

Governance Update 7 - Friday 24 April 2020

This update from the Governance Team shares information from Devon County Council (DCC), the Department for Education (DfE), the Early Years Team and other trusted sources which governing boards will find useful. The updates are currently replacing our regular Friday Governance Alert in order to bring you additional information and background.

Cancelled or paused data collections

The Department for Education (DfE) and its agencies have cancelled or paused all but the most essential data collections, services and requests from educational and care settings until the end of June 2020. Data collections which are paused will be reviewed and the pause period extended if necessary. A decision on data collections or services which are not due to go live until later in the year will be made in due course.

Cancelled collections include:

- Budget forecast return outturn (BFRO) (Academy schools)
- Summer school census
- Key Stage 2 national data collection and pupil file
- Key Stage 2 teacher assessments
- Key Stage 2 test outcome data
- Key Stage 2 multiplication tables check outcomes
- Key Stage 2 science sample test outcomes.

Paused collections include:

- Academies capital grant - annual assurance exercise (Academy schools)
- Land and building information request for new academies (Academy schools)
- Financial management governance self-assessment (FMGS) (Academy schools)
- Childcare and early years providers survey
- Subcontracting fees and charges data (ESFA-funded providers)
- Teaching school alliance and national leaders of education data collections, including reviews of designations
- Devolved formula capital return for voluntary-aided schools.

Data collections which are paused will be reviewed and the pause period extended if necessary. A decision on data collections or services which are not due to go live until later in the year will be made in due course.

<https://www.gov.uk/government/publications/coronavirus-covid-19-reducing-burdens-on-educational-and-care-settings>

Cluster or Hub provision - new guidance from the DfE

For those considering introducing a cluster or hub model, this guidance will help inform decision making. For settings already operating such a model, this guidance will provide a framework to reflect on decisions taken and to refine risk management of any organisational model.

<https://www.gov.uk/government/publications/using-clusters-and-hubs-to-maintain-educational-provision/cluster-and-hub-provision-coronavirus-covid-19>

Changes to school admission appeals due to Coronavirus

The new guidance has been published and is in force from today (24 April) to 31 Jan 2021

<https://www.gov.uk/government/publications/admission-appeals-for-school-places/coronavirus-covid-19-school-admission-appeals>

Governance Team Q-Card – ‘Governance in Unprecedented times’

The attached Q-card offers questions the board may wish to consider over the course of meetings this term. It is important that governance is proportional to the current situation our schools and leaders are dealing with. The priorities for the areas the board is discussing will need to change and adapt accordingly. The board needs to ensure that the wellbeing of headteachers and all staff is paramount and that they know how much their efforts are appreciated by the board, parents and pupils.

Safeguarding and remote education during coronavirus

The DfE has published guidance to highlight safeguarding procedures when communication or teaching remotely.

There is no expectation that teachers should live stream or provide pre-recorded videos.

When communicating with parents, carers and pupils it's important for schools, teachers and pupils to maintain professional practice as much as possible. When communicating online with parents and pupils, schools should:

- Communicate within school hours as much as possible (or hours agreed with the school to suit the needs of staff)
- Communicate through the school channels approved by the senior leadership team
- Use school email accounts (not personal ones)
- Use school devices over personal devices wherever possible
- Advise teachers not to share personal information.

<https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19>

Technology support for children and schools during coronavirus

Laptops and tablets will be provided for disadvantaged families, children and young people who do not currently have access to them. Eligible people are:

- Care leavers
- Children and young people aged 0 to 19 with a social worker
- Disadvantaged year 10 pupils

Internet access will also be provided for care leavers, young people aged 11 to 19 with a social worker and disadvantaged year 10 pupils through 4G hotspot devices for those who do not currently have it. Schools, parents and pupils will not be able to apply for internet access or digital devices themselves, LAs and Trusts will apply on behalf of pupils. Schools and trusts will be able to keep the laptops and tablets when the pandemic is over.

<https://www.gov.uk/guidance/get-help-with-technology-for-remote-education-during-coronavirus-covid-19>

DfE guidance: What are the expectations on schools regarding staying in touch with parents whose child is at home?

The DfE recognises that many schools have already shared resources for children who are at home and they are grateful for this. Further support includes:

- A list of educational online resources which have been identified by some of the country's leading educational experts to help pupils to learn at home
- Enhanced education provision from the BBC to include daily lessons, starting from 20 April 2020
- A package of support by the Oak National Academy, a sector led initiative to support teachers educating their pupils remotely during the summer term.

Schools should work with local authorities to monitor the welfare of vulnerable children who are not attending school, and other pupils they might wish to keep in touch with, for safeguarding purposes.

