

**COMPOSITE MINUTES OF THE 2016 AUTUMN TERM AREA MEETINGS
OF THE LA AND ESSEX PRIMARY HEADS' ASSOCIATION**

North East **Wednesday 9 November 2016**
South **Thursday 10 November 2016**
West **Wednesday 16 November 2016**
Mid **Thursday 10 November 2016**

Action

1. WELCOME, THANK YOU AND NOTICES

- a) Clare Kershaw, Director for Commissioning Education and Lifelong Learning, the Area Commissioners and the Area Chairs, welcomed those present to the meetings, extending a particular **welcome** to the new (or new in post) headteachers in each area, who are:

North East

James Aylott	Dedham CE Primary School
Alex Candler	Lexden Primary School
Alice Constantine	Kingswode Hoe (Head of School)
Tony Cosans	Prettygate Juniors
Kelly Cox	Queen Boudica Primary School
Paul Disley	Highwoods Community Primary
Bridget Harris	St James CE Primary, Colchester
Nick Hutchings	Hamilton Primary
Julie Ingram	Holy Trinity CE Primary, Eight Ash Green
Karen Jones	Mistley Norman CE Primary
Ryan Kendall	Hamford Primary Academy
James Newell	Wix and Wrabness (Head of School)
Daryl Power	Camulos Academy
Lorraine Ratcliffe	Rolph CE Primary and Weeley St Andrew's Primary
Suzy Ryan	Fingringhoe CE Primary
Leesa Sharpe	Broomgrove Junior School
Jakki Sibley	Fordham All Saints CE Primary
Ruth Slater	St George's CE Primary, Great Bromley
Craig Twin	St John's CE Primary, Colchester

South

Nicola Bache	Glebe Primary School
Sue Faulkner	Leigh Beck Junior School (Executive Head)
Caroline Ireson	Lubbins Park Primary Academy
Nina Kemp	Whitmore Primary School
Sue Lesser	Ashingdon Primary Academy
Daniel Lough	Maple Grove Primary School
Jo Matthews	Leigh Beck Junior School (Head of School)
Rebecca McCutcheon	Leigh Beck Junior School (Head of School)
Nina McKay	Kelvedon Hatch Primary School
Kirsteen Newell	Kingston Primary School
Katherine Parker	St Peter's Catholic Primary School, Billericay
Tania Perry	Montgomerie Primary School
James Rogers	Ingrave Johnstone CE Primary School

Kath Sansom

North Crescent Primary School

West

Teresa Avey

Freshwaters Primary Academy (Head of School)

Tracey Bratley

Manuden Primary

Michael Clark

Roydon Primary

Neil Coster

Pemberley Primary

Alan Gardiner

Farnham and Rickling Federations (Acting Head)

Victoria Haylock

Nazeing Primary

Jocelyn Hurry

Waltham Holy Cross Primary

Karen Legge

Chigwell Primary Academy

Terena Morton

Coopersale and Theydon Garnon CE Primary School

Jen Shackleton

Thaxted Primary

Emma Vincent

RA Butler Infant and Junior Schools

Amy Wareham

Matching Green C of E VC Primary School

Sandra Way

Stapleford Abbots CE Primary (Interim Headteacher)

Mid

Sally Brisley

Woodcroft Nursery School

Linda Buchanan

Ridgewell CE Primary School (Executive Head)

Dida Burrell

Maldon Primary (Acting)

Kerry Collins

Tolleshunt D'Arcy St Nicholas CE Primary

Doretta Cowie

Feering CE Primary School

Dawn Dack

Wentworth Primary School

Lyndsey Devlin

St Cedd's CE Primary, Bradwell-on-Sea (Head of School)

Sasha Furze

Runwell Community Primary School

Karen Harrison

John Ray Junior School (Acting)

Michelle Keeling

Rayne Primary School and Nursery

Kate Mills

John Ray Infant School

Joanne Morgan

Gosfield Primary (Acting)

Maire O'Regan

Margaretting CE Primary School

Jacquelyn Pick

Springfield Primary School

Anita Rogers

Great Bradfords Infants and Nursery School

Nick Rudman

Maltese Road Primary School (Executive Head)

Ola Laniyan

Southminster Primary (Head of School)

Claire Smyth

Beckers Green Primary School (Acting)

