

# Director of Children's Service Report to Governors

## Autumn 2012

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***DEVELOPING THE  
EFFECTIVENESS OF  
YOUR GOVERNING BODY***

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**Summary**

On the eve of the new school year, I would like to take this opportunity to thank you for all of your hard work as Governors over the past school year in ensuring that Barnet's children continue to receive a first rate education and are well placed to become successful adults. Our key stage 2 results and, I expect (as I write this) our forthcoming GCSE and A level results demonstrate the significant improvements that you continue to deliver against an already very high standard.

I am now two months into being the Interim Director of Children's Services and the opportunity that I had to meet with Barnet's Headteachers in week one was very positive, if a little daunting. With there being so much change in the education landscape – new OFSTED inspection framework, new forms of schools, changes in funding, talk of the return of the 'O' level, SEN changes, the Taylor Review for alternative provision, raising the participation age to name but a few of the policy initiatives - it is really important that the Council works closely with schools over the next 12 months to make sense of this agenda and to work out what it means on the ground as well as for the future strategic relationship between the council and schools going forward.

Our future direction for education in Barnet needs to build on our significant successes to date and respond to the changing nature of our Borough. The Council is establishing a new role of Commissioner for Schools and Skills as we recognise the critical role that schools play in shaping communities, encouraging investment in a local area and supporting local employers.

The Council has recently launched a £1m fund to help young people secure employment and training and part of this investment will be used to look to develop a studio school in Barnet as part of approach to widening our offer in Barnet. Head teachers and Governing Bodies have been, and even more so into the future are, our key strategic partners in shaping how we continue to provide the best education and the right skills for our young people to get ahead in Barnet.

So, I am committed to working very closely with Headteachers over the next 12 months to develop a new education strategy. The Learning Network Inspectors will work with your schools to consider what the opportunities and risks are on the ground and how we deliver school improvement services in this changing landscape. I am keen to come out and visit schools, to learn more about you and understand your agenda. I am confident that we will continue to be successful through working together.

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I look forward to meeting and working with you as Governors in the coming months.

With kind regards and best wishes

Kate Kennally  
Director of Adult Social Care and Health and Interim Director of Children's Services

**Governors'  
Role**

For Governors to note the information above

**For  
information  
by**

All Governors

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**Summary**

The changes outlined below will affect all schools in Barnet and across the country.

At the end of March the government issued a consultation on school funding reform followed by confirmation of their decisions at the end of June. Full details can be found on the DfE website:

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/a00205567/school-funding-reform-and-arrangements-for-2013-14>

During the next spending review the government intends to introduce a national funding formula for all schools (as already exists for the Post 16 sector). The next two years (2013/14 and 2014/15) will be a transitional stage during which local school funding will be simplified and become more standardised.

This summer all local authorities must review, simplify and consult on their funding formula which can now have a maximum of only 11 factors (previously 37). The same formula will be used for all maintained schools, academies, free schools, university technical colleges (UTCs) and studio schools in the local authority. The October school census (rather than January) will now be used to determine funding which makes it doubly important that schools maximise their pupil roll by the beginning of October. The simplification of the formula funding will result in quite large variations in school allocations, but all primaries and secondaries will be protected by the minimum funding guarantee set at 98.5% for at least the next two years.

High needs funding is changing even more radically. Special schools and additional resourced provision (ARPs) will not be funded by the main formula. Instead young people at special schools, additional resourced provision, or pupil referral units will be funded on the new 'place-plus' system. Under this system schools and PRUs will receive a national base funding rate of £10,000 per annum (£8,000 at PRUs) with top-up funding for the full cost of each child's education and support paid by the 'commissioner' which placed the child. Commissioners will generally be local authorities, but for PRUs taking children who are temporarily excluded, the excluding school will pay the top-up. Barnet will not pay top-up for out-of-borough pupils as the process of inter-authority recoupment will end.