<https://www.gov.uk/government/publications/covid-19-school-closures/guidance-for-schools-about-temporarily-closing#working-with-parents>

Help for schools to use online education platforms

From today (24 April) schools can apply for government-funded support through [The Key for School Leaders](#) to get set up on one of two free-to-use digital education platforms: G Suite for Education or Office 365 Education. The Key also provides feature comparison and case studies on how schools are making the most of these platforms. Organisations can use the EdTech Demonstrator Programme to contact a network of schools and colleges who are already using remote education technology resources for help and support. [The Oak National Academy](#) is an online classroom and resource hub created by 40 teachers from some of the leading schools across England, backed by government grant funding. <https://www.gov.uk/guidance/get-help-with-technology-for-remote-education-during-coronavirus-covid-19>

Early Years Incentivising Funding

The Incentivising Funding is only available for providers that remain open to provide childcare for critical workers children and vulnerable children for group settings (private, voluntary & independent, pre-schools and day nurseries) and childminders. Funding for Schools, Academies and Out of School providers will be through the Grant Application process (details to follow). The Incentivising Funding will cover 12 weeks, broken down into 4 week periods. It is not a loan and is not dependent on accessing any other Government support that is available.

The funding will be paid at either £100, £150 or £200 per child. The amount per child is based on a provider being open for the 4-week period and the child attending every week. A pro-rata amount will be paid based on the weeks a setting is open and a child is booked or in attendance; for example £150 for a child on the first claim if the setting was closed for half-term. Group providers will be capped at £10,000 in the 12-week period. <https://www.devon.gov.uk/eys/incentivising-funding/>

Early Years Foundation Stage

The EYFS profile has been cancelled for this year.

Further guidance is due to be issued before the end of April, subject to parliamentary agreement of the relevant legislation to allow for the temporary lifting/modifying of a small number of requirements within the EYFS statutory framework, giving settings flexibility to respond to changes in workforce availability and potential fluctuations in demand while ensuring children are kept safe. The proposed changes relate to learning and development requirements, the progress check for 2-year-olds, Paediatric First Aid courses *for new entrants* and qualification levels for ratio requirements. Until then, the current EYFS continues to apply.

<https://www.gov.uk/government/publications/coronavirus-covid-19-early-years-and-childcare-closures/coronavirus-covid-19-early-years-and-childcare-closures>

Sixth form and FE colleges - holding meetings online or by telephone

Some FE and sixth form college corporations, and other providers which are charities, may not be able to make amendments to their governing documents to allow for board meetings online or by telephone, rather than face to face. The DfE recommends following the Charity Commission advice to record your decision to proceed with other ways of meeting in the interests of good governance.

The DfE further states that FE and sixth form college corporations which are helping the national effort in ways other than education, such as giving surplus food to a food bank or allowing key workers to use unoccupied student accommodation, are to be applauded for contributing in this way. Governors must be satisfied that such assistance is in their corporation's interests, and does not create additional risk or significant one-off or ongoing costs to the corporation, and should record the basis for their decision.

Staff and parent governor elections

The process for staff and parent elections is available on the [Governance Consultancy Team](#) website. Nominations can be sought electronically. The board will need to be sure that if they are using email all parents / carers or staff (both teaching and non-teaching) who are eligible to stand will receive the notification of the vacancy.

If you receive the same number of candidates as there are vacancies those individual(s) can be 'elected unopposed'.

If there are more nominations than the number of positions available then an election process will need to be held, which is where things potentially become slightly more complicated. The school may be able to set up an electronic voting system via the school website (or the board could consider third party platforms).

The board will need to be assured that each person can only vote once, that all eligible voters have an opportunity to vote (so there is an alternative mechanism in place for anyone unable to access the online method, such as by post) and that voting remains confidential. If using an outside provider you will also need to be sure that the General Data Protection Regulations (GDPR) are met. If families share an email address will the system allow one vote for each eligible voter and/or ensure the correct person is using the vote? If the board could be challenged on the process used to conduct the election it is better to carry a temporary vacancy. If the chair or vice-chair is a parent governor whose term of office is due to end soon consider if there is an alternative vacancy – such as an LA, Co-opted or Foundation position – which would be suitable, based on the skills they bring to the board.

Displaced parent or staff governors could continue to support the board by being appointed as associate members. Associate members are not governors and do not form part of your constitution. They are appointed to a committee on the basis of the skills they bring; they can be assigned voting rights at committee level (in which case they form part of the quorum for that committee) but they are not permitted to vote at full board meetings. They can however attend and contribute to full board meetings.

Academy schools are also permitted to appoint associate members under recent model articles. Please check your own articles, as earlier versions did not include this wording. *'The membership of any committee of the Trustees may include persons who are not Trustees, provided that (with the exception of the Local Governing Bodies) a majority of members of any such committee shall be Trustees.'*

There have been suggestions that an elected governors term of office could be 'extended'. The Regulations (maintained schools) and Articles (academy schools) do not permit this. We have asked the DfE for clarification if there will be any amendment to the regulations relating to elected governors.

Young Devon wellbeing toolkit

Please find this document attached, with tips, tricks and techniques for maintaining positive mental health during lockdown and beyond.

Governance Team new subscriber content website (*reminder*)

The subscriber content has been moved to a subscriber area within the new 'shop' site. You can access the governance area here: <https://shop.babcockldp.co.uk/governance> There is no need to login. Our 'normal' site is still up and running and is packed with information it's just the subscriber content which is moving. Not all of the content has been

transferred yet, so if you cannot locate what you want please just let the team know and we will email it across for you. (Contact details are at the bottom of this update.)

Contacting the Governance Consultancy Team

Members of the Governance Team have all been enabled to work remotely, our email and telephone helplines are available as normal:

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