

Myths and facts for schools

This document addresses some common misconceptions about the activities schools are required to undertake. It seeks to tackle both recurring myths and new myths on changes happening during the 2014 to 2015 academic year.

Curriculum

NEW  **Myth:** The new national curriculum specifies everything that is taught in schools.

 **Fact:** Schools are responsible for determining their own broad and balanced curriculum, which prepares pupils to succeed in modern Britain. For maintained schools, the new slimmed-down national curriculum is designed to provide a framework for schools to add to the school curriculum not the whole. There is time and space in the school day and in each week, term and year to teach beyond the national curriculum specifications and we know schools will make good use of this.

NEW  **Myth:** The new national curriculum specifies how teachers should teach the material, how lessons should be timetabled and how schools should organise or contextualise curriculum content.

 **Fact:** The new national curriculum has been significantly slimmed down. It outlines essential knowledge, understanding and skills which should be taught, but gives more trust to teachers on how to deliver it. This means that teachers have the freedom to shape the curriculum to their pupils' needs.

NEW  **Myth:** Key stage 1 and 2 assessments in 2015 will be based on the new national curriculum and will not report in levels.

 **Fact:** The national tests and teacher assessment in 2015 will be the last time national curriculum levels are reported, as Year 6 and Year 2 children in summer 2015 will not have been taught the new national curriculum.

NEW  **Myth:** Schools will have to purchase new software systems once levels are removed.

 **Fact:** Schools are under no obligation to purchase new software systems. Apart from at the end of KS1 and KS2, it is for schools to decide how best to assess their pupils and how to record this.

Assessment and Performance

 **Myth:** Ofsted will have a preferred assessment system against which they will judge schools

 **Fact:** Ofsted do not have a preferred assessment system. Inspectors' main interest will be whether the approach adopted by a school delivers for pupils. They will be looking to see that it provides accurate information on pupils' progress and enables teachers to support pupils to make good

progress. The information should be meaningful for pupils, parents and governors.

[Ofsted recently wrote to all schools](#) informing them what inspectors will be looking for from September 2014 in terms of assessment.

NEW ❌ **Myth:** Schools have to develop and publish their assessment system on their website by September 2014.

✅ **Fact:** We are making model assessment systems available through our Assessment Innovation Fund, to help schools as they consider which approaches to use. Further information on these assessment systems is available on the [TES website](#).

We will continue to add the relevant resources on the TES website as we receive these from schools.

Schools are not required to publish their assessment system on their website by September 2014. However, schools are required to publish a range of key information online, including details of their curriculum, content and approach, by academic year and by subject.

We would encourage schools to publish further information, including details of their assessment system to help parents understand what is being taught.

NEW ❌ **Myth:** From September 2014 schools will be required to follow a prescribed set of DfE assessment principles.

✅ **Fact:** We have developed a set of principles in discussion with head teachers and assessment experts. Schools may wish to use the principles as a guide as they agree their own approaches to assessment. The principles are not statutory, and do not prescribe a national system for schools' ongoing assessment. Further details can be found on [GOV.UK](#).

NEW ❌ **Myth:** The deadline for opting in to adopt Progress 8 performance measures at key stage 4 a year early in 2015 has closed. Academies are excluded from early opt in to the new performance measures.

✅ **Fact:** The window for schools to choose to opt in is currently open and runs until 30 June 2015 to allow schools and their governing bodies time to consider whether to opt in early to the new performance measures. Schools must obtain their governing body's agreement before signing up and the headteacher/principal must confirm this agreement when opting in via the tables checking website. All schools, can choose to opt in early for 2015 results.

Exams and qualifications

✘ Myth: The Yellow Label Service, the exam scripts dispatch service provided by Parcelforce World Wide, will stop when the Exams Delivery Support Unit closes.

✔ Fact: The DfE will continue to provide the Yellow Label Service to all exam centres.

16-19 Study Programmes

NEW ✘ Myth: 16 to 19 study programmes are only for vocational students.

✔ Fact: All post-16 students, whether vocational or academic, should be following a 16 to 19 study programme which will open the door to their future study or employment goals.

Behaviour and attendance

✘ Myth: Schools that exclude are bad at managing behaviour.

✔ Fact: The lawful use of exclusion is a legitimate sanction and headteachers should be confident in using it as part of a range of sanctions for poor behaviour.

✘ Myth: Local authorities do not need to set term dates for community and voluntary-controlled schools for 2015 to 2016, as schools will do so themselves.

✔ Fact: The government has proposed giving all schools responsibility for their own term dates, but the law has not changed yet and so local authorities should continue as normal. The majority of local authorities have already set term dates for 2015 to 2016, or are in the process of consulting with their schools and neighbouring authorities, to ensure parents and staff have adequate notice of term dates. Subject to Parliament's approval of the relevant clauses in the Deregulation Bill, all schools would gain responsibility for their own term dates, so they can cater to the needs of pupils and parents. The government would still expect schools to work with each other and the local authority as appropriate to ensure coordination is in place for 2016 to 2017 and beyond.

NEW ✘ Myth: I need to apply for the 2015 Pupil Premium Awards.

✔ Fact: Only infant, KS3 and special schools and Public Referral Units need to apply for a 2015 Pupil Premium Award in the Autumn term. Schools with published results at key stage 2 and key stage 4 will be automatically entered for an award.

Early years and childcare

✘ Myth: Schools that want to offer nursery provision have to go through a lengthy bureaucratic process.

✔ **Fact:** Schools no longer have to follow a statutory process in order to lower their age ranges by up to 2 years. Our [case studies and starter guides](#) show how simple it can be to establish nursery provision. More information is available on [GOV.UK](#). They also have the freedom to offer flexibility in how parents use their funded hours within the day/across days. Parents can also pay for additional hours. We are keen to encourage more schools to establish nursery provision, extend that to 2 year olds where there is demand and open from 8-6 to support working parents.

✘ **Myth:** Schools do not see the value of working with childminders/becoming childminder agencies.

✔ **Fact:** This is not true, many schools already work with childminders as part of their overall 8am to 6pm offer, joining up provision in a way that works best for children and parents.

Schools who take part in the childminder agency trials see the agency approach as a potential route to further develop their 8 to 6 offer, working with local childminders. Schools are well placed to work with both existing and potential new childminders, given their contact with parents and carers who may be interested in the role. From September 2014, anyone who wishes to, including schools, can apply to Ofsted to register as a childminder agency. More information on childminder agencies, is available on the [Foundation Years website](#). It will be entirely voluntary for childminders to join agencies and for parents to use them.

Special educational needs (SEN)

✘ **Myth:** The government is making unfair cuts to services for disabled children and children with SEN.

✔ **Fact:** We have ensured that spending per child is protected in cash terms. However, in the current financial environment, both central and local government continue to face some very difficult choices. While there must be financial restraint, the government has provided LAs with considerable freedom and flexibility on how they use the resources available to them to meet local need.

✘ **Myth:** The introduction of personal budgets will mean that schools and colleges will lose control of their funds and make parents or young people do the job of specialists.

✔ **Fact:** The SEN Code of Practice is clear that personal budgets will relate to specialist provision for the individual child or young person that is above that normally provided by the school or college. Funding for this provision will be drawn from the high-needs block and not the school or college's own budget. However, schools and colleges are encouraged to personalise the support they provide and they can choose to contribute their own funding to a personal budget where appropriate.

Parents and young people will not be required to do the job of specialists. Personal budgets are optional and will be discussed as part of the person-centred planning process for Education, Health and Care Plans. Local

authorities must provide information, support and advice on personal budgets during these discussions and this will be a key role of the Independent Supporters funded by the Department for Education.

✗ Myth: The expectation that parents, children and young people must be involved in discussions and decisions about every aspect of their SEN, planning outcomes and making provision to meet their outcomes is unrealistic.

✓ Fact: Ambitious - yes; unrealistic - no. There is a wide body of evidence that shows that policy developed with those using the system leads to better outcomes for those involved.

There is a risk that without clear aims participation becomes just a token gesture. We have been clear about the aims of engaging children, young people and parents and the extent to which they should be consulted. For participation to be meaningful, children, young people and parents need a clear route to influencing policies which affect them at every level and decision making at every level.

NEW ✗ Myth: Schools have to provide lots of different pieces of information for the SEND (special educational needs and disability) Local Offer.

✓ Fact: Schools have to publish a SEND Information Report, covering a range of information and policies as set out in the 0-25 SEND Code of Practice.

These requirements align with what schools have to provide for the Local Offer. So a link to the school's SEND Information Report might be sufficient.

But the point of both the SEND Information Report and Local Offer is to be useful to families of children and young people with SEND. This might mean adapting the content and presentation to reflect what families locally think is useful. Schools should work with local authorities to make sure the best possible information is available in a way that helps families to be well informed.

NEW ✗ Myth: Schools won't have time to commit to all these changes so nothing will improve.

✓ Fact: September 2014 marks the start of implementation and some of the changes are being phased in over time. Schools should start to adopt the SEN support approach in the Code when reviewing provision for pupils with SEN, with the aim of completing reviews by the end of the spring term.

NEW ✗ Myth: The Government has removed school action/ school action plus categories without replacing the category of support for children identified with SEN. The removal of the categories will affect funding to schools.

✓ Fact: 'SEN support' replaces school action/ school action plus in the new Code of Practice. It puts pupils at the heart of the provision, and encourages schools to respond more flexibly to pupils' needs.

Unlike the old system, this new approach will focus the system on the impact of the support provided to that individual child, rather than how children access support according to the category they fit into. It will also challenge schools to improve the quality of teaching and learning for all pupils, rather than inappropriately and inaccurately labelling some pupils as having SEN.

The Code outlines a four part cycle of assessment, planning, implementing and reviewing for a child receiving SEN support. This is known as the graduated approach.

The new system will not reduce the funds for schools to support children with SEN. Education settings will remain under clear duties in relation to SEN. Funding is not based on the number of pupils within current categories and identification as being in School Action or School Action Plus does not currently provide access to additional funding for an individual.

School Governance

 **Myth:** The constitution of the governing body is fixed and can't be changed.

 **Fact:** The governing body is responsible for ensuring that its constitution and membership is fit for purpose to deliver its core functions and statutory duties.

Legislation in force from 1 September 2014 requires all maintained school governing bodies to reconstitute under the 2012 Constitution Regulations by September 2015, if they have not already done so.

While the 2012 Regulations are sufficiently flexible to allow all existing governors to remain in post within the new structure; governing bodies are expected to undertake a skills audit and self-evaluation as the basis for decisions about future size, structure and membership having regard to new [statutory guidance](#).

Schools converting to academy status are also expected to review the constitution of the governing body to ensure it is fit for its new purpose as an academy trust board.

Free expert advice and support on re-constitution and other issues is available to governing bodies from [National Leaders of Governance](#). The [Inspiring Governors Alliance](#) promotes skilled governance; [SGOSS](#) provides free help to find new skilled governors. A [leadership development programme](#) for chairs of governors is available from NCTL licensees.

Staffing and Workforce

 **Myth:** School nurses won't be able to provide schools with the support they need to help them meet the new duty for pupils with medical conditions.

 **Fact:** Commissioners of health services, including local authorities and clinical commissioning groups, will continue to ensure there is sufficient service provision to support pupils at schools with medical conditions, including support for the training of school staff. School nurses will have a

pivotal role to play in supporting schools, but they will not be the only healthcare professionals available to help schools in supporting their pupils with medical conditions. Other healthcare professionals, such as specialist or community nurses, will often be the most appropriate healthcare professional to provide support.

✘ Myth: School staff will be compelled to provide support to pupils with medical conditions without receiving proper training.

✔ Fact: The statutory guidance will make clear that governing bodies should ensure that staff have received appropriate training and are competent before they take on any responsibility for supporting pupils with medical conditions.

✘ Myth: Schools should request a Disclosure and Barring Service (DBS) check for visitors.

✔ Fact: Schools and colleges do not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day). Headteachers and principals should use their professional judgment about the need to escort or supervise visitors.

NEW ✘ Myth: The government has scrapped the Workforce Agreement. Teachers now have to do cover and the restriction on the menial tasks that teachers can be asked to perform has been removed.

✔ Fact: The School Teachers' Review Body (STRB) recommended that the guidance related to the Workforce Agreement, which was introduced over a decade ago, and the illustrative list of 21 tasks that teachers should not routinely be expected to do, are no longer necessary. It recognised, however, the importance of teachers being able to focus on their teaching duties and on preparation for teaching and endorsed the core principles underlying the provisions on working time, PPA time, 'rarely cover' and not routinely being required to undertake administrative and clerical tasks. All these core provisions remain in place.

Pupils

✘ Myth: The government does not provide guidance to schools on helping children at risk of female genital mutilation (FGM) or forced marriage, or who are victims of child sexual exploitation (CSE).

✔ Fact: On 3 April 2014 the government produced new statutory safeguarding guidance for all schools, [Keeping Children Safe in Education](#). This guidance specifically addresses FGM and CSE and provides a link to multi-agency guidance on that issue. Schools should be vigilant, particularly in the summer term, as girls may be at risk during the summer holidays and when they return to school after those holidays (or fail to return).

✘ Myth: The Marriage (Same Sex Couples) Act 2013 (the Act) requires teachers to change the way they teach about marriage.

✔ **Fact:** Teaching should continue to be factual and should enable pupils to develop an understanding of how the law applies to different relationships. This will include the law on marriage as it now applies to same sex couples. Teachers must have regard to the [statutory guidance on sex and relationship education](#), and to meet duties under equality and human rights law. No school, or individual teacher, is under a duty to support, promote or endorse marriage between same sex couples.