Pupils with statements of special educational need (SEN) in mainstream schools will also be funded by 'place-plus', except that the school will provide the first £10,000 from their delegated budget share. As with special schools and ARPs, the onus is on the school to agree the full cost for each child with a statement and collect the money from the

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commissioner. The base rate of £10,000 includes the mainstream education of the child as well as additional support required for SEN.

Local authorities will become responsible for the support for all young people with high needs from birth to age 25, including those in further education.

The early years funding formula (EYSFF) for 3 and 4 year olds in maintained and private settings is not changing, but these allocations will be excluded from the calculation of the main school minimum funding guarantee. EYSFF will continue to be based on termly headcounts.

With a short timescale for implementing these reforms, Barnet appreciates the cooperation and support of the Schools Forum and the whole family of Barnet schools. We had good attendance at the May conference when we outlined the impact of these changes on schools, and we are hoping for a good response to our current consultation on the principles of the new funding formula (<https://www.surveymonkey.com/s/T6QLDY5>). At the end of September 2012 we will run face-to-face consultation sessions on 2013/14 funding. We are also working closely with our special schools and ARPs in preparation for the new system.

**Governors' Role**

For Governors to note the information above

**For information by**

All Governors

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### Summary

Governors will be aware that there are changes that were introduced from 1 September 2012 that affect the performance management of teachers (including Headteachers). Key points to note are:

- What Governors have been used to calling “performance management” is now referred to in new regulations as “appraisal”.
- Governors need to have a school policy on teacher appraisal that has been agreed with staff and published. There is also a need to have a policy on managing capability of teachers.
- The Department for Education has published a model policy that links appraisal and capability but schools can make their own decision over whether or not to keep these two processes separate.
- Most of the teacher unions have published their own model policies and advice.
- Governing Bodies will need to continue to appoint a suitable external advisor each year to provide professional support and advice to the group of governors conducting the appraisal of the Headteacher. There is no national guidance over who this advisor might be. Governors will obviously wish to take into account their independence from the school and the relevance of a person’s previous experience in deciding on their suitability for this role before employing them to undertake this task.
- At the end of the first cycle under the new regulations (autumn 2013), the appraisal of the Headteacher will include an overall assessment against the relevant national standards as well as a judgement over the degree to which the individual objectives set for them by Governors have been met.
- There is a refresher course for Governors being run on the appraisal of the Headteacher on Monday, 24<sup>th</sup> September from 7-9 pm at the North London Business Park.
- The new appraisal regulations do make it clear that an annual assessment of each teacher against new professional standards will form part of the appraisal process. The new standards come into force on 1 September 2012
- Threshold continues to operate as usual under the current national arrangements. It follows therefore that the appraisal process is crucial for teachers wishing to access the upper pay by passing through the threshold assessment.
- In announcing changes to the Ofsted evaluation schedule for inspecting schools from September 1<sup>st</sup> 2012, HMCI Sir Michael Wilshaw made it clear that a school’s implementation of appraisal would come under some scrutiny during an inspection.
- Whilst protecting the confidential nature of this process, Ofsted inspectors will be expected to consider, “...the robustness of performance management and effectiveness of strategies for improving teaching, including the extent to which the school takes account of the ‘Teachers’ Standards’ – this is demonstrated through:

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- the robustness of procedures for monitoring the quality of teaching and learning and the extent to which underperformance is tackled
  - a strong link between performance management and appraisal and salary progression
  - the coherence and effectiveness of the programme of professional development, and the opportunities provided for promotion. Particular attention should be given to the extent to which professional development is based on the identified needs of staff and the needs of newly qualified teachers and teachers at an early stage of their career
  - the accuracy with which best practice is identified and modelled.”

**Ofsted Handbook 2012 pp. 41-42**

Governors can access a number of relevant documents by clicking on the web-page ‘hot-links’ below.

