Chairs Forum</a>   | 15/11/2018 | 6.30pm-8.30pm     | CR1, KTH |
| <b>NEW</b> <a href="#">How to present your case effectively at Appeal hearings</a> | 21/11/2018 | 6.30pm-8.30pm     | KTH      |
| <a href="#">Governors role in Exclusions</a>                                       | 28/11/2018 | 4.00pm-6.00pm     | KTH      |
| <a href="#">Chairs of Committees &amp; New Chairs Induction</a>                    | 04/12/2018 | 6.30pm-8.30pm     | WCC      |

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|--|---|
| <p>Jackie Saddington<br/>Head<br/>Bi-borough School Governor<br/>Services<br/><a href="mailto:Jackie.Saddington@rbkc.gov.uk">Jackie.Saddington@rbkc.gov.uk</a><br/>0207 598 4782</p> | <p>Julie Farmer<br/>Governor Services Adviser<br/>Bi-borough School Governor Services<br/><br/><a href="mailto:Julie.Farmer@rbkc.gov.uk">Julie.Farmer@rbkc.gov.uk</a><br/>0207 598 4781</p> |
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