

Education and Skills Director’s Report to Governors

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DEVELOPING THE EFFECTIVENESS OF YOUR GOVERNING BODY

For more information please contact Sarah Beaumont, Governor Services Manager
Tel: 020 8359 7622

Unified Reward Project update

Summary

The Unified Reward Project is the name of the council's review of the terms and conditions of its staff, which includes all centrally employed staff and all support staff in community schools. It does not include teaching staff; nor does it include support staff in voluntary-aided schools or Academies. However, those schools may choose to adopt a similar approach to the council for their support staff and a number of voluntary-aided schools and Academies have indicated a wish to do so.

The aim of the project is to develop a pay and reward package that is fairer, simpler and rewards performance. The project is now at an advanced stage and details will soon be published and shared with staff. There has already been extensive consultation over the proposals with the trade unions. There has also been detailed consultation with a Headteacher Reference Group as well as discussions with several individual headteachers.

The project has looked at two things: changes to the structure of pay and grading, and change to employment terms and conditions. The proposed changes are intended to:

- Be simpler – fewer pay scales and clearer career progression
- Be fairer – fairer terms and conditions for all
- Be flexible – more flexible working hours
- Reward performance - linking pay and reward to performance.

Details of the proposals were shared with headteachers of community schools (and heads from other schools who chose to attend) at a meeting at the BEST Hub on 8 January 2016. Details will be shared with chairs and vice-chairs of governing bodies at the Director's Briefing for Chairs and Vice-Chairs on 19 January. At that meeting, representatives of our HR service will:

- Update Chairs and Vice-Chairs on the progress of the Unified Reward Project
- Share the current package of proposals
- Explain the specific proposals in relation to Term-Time-Only contracts
- Clarify how the project impacts on school support staff.

Detailed proposals will be shared with staff shortly and at the same time a briefing pack will be prepared and circulated to chairs and vice-chairs of governing bodies, as well as to headteachers.

Governors' Role For information by Contact

To note the above information

All Governors of Community Schools, as the changes proposed automatically impact on all support staff in Community Schools. Governors of other schools may also be interested as other schools may choose to adopt a similar approach.

Graham Thurston, Unified Reward Project Manager, London Borough of Barnet, North London Business Park, Oakleigh Road South, London N11 1NP. Tel: : 020 8359 2115 Email: graham.thurston@barnet.gov.uk

Progress update on the future delivery of the Education and Skills service

Summary

The Council, at its meeting on 8 December 2015, took the decision that Cambridge Education will be responsible for the future delivery of the Education and Skills service. This decision means that all services currently provided by the Education and Skills service (including both statutory and traded services) will be provided by Cambridge Education from 1 April 2016.

All education staff employed centrally by the council, except catering staff, will transfer from their current employer, the London Borough of Barnet, to Cambridge Education on 1st April. Catering staff will transfer to Cambridge Education's catering sub-contractor, ISS, at the same time. Staff will continue to be based in their current locations and the aim is to maintain existing services at their current levels.

This is an exciting opportunity to develop a sustainable and responsive education offer over the next few years to ensure that Barnet's education offer remains among the best in the country.

Cambridge Education is part of Mott MacDonald, an employee-owned company, with extensive experience of working with schools and the wider education sector.

Among the noteworthy aspects of Cambridge Education's bid were the following:

- Their desire to expand services and commitment to continue excellent performance.
- The fact that they and ISS, their catering sub-contractor, are part of global organisations whilst also having extensive experience of providing these services to local authorities and schools in England.
- Their understanding of Barnet's requirements.
- Their strong emphasis on partnership working with the council and with schools.
- Their recognition of existing strengths and emphasis on smooth transition.
- Their commitment to enhanced TUPE arrangements and to pay the London Living Wage to affected staff in the catering service throughout the contract.

Representatives of Cambridge Education will attend the meeting for Chairs and Vice-Chairs of Governors at 7pm on 19 January 2016 at the BEST Hub to introduce themselves and their approach to delivering the Education and Skills service in Barnet.

Traded Services

We are now busy preparing for the new arrangements and one of the first activities we need to do is to ensure the smooth transfer of our staff to their new employer.

To that end, we need to know as soon as possible what the continuing demand

will be for the traded services we currently provide. To help schools reach their decisions in relation to these services, last month we sent schools a *Traded Services* catalogue for the financial year 2016/17 with a special request that schools give us an early indication of those services they are confident they will buy back in 2016/17.

We need this information in order to assure ourselves and Cambridge Education, of the ongoing level of support for the services that are currently being purchased, as this dictates the level of staffing required. I am sure you will appreciate this and will be keen to help us to be able to minimise the amount of uncertainty for staff.

The specification for each traded service has been prepared by council officers, based on the current services provided by the Education and Skills service, and Cambridge Education has agreed to deliver these specifications. In other words we are expecting business as usual from April and through 2016/17. Cambridge Education has made a firm commitment that any changes after that will be subject to detailed consultation and agreement with schools.