The 2012 appraisal regulations can be found at:

[http://www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi\\_20120115\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/115/pdfs/ukxi_20120115_en.pdf)

The final DfE Model Appraisal and Capability Policy can be found at:

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00055-2012>

The new 2012 Professional Standards for Teachers can be found at:

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00066-2011>

The national guidance on teachers applying and being assessed for threshold can be found at:

<http://www.education.gov.uk/schools/careers/payandpensions/performance/performancethreshold/b00197624/threshold-assessment-201112-round-12>

The 2011 School Teachers Pay and Conditions Document can be found at:

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00072-2011>

**Governors’  
Role**

For Governors to note the information above

**For  
information  
by  
Contact**

All Governors

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**Summary**

Looked After children have a right to expect the outcomes we would want for every child – that they should be healthy, stay safe, enjoy and achieve, make a positive contribution to society and achieve economic well-being. Governors are expected to work with their schools to ensure that each child in care achieves the highest possible educational standards.

Although some do well, Looked After Children as a group have poor experiences of education and very low educational attainment. Their educational outcomes, in terms of the proportion who reach the average levels of attainment expected of seven, eleven, fourteen and sixteen year olds, remain significantly lower than for all children. A relatively small number of Looked After Children progress to higher education. A crucial objective, therefore, is to work across all agencies to narrow the attainment gap between Looked After Children and their peers.

In Barnet there is a 'Virtual School for Children in Care', which works with strategic partners to raise the achievement of Barnet's Looked After Children, and children in the care of other local authorities who are being educated in Barnet schools.

Members of the Virtual School Team have developed close links with Barnet Schools and offer a range of services targeted at securing the best outcomes for Virtual School pupils. The key contact in each school is the Designated Teacher for Children in Care and Governors should ensure that they know which teacher has taken on this role.

In the academic year 2012-2013 schools will receive a Pupil Premium of £600 for Looked After Children between the ages of five and sixteen who have been in care for at least six months. We recommend that Governors should be clear about the school's policy for the use of this funding to support the progress of Looked After Children on their roll.

The Virtual School has compiled a summary of Governors' duties, drawing on the statutory guidance documents listed below:

1. 'The Role and Responsibilities of the Designated Teacher for Looked After Children'

<https://www.education.gov.uk/publications/eOrderingDownload/01046-2009BKT-EN.PDF>

2. 'Promoting the Educational Achievement of Looked After Children'

<https://www.education.gov.uk/publications/eOrderingDownload/DCSF-00342-2010.pdf>

3. 'Exclusion Guidance 2008' (updated April 2012)

<http://media.education.gov.uk/assets/files/doc/e/exclusion%20guidance%20part%202.doc>



## **Governors' Role**

- 1. Governors must appoint a Designated Teacher (DT) for Looked After Children who is:**
  - A qualified teacher working at the school as a teacher and with appropriate seniority, professional experience and status to effectively carry out the role
  - The DT should be a member of the Senior Leadership Team (SLT) or, if not, a SLT member should be designated as a champion for Looked After Children and should work closely with the DT, supporting his/her role.
- 2. Governors must:**
  - Ensure that the DT receives appropriate training to fulfil the role.
  - Consider an annual (as a minimum) report from the DT on Looked After Children within the school.
  - Work with the SLT to act on issues raised in the report and, in partnership with the headteacher, work to maximise the role.
- 3. The Designated Teacher must:**
  - Promote within the school a culture of high expectations and aspirations for learning outcomes for Looked After Children
  - Track and report on attainment, progress, attendance and exclusions
  - Ensure that the young person has a voice in setting learning targets
  - Be a source of advice and support for staff about differentiated teaching strategies appropriate for individual children, making full use of Assessment for Learning
  - Make sure that Looked After Children are prioritised in one-to-one tuition arrangements and that carers understand the importance of supporting learning at home
  - Have lead responsibility for the development and implementation of the child's personal education plan (PEP) within the school.
- 4. Responsibilities regarding Admissions and Exclusions:**
  - Regulations made under the School Standards and Framework Act 1998 (as amended by the Education Act 2005) require admission authorities to give Looked After Children the highest priority in their admission arrangements. This will ensure that they are guaranteed admission to preferred schools at normal time of entry
  - Outside the normal admission round a maintained school must admit a Looked After Child if requested to do so. If the admission authority refuses then the local authority (who has care of the child) can direct the admission authority to take the child even if the school is full.
  - There are some exceptions to the above which can be found in the legal documentation.
  - Be aware that a child in care should only be excluded as 'an absolute last resort'.