Pauline Ward

Southminster Primary (Executive Head)

Rachel Welch

Barnes Farm Infant School

b) Thank you and farewell to those headteachers who are retiring or leaving their current post at the end of term:

South

Erica Barnett

Briscoe Primary

Karen Andrews-Close

Blackmore Primary

West

Deidre Mooney

Waltham Holy Cross Primary

Janice Tunney

Limes Farm Juniors

Adam Vincent

Buckhurst Hill Primary

Mid

Cindy Lewis

Hatfield Peverel Infants

2. VIEW FROM THE BRIDGE – LOOKING FORWARD

a) Direction of the DfE

Clare Kershaw, Director of Education and Lifelong Learning, noted that she was possibly even less certain of the DfE direction of travel than 6 months ago, following the announcement from the new Secretary of State for Education, Justine Greening, that the previous White Paper, Education Excellence Everywhere, will not be proceeding to legislation. However, it does seem that Justine Greening is more sympathetic to headteachers and local authorities than either of her predecessors. There is general relief that the Government has listened to the concerns of the education profession and has scrapped the plan to make those pupils who failed their Year 6 SATs to retake them in Year 7.

Whilst the DfE have confirmed that the requirement for all schools to become academies will not require legislation, it is not clear what the status is of the additional proposals in the White Paper is. One of the proposals was to review and reshape the statutory responsibilities for LAs and, whilst this may not now happen through legislation, there is still tremendous uncertainty over the funding for LA s to deliver school improvement, as the Government has signaled its intention to reduce the Education Services Grant by £600 million. In Essex, this would mean a drop from £9m to £3m in August 2017.. Clare said that, until she hears anything to the contrary, she will plan on the basis that this funding reduction will be implemented.

The consultation on the current Green Paper, “schools that work for everyone” runs until 12 December. The proposals in the paper include:

- allowing new selective schools to open, existing ones to expand, or non-selective schools to convert where there is demand; in addition, these schools must meet certain conditions such as guaranteeing places for children from disadvantaged backgrounds or helping to establish non-selective free schools
- stronger, more demanding requirements for independent schools to retain the benefits associated with charitable status; this could include offering bursaries to those less able to afford them or sponsoring schools in the state sector
- requiring universities to open or sponsor schools in exchange for the right to raise their tuition fees
- lifting the cap on new faith free schools which requires them to limit the number of pupils admitted on the basis of faith to 50% and replacing it with new measures to ensure all new faith free schools are truly inclusive.

Clare urged headteachers to take part in the consultation, noting that it is not necessary to limit a response to the 30 consultation questions, which focus more on the practical implementation of the proposals, rather than their inherent value to the education system.

b)

Priorities for Essex in 2016/17

Ensure that every school in Essex will be judged to be at least good *and more schools are judged outstanding*

Raise the achievement of all disadvantaged children and young people and those in receipt of the Pupil Premium thus reducing the gap between Essex and National performance – *emphasis on the use of the Essex Toolkit and accountability for impact on improved outcomes*. There is still a 24% gap between disadvantaged children and their peers in Essex.

Deliver a school led improvement system – *strongly encourage schools not yet in a formal partnership to join one, support partnerships with additional resources to support their development to a mature partnership*

Transforming SEND Services in Essex

Teacher Recruitment and Retention

c)

SEND Transformation update – 1 year on

Stronger governance and oversight of SEND in ECC

Clare noted that it is essential to transform the whole approach and systems in place, as well as developing additional special school places. Indeed, the additional places that will be created by the £85m spend to save initiative will only provide appropriate provision for those children and young people who currently go out of Essex; it will not accommodate those children with SEN in mainstream schools.

The governance of SEND has been strengthened, but schools' representatives are not yet involved.

Work structured around 5 work-streams

ECHP quality and timeliness – the county is not yet meeting statutory assessment timescales, which should be within 20 weeks. The quality of the EHCP is essential – they should make a difference and have a positive impact for the child or young person.

SEND Provision -£85m spend to save investment, which will provide 400 additional day places and 100 boarding places, for children currently out of county, predominantly those identified as ASC (Autistic Spectrum Condition) or SMEH (Social Mental Emotional Health). Clare reminded headteachers that currently 350 children are provided for out of county, at a cost of £23m a year.