✘ **Myth:** Insufficient funding is being provided for universal infant free school meals (UIFSM).

✔ **Fact:** Based on our discussions with local authorities we will be providing revenue funding of £2.30 a meal for each meal taken by pupils who will be newly eligible as a result of UIFSM, together with transitional funding for small schools of at least £3,000 per school. In addition, we are providing an extra £150 million of capital funding to enable schools to enhance kitchen and dining facilities. This is in addition to the £1.4 billion for upgrades and maintenance in schools for 2014 to 2015.

NEW ✘ **Myth:** It won't be possible to know which pupils should attract pupil premium funding once universal infant free school meals (UIFSM) are introduced.

✔ **Fact:** The basis on which pupil premium funding is calculated will not be affected by the introduction of UIFSM. The funding for the financial year 2014 to 2015 will be informed by data already collected in the January 2014 census. For 2014 to 2015, the same criteria used to assess free school meals (FSM) eligibility will continue to assess whether a pupil qualifies for the pupil premium. We have provided advice to schools on how they can safeguard pupil premium funding through the [UIFSM toolkit](#).

✘ **Myth:** Schools aren't getting any support to implement universal infant free school meals (UIFSM).

✔ **Fact:** We have put in place a new free school meal implementation support service, run by school food experts and consisting of a telephone advice line, tailored support and face-to-face guidance, all aimed at providing sensible, workable solutions to the problems that schools may face. It can be contacted on 0800 680 0080 or at info@childrensfoodtrust.org.uk.

✘ **Myth:** Primary headteachers face tight restrictions over how they use the primary PE and sport premium.

✔ **Fact:** The primary PE and sport premium must be used to improve the school's provision of PE and sport, but we trust headteachers to use it in a way that will have the greatest impact in their school. This may include: hiring specialist teachers, PE teachers or qualified sports coaches to work alongside existing staff, paying for high quality training or professional development, or supporting their least active pupils. Schools are also free to join together and pool their resources to get the most for their money. Schools are, however held to account for how their funding is used through Ofsted whole-school inspection. They are also required to report online about how the funding is

spent and the impact it has had on pupils' PE and sport participation and attainment, which allows parents to make comparisons with other local schools.

NEW  **Myth:** Local authorities can withdraw pupil premium funding if schools fail to record how they spend it.

 **Fact:** Maintained schools receive pupil premium funding for these pupils via their local authority. Academies and free schools receive direct payments from the department. Local authorities are not permitted to withhold any of this funding centrally, or to dictate to schools how they should spend it. This also means that local authorities do not have any power to claw back funding from schools that are unable to evidence how they have used this funding. Nonetheless, local authorities may want to exercise an oversight role in relation to this funding, to help maximise its impact on disadvantaged pupils. This could involve reminding schools of their statutory responsibility to publish online their pupil premium allocation for the current year; details of how they intend to spend the allocation; details of how the previous academic year's allocation was spent; and how it made a difference to the attainment of disadvantaged pupils.

NEW  **Myth:** Primary schools can use the PE and sport premium to pay for swimming lessons to meet the national curriculum requirement to teach pupils to swim 25 metres by the time they complete key stage 2.

 **Fact:** Swimming and water safety requirements are compulsory for primary schools. Funding is already included in a school's budget for this. The primary PE and sport premium can be used to pay for additional swimming lessons or specialist coaching sessions, but it should not be used to meet a school's obligations under the national curriculum.

Work experience

 **Myth:** Schools and colleges should complete a risk assessment of the workplace for each student taking part in a work experience placement.

 **Fact:** Responsibility for health and safety in the workplace lies principally with the employer. Educational institutions are only required to confirm in writing with the employer that they have suitable arrangements in place for the employment of young people and to keep a record of this and to ask for written confirmation that they are health and safety compliant.

 **Myth:** Tech Levels are for FE colleges, Applied General Qualifications are for schools and sixth-form colleges.

 **Fact:** Tech Levels and Applied General Qualifications may be taught by all types of provider. Technical Levels have been recognised by employers as providing a high quality route into a particular occupation whilst Applied General Qualifications provide a broader introduction to a vocational sector. They will be recognised in school performance tables for 16-19 from 2016 onwards (ie affecting courses from September 2014 onwards). You can find

the annual list of approved Tech Levels and Applied General qualifications [here](#).

Large Tech Levels may attract [additional funding](#) and if taken alongside a level 3 maths qualification and extended project qualification are recognised within the [TechBacc school performance table measure](#).