**For action** All Governors

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**Summary**

The DfE have issued directed revisions to the Scheme for Financing Schools, the document which governs the financial relationship between the authority and the schools it maintains. The changes contain items that must be removed from the Scheme and others that must be added.

**Removal of requirements from the Scheme****2.9 Best Value**

Local authorities must remove any requirement in their schemes for schools to submit a statement of Best Value with their budget plan. The government believes that it is important for schools to achieve value for money, but this can be demonstrated in other ways - paragraph 2.9 is replaced as below.

**Financial Management Standard in Schools (FMSiS)**

Local authorities must remove from their schemes requirements relating to the Financial Management Standard in Schools (FMSiS). This has already been done in the Barnet Scheme following earlier guidance

**6.3 General Teaching Council**

The General Teaching Council (GTC) was abolished by the Education Act 2011 with effect from 1 April 2012 and thus LAs must remove from their schemes requirements relating to payments of GTC fees.

**Requirements for inclusion in the Scheme****2.9 Efficiency and value for money (replaces current Best Value section)**

The scheme must include the following provision:

“Schools must seek to achieve efficiencies and value for money, to optimise the use of their resources and to invest in teaching and learning, taking into account the Authority’s purchasing, tendering and contracting requirements.

It is for Headteachers and Governors to determine at school level how to secure better value for money.”

**Schools Financial Value Standard (SFVS)**

The scheme must include the following provision and is added as paragraph 2.21:

“All local authority maintained schools (including nursery schools and Pupil Referral Units (PRUs) that have a delegated budget) must demonstrate compliance with the Schools Financial Value Standard (SFVS) and complete the assessment form on an annual basis. It is for the school to determine at what time in the year they wish to complete the form.

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Governors must demonstrate compliance through the submission of the SFVS assessment form signed by the Chair of Governors. The form must include a summary of remedial actions with a clear timetable, ensuring that each action has a specified deadline and an agreed owner. Governors must monitor the progress of these actions to ensure that all actions are cleared within specified deadlines.

All maintained schools with a delegated budget must submit the form to the local authority before 31 January 2013 and annually thereafter.”

### **Fraud**

The scheme must include the following provision, added as paragraph 2.22:

“All schools must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets. The Governing Body and Headteacher must inform all staff of school policies and procedures related to fraud and theft, the controls in place to prevent them; and the consequences of breaching these controls. This information must also be included in induction for new school staff and governors.”

### **Redundancy and Early Retirement Costs - amended statutory scheme guidance**

The current Scheme includes paragraph 11.13 and Annex B. The DfE document gives an amended final section of Annex B, to take account of the provisions in the Education Act 2011. Full details can be seen in the revised Scheme. Essentially the change allows premature retirement costs of a member of staff of a maintained school, who is employed for community purposes, to be funded from the school’s delegated budget if the Governing Body is satisfied that this will not interfere to a significant extent with the performance of any duties imposed on them by the Education Acts, including the requirement to conduct the school with a view to promoting high standards of educational achievement.

### **Fraud and Corruption**

The Council is committed to fighting fraud with high ethical and moral standards, and recognises that any fraud perpetrated against the Council including its schools is costly, both in financial terms and reputation. The Council is therefore committed to a programme of zero tolerance.

The revision of the Scheme set out above is both complementary to Council policy and coincides with Question 19 of the Schools Financial Value Standard – “are there adequate arrangements in place to guard against fraud and theft by staff, contractors and suppliers?”

It is thus recommended that all school Governing Bodies adopt an Anti-Fraud and Corruption Policy, a model of which has been made available to schools.

<b>Governors' Role</b>	To note the changes to the Scheme for Financing Schools and take appropriate action in respect of implementing the changes required including adopting a Policy in respect of Fraud and Corruption.
<b>For action</b>	All Governors
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