School-led SEND – a number of pilots are taking place across the county to learn from and disseminate best practice, working in partnership.

Joint Commissioning of SEND therapies – there are currently four contracts across the county, and provision varies. The Council is putting out a tender to have just one contract.

Preparing for adulthood – perhaps the most complex workstream, because of the need to cross over to and work with adult services.

and 3 cross cutting themes

Local Offer

Strategic alignment to ESSET

Co-Production

There is a new SEND inspection framework for local authorities – around 15 inspections have taken place already and all LAs will be inspected in the next 5 years. Clare has asked the SEND team to be honest and self-critical in their self-evaluation.

What does the SEF say?

- Good provision in special schools – *but currently too insular. There is a need to develop effective outreach to support maintained schools.*
- Ambition to invest in more places
- Early Years strongest part of the system – *good transition into schools*
- Inconsistency across services and county
- Too much resource in statutory services, not enough in early intervention and help
- Some progress with multi agency working
- Some progress with reforms, still A LOT more to do – is this a good start?
- Outcomes for SEN Support are poor – Essex is not achieving in line with national.

Survey into therapy provision

Survey amended taking on board the feedback received from the EPHA Executive at the end of the summer term. Likely to be 2 forms – one to capture provision for pupils in receipt of a statement of SEN or a EHCP, the other for pupils with SEN support.

The planned date for conducting the survey is early January 2017

ENPRO (Enhanced Provisions) will be piloting the data collection for us this term via the form. Outcomes will inform the larger data collection exercise.

d)

Schools Led Improvement Strategy update

- Strategy launched January/February 2015
- First piloted in Harlow, Basildon and Tendring
- SLIS Project Board established May 2015
- Pump Priming grants approved for 27 partnerships
- Recognised Partnerships: funded SLIS partnerships, MATs, TSA strategic partners
- Approximately 60 schools currently not in one of the partnerships listed above
- Development Visits to funded partnerships in the first round have taken place
- Training for Peer Review piloted in November 2015 and then rolled out across the county June 2016
- Secondary Triad Model established
- Engagement of CfBT now the Education Development Trust to support Strategy in Essex – November 2015

NAHT Collaboration: the school leaders journey September 2016

“Whatever the state of government policy on universal academisation and whatever precise legal structure is favoured at the moment, collaboration between schools is vital. However this does not mean the sort of ‘coffee’ morning collaboration’ where we gather to moan about the world, but rather serious, focused, formal and mutually accountable collaboration. The external services and guidance that schools have been able to rely on in the past are fading away. Unless schools look out for other schools, we risk fragmentation and isolation.”

Russell Hobby General Secretary NAHT

The LA is planning to develop an Essex Schools Local Authority Multi Academy Trust
What it would be:

- *Premised on the Essex School Led Improvement Strategy*
- *Comprised initially of effective schools with a track record of school improvement and partnership working*
- *Outward facing – willing to accept vulnerable schools from a position of strength*

What it would not be:

- *A re-incarnation of the Local Authority*
- *An exclusive club for inward-facing schools*
- *A “hospital” trust for vulnerable schools*
- *A trust of homogeneous schools who have lost their individual identity.*

Interested schools/groups of schools to contact Graham Lancaster

e)

Teaching Awards

Nominations for the Essex Teaching Awards are being invited and entries must be submitted by **5pm on Friday 18 November 2016**.

The LA is committed to the process, regarding it as a very positive celebration of outstanding practice in Essex schools. However, the number of nominations submitted so far has been disappointing.

f)

Fair Access Protocols

There are growing demand for mid-year places and growing pressure on the availability of “local” school places for children who move into or within Essex during the year. This is largely explained by the rising birth rate as well as increased migration into the county and the development of new housing, on a large scale in some areas.

The Council processes more than 10,000 mid-year primary school applications each year. Where a place is not available at the parent’s school of preference and the child is without a “local” school place, the School Admissions team identifies the nearest school to the home with an available place. If that school is 2+ miles away in walking distance (Reception and KS1) or 3+ miles at KS2, the LA must provide home to school transport – usually by taxi, and potentially at prohibitive cost (around £9,500 per child a year).