Our Catering Services Manager, Teresa Goodall, also wrote to all schools that currently subscribe to the catering service, asking you to make a similar early commitment to continue to buy from us. As with the other traded services, the intention is to continue with business as usual next year, with any future changes subject to detailed consultation with schools.

We would be very grateful if schools could respond to these requests as soon as possible and, if possible, by 31 January 2016 at the latest.

We will provide further updates on the transfer to Cambridge Education during this term.

**Governors'
Role
For
information
by
Contact**

To note the above information

All Governors

**Ian Harrison, Education and Skills Director, London Borough of Barnet,
North London Business Park, Oakleigh Road South, London N11 1NP
Tel: 020 8359 7943
Email: ian.j.harrison@barnet.gov.uk**

Summary

Thank you to all Governing Bodies, who completed and returned the Effective Governance Checklist in the Autumn Term 2015. The return rate was 46%, which equates to 43 out of 94 maintained schools in the borough.

All schools who submitted a return before the 31 December 2015 will receive individual feedback from the LA in January 2016. The forms have been amended to allow you to complete these in autumn 2016 and provide a year-on-year benchmark.

A number of key themes have emerged from the audit:

1. A significant number of governing bodies highlighted that they do not have formal succession plans in place for leadership positions and that this is a key area of concern. To help address this issue, Governor Services are running a course for **Aspiring Chairs and Vice-Chairs** on **Tuesday 23 February 2016 at 7pm-9pm at BEST Hub**. This course is for any governor interested in becoming a Chair of Governors, or for any governor on your governing body who you feel has the longer-term potential for leadership.
2. A number of the returns indicate that there is not always clarity about the separation of roles between the Chair and the Headteacher. Governor Services are planning to run a workshop on the relationship between the Chair and Headteacher, the date of which will be confirmed.
3. A high number of returns suggest that governors continue to feel uncomfortable about managing pupil progress in a world without levels. Governor Services are aware of the need for training in this area and are planning courses to help support governors in this area. There will be a **Primary Assessment Update** on Wednesday 27 January 2016 at 7pm–9pm at BEST Hub, led by John Paxton (Narrowing the Gap Advisor, Lead NQT Adviser, and Moderation Manager).

Governors' Role

- All maintained schools
- All Free Schools and Academies to respond at their discretion.

For information by Contact

All Governors

Bronwen Tumani, National Leader of Governance
Foulds School, Byng Road, Barnet, EN5 4NR, Tel: 020 8449 2714

and

Sarah Beaumont, Governor Services Manager
School Improvement, Education and Skills, London Borough of Barnet,
North London Business Park, Oakleigh Road South, London N11 1NP.
Tel: 0208 359 7622

Email: sarah.beaumont@barnet.gov.uk

Contextual and Achievement Data for Barnet 2015

Summary

The Appendices include two documents relating to achievement data for Barnet in 2015 which you may find of interest.

1. The first document entitled “**School Performance in Barnet 2014-2015**” compares the contextual background of Barnet with London, Statistical Neighbours and National, showing trends over time. It then goes on to look at the overall performance and the performance of groups at EYFS, Year 1 Phonics and Key Stages 1, 2, 4 and 5 (there is no group data for KS5) and includes rankings for where Barnet sits compared to all LAs nationally at each Key Stage and in each subject.
2. The second document entitled “**School Partnerships – Performance 2014-2015**” analyses the performance of each of your 13 School Improvement Partnerships showing where the strengths are both as a partnership as a whole and in schools within each partnership. Please recognise that this analysis has been made on 2015 data only and therefore the lists of higher achieving and lower achieving schools in each partnership are based on that year only and not over time. The document also compares the contextual background of each partnership.

Both of these documents were discussed at a recent School Standards Partnership Board Meeting and the headteachers on this board agreed that it would be useful data to share with all schools. We shared these documents with Headteachers at the end of last term.

Governors’ Role

To note the above information

For information by

All Governors

Contact

**Neil Marlow, Head of School Improvement, Education and Skills Service
London Borough of Barnet, North London Business Park, Oakleigh Road
South, London N11 1NP
Tel: 020 8359 7725
Email: neil.marlow@barnet.gov.uk**

Summary

A new edition of the DfE guide for governors was published on 26 November 2015, now called the *Governance Handbook* (previously the *Governors' Handbook*). According to the introduction by Lord Nash, this is to make it clear that it is for all those involved in school governance, whether of a maintained school, a local governing body, or the board of a large multi-academy trust.

The name is not the only change. The new publication is 20 pages shorter than its predecessor. Some of the information that was previously given is now simply referenced, with links to other documents containing more detail. It also contains more links to best practice and to resources and support available to governors.

The change that most users will note first is that the book has been reorganised. It is still not indexed, but a new grouping into more sections makes it easier to locate specific topics. The section headings are now:

1. The Essentials of Effective Governance
2. The Core Functions of the Board
3. People
4. Structures
5. Ways of Working
6. Education
7. Board Improvement and Inspection
8. Pupil Wellbeing
9. Staffing
10. Admissions and Organisational Changes
11. Control and Community Use of Premises
12. School Finance
13. Information Sharing
14. Support to be Effective

(The sections of the previous edition were: 1 The Role of Governing Bodies, 2 Constitution and Procedures, 3 Education and Inspection, 4 Pupil Wellbeing, 5 Teachers and Support Staff, 6 Organisational Changes and the Use of School Premises, 7 School Finance, 8 Information Sharing.)

The changes to the content are not as great as those to the organisation, but there are some that need noting:

- A greater emphasis is given in this edition to the value of collaboration, whether in federation or multi-academy trusts (MATs), on the grounds that it can “help create more effective governance” (Section 1, clause 3). As Lord Nash says, “When boards govern a group of schools we also then see further improvement in the quality of governance – as boards gain a more strategic perspective.” The Handbook states that currently 57% of all academies are in MATs.
- The handbook states the government’s intention to reduce the number of mandatory parent governors on federated governing bodies from one per

school to two in total in September 2016 (section 4.3.2).

- More is said about the need for both maintained schools and academies to have whistleblowing procedures (section 5.6).
- There is a section on the new Prevent Duty (section 8.7.3), which does not just refer to the statutory guidance and the departmental advice, but also a helpline that schools can ring if they have concerns about extremism.
- From 1 January 2016 the guidance on staffing (appointments, discipline, suspension and dismissal) in maintained schools ceases to be statutory and becomes only advisory (section 9, clause 2). However, the effect of this on governors is unlikely to be pronounced, as much of the procedure is determined by regulations, which remain in place. For example, governing bodies must still inform the local authority when a vacancy arises for a headteacher or deputy, and must still appoint a selection panel of at least three members to handle the appointment.

Governors should note that Section 13.6.3 says that Home School Agreements are still compulsory. This was accurate at the time of publication in November, but has ceased to be a requirement from 1 January 2016.

The Governance Handbook can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/481147/Governance_handbook_November_2015.pdf

**Governors’
Role**

Governors to note the information above

**For
information by**

All Governors

Contact

Sarah Beaumont, Governor Services Manager
School Improvement, Education and Skills, London Borough of Barnet, North
London Business Park, Oakleigh Road South, London N11 1NP.
Tel: 0208 359 7622
Email: sarah.beaumont@barnet.gov.uk

Managing Subject Access Requests

Summary

The Data Protection Act provides a right of access to all data subjects of a copy of all personal data a school holds about them. This is known as the Right of Subject Access and forms part of the sixth Data Protection principle.

It can be exercised by submitting a written request. It includes information in correspondence and in notes made by governors, teachers and other staff. Information can take a number of forms e.g. paper, electronic, CCTV footage, a picture or even an audio recording.

Subject Access Requests (SARs) have a statutory response deadline of 40 calendar days which must be adhered to and a specific response process should be followed.

You may charge a fee for answering a SAR. There is a standard fee of £10 and a sliding scale for information in educational records. A valid SAR should be in writing, this can include email, and you should confirm the requester's identity.

Parents can make subject access requests on their children's behalf if the children are deemed not to be of an age of understanding or they have consented to their parents doing this on their behalf. If a child is capable of making a request themselves and understands the process then they should be encouraged to do this themselves. They can of course provide consent for their parent to undertake this on their behalf if they so wish. Where a child makes a request, all communications regarding the request should be directed to the child and not the parent(s), unless the child has consent for you to do so. There is no automatic right for a parent to have access to their child's information just because they are under the age of 18.

A SAR may be difficult to detect as it is sometimes made as part of a wider complaint letter. However, the simple rule is that if the requester is seeking information about themselves then the request is likely to fall under the SAR provisions and should be responded to accordingly.

It is a legal obligation to respond to a SAR and schools should put in place a clear policy which covers how requests of this nature should be handled. A clear log of requests should be maintained and a concise note or copy of the information that is released in case a query or complaint is raised.

There are a limited number of exemptions that apply to the right of subject access. Further information can be located on the Education pages of the ICO website.

Governors' Role For information by Contact

To note the information above

All Governors

Alexandra West, Education Systems and Data Manager
Education and Skills, London Borough of Barnet, North London Business Park,
Oakleigh Road South, London N11 1NP. Tel: 0208 359 7276
Email: alexandra.west@barnet.gov.uk

7.

Guidance on Complaints

Summary

New advice on handling complaints has been launched by the DfE.

Best Practice Advice for School Complaints Procedures 2016: Departmental guidance for maintained schools, maintained nursery schools and local authorities has been published in January 2016 and is available at:

<https://www.gov.uk/government/publications/school-complaints-procedures>

It advises on the contents of a complaints procedure, with a link to a model procedure, and recommends how to handle serial and persistent complainants (commonly called “vexatious complainants”).

Governors’ Role

For Governors to note the information above

For information by

Governors of maintained schools and maintained nursery schools

Contact

Sarah Beaumont, Governor Services Manager
School Improvement, Education and Skills, London Borough of Barnet, North
London Business Park, Oakleigh Road South, London N11 1NP.
Tel: 0208 359 7622
Email: sarah.beaumont@barnet.gov.uk