Parents who move into an area are often under the illusion (sometime perpetuated by housing developers) that their child/ren will definitely get a place at the school of their preference – this becomes even more of an issue for them when their children may end up going to different schools because of a lack of places at their preferred school. The LA makes “reasonable” decisions under the law, and at times schools may perceive that they are being asked to admit unfairly (and more often than others) to take pupils.

Some schools are approached more often due to concentrated demand in specific areas, but decisions will be based on geography and overall context. The LA is trying hard to be transparent about the decisions that are made, and Clare noted that she has asked the School Organisation team to do a survey of every school in Clacton to determine the current capacity for additional places.

The LA has committed to holding regular local meetings with headteachers, to discuss expansion of schools and the capacity for placements – however, the Admissions Team has to manage daily applications, so these meetings cannot (usually) address individual placements when they arise.

The LA has the right to offer a place at a community or VC school for any child, and can direct foundation and VA schools. It can also ask the Secretary of State to direct academies and free schools. The need for direction is very rare as all schools have to comply with the Admissions Code and the very low number of instances of direction is a tribute to the collaborative approach of schools.

In respect of schools in a category (serious weaknesses or special measures) the school has the right to refuse a place to a “challenging” pupil – though they may not always refuse, as pupil numbers (and associated funding) may be a key issue.

The local meetings will be set up to take place in the four most affected districts as appropriate – Basildon, Colchester, Tendring and Uttlesford.

g)

Recruitment and retention

- Suggestions from primary headteacher meetings about what has worked to support retention have been collated into one document. Available on Infolink with a recent presentation from the headteacher of Sweyne Park Recruitment
- Initial teacher training allocations for 2017/18 currently being sent to Essex providers. Initial numbers are disappointing. Task and Finish group supporting quadrant based recruitment events in November and backing providers in lobbying DfE.
- Recruitment from overseas has had very limited success . Task and Finish group seeking commercial agency partner to take this forward
- Housing for teachers: positive signs of progress
- Some TSAs identifying Recruitment and Retention for a potential Centre of Excellence to add capacity to this crucial priority.

3. ATTENDANCE – ESSEX CODE OF CONDUCT

Julie Weddell County Manager of the Missing Education and Child Employment Service (formerly Education Welfare Service) attended the meetings in North East and South (Clare Kershaw in West and Mid) to update headteachers on the current criteria used to issue Penalty Notices for irregular attendance.

Legislation

Each LA must have a Code of Conduct for how they issue penalty notices for truancy and consult with schools and police to agree the criteria for issuing penalty notices. If a penalty notice is not paid the parent is not prosecuted for non-payment of fine. Parents are prosecuted for irregular school attendance, not for taking term time holidays.

The changes in the pupil registration regulations made it clear that head teachers must not authorise holidays unless exceptional circumstances. NAHT have written guidance on what constitutes exceptional circumstances, which has been shared with headteachers.

Essex Code of Conduct Steering Group

The Steering Group has been in existence since the legislation introduced penalty notices in 2004. Essex is a large authority and there are varied opinions about when penalty notices should be issued. It was agreed that representatives of headteacher associations would represent schools in Essex – currently the EPHA Professional Officer sits on the steering group along with serving headteachers.

The Code of Conduct is reviewed annually. The current Code states that penalty notices may be issued where there have been at least 10 unauthorised sessions of absence during a period of 6 school weeks and in respect of unauthorised leave of absence, the 10 sessions must be consecutive.

It is for schools to decide whether they request that the LA issue a penalty notice. Some schools prefer to warn the parents that a PN may be issued for future holidays;

others prefer a firm stance, due to their absence rates and the quantity of holidays being taken during term time.

Isle of Wight prosecuted Jon Platt in October 2015 Mr Platt claimed that this was not irregular school attendance. The case was dismissed by the magistrates. The absence was for 7 days and the attendance was 93.8% in the previous year.

Isle of Wight took the case to High Court 13th May 2016 questioning the outcome. The High Court stated: Whether there was regular attendance was an issue of fact and degree. The question of whether attendance had been regular had to be looked at in the wider context and not just during the limited period of the holiday. The magistrates had correctly had regard to the wider picture. It could not be said that they had reached a decision that was not reasonably open to them. The magistrates had not erred in law by taking into account dates outside the dates of the holiday, [Bromley LBC v C \[2006\] EWHC 1110 \(Admin\), \[2006\] E.L.R. 358](#) considered. (Lawtel)

Lord Justice Lloyd Jones stated "I do not consider it is open to an authority to criminalise every unauthorised holiday by the simple device of alleging that there has been no regular attendance in a period limited to the absence on holiday."

It was indicated that 90% is an acceptable attendance rate - however Local Authorities, including Essex, would strongly disagree as this is persistent absentee criteria.

The Isle of Wight has lodged an appeal with the Supreme Court. We do not yet know if the Supreme Court will admit and hear the case, this should be confirmed in the spring.

Essex Education and Lifelong Learning Service sought legal advice immediately after the High Court judgement and meetings were convened with the Director and Cabinet Member.

It was agreed that it is important for head teachers to continue to take a firm stance by not authorising leave of absence if there are no exceptional circumstances; this was later reinforced by Nick Gibb in his letter dated 9th June. However, we need to give due consideration to the outcome of the high court before proceeding with prosecutions. To ensure we protect the integrity and reputation of the system, we are only issuing penalty notices where we intend to prosecute for irregular school attendance if the penalty notice is not paid. Every application for a penalty notice is considered on the facts and merit of the case, benchmarking against the high court outcome, i.e. the number of days of holiday and previous school attendance.

The steering group met in September 2016 to consider the current bench marking and whether the code of conduct should be amended. It was hoped that we would receive more guidance from DFE by now. However Ministerial changes seem to have delayed this.

The Steering group agreed:

- The code of conduct should not be changed at this time. We need to await the outcome of the Supreme Court or further guidance from DFE. It will become confusing for schools if we change the criteria and then revert later in the year.
- The message to parents needs to continue, that all children need to be in school

every day.

- If a penalty notice is not issued, schools can include the unauthorised leave of absence if further unauthorised absences occur and they wish to apply for a penalty notice if code of conduct criteria is met.
- JW to communicate the background issues and bench marking to all Headteachers via attendance at the EPHA Executive meeting on 6th October 2016 and Area EPHA meetings during the Autumn term.
- The Steering Group will meet again in February 2017 when it is hoped that more information will be available

Information and guidance is available on the Essex Schools Info Link

<http://schools.essex.gov.uk/pupils/MECE/Pages/Unauthorised-leave-of-absence.aspx>

Julie noted that she continues to keep abreast of the national picture, as vice president of the National Association of Education Welfare Management. She meets regularly with the DFE and has knowledge of other local authorities' policies and how they are dealing with this situation as well as receiving regular feedback on court outcomes. This information feeds into the LA and Steering Group's decision making.

Julie stressed that the Local Authority looks at every referral on the facts and merits of the case and benchmarking decisions against the Isle of Wight case, ie 14 sessions for a holiday were not deemed as irregular. She suggested that if a penalty notice is not issued for a short holiday then schools should inform parents that future periods of unauthorised absence may (or will) be taken to account when deciding whether to issue a penalty notice. Julie was asked to amend the model letter to parents accordingly, and she **AGREED** to review this.

4. PRIMARY IMPROVEMENT

Ofsted inspections

92% of Essex primary schools are now judged "good" or "outstanding" by Ofsted, compared with 64% in 2012, an amazing achievement and testament to the hard work of headteachers and staff in schools..

- 7 new outstanding schools, of which 2 were previously judged Requiring Improvement
 - 36 new good schools – of which 2 were previously inadequate
- However...*
- 6 schools judged inadequate (3 previously good schools)
 - 1 school judged Requiring Improvement, (previously good)

Key findings from inspections

- Greater focus on the most able: Ensure sufficient challenge and depth to teacher subject knowledge to ensure higher standards across the curriculum, including the foundation subjects.
- Teachers and leaders to make more regular and effective checks on the progress of pupils, including the disadvantaged, from their varying starting points, ensuring teachers' feedback is precise about what a pupil needs to do to

improve

- Equipping middle leaders with the strategies and skills to enable them to fulfil their responsibilities of monitoring and improving the school's work in the areas for which they are accountable

Safeguarding - establishing rigorous procedures through which governors monitor the work of leaders to ensure that the school's own safeguarding systems and processes are robustly in line with current statutory guidelines.

Excellence in Essex

The revised version includes alignment with DfE Schools Causing Concern Statutory Guidance (SCC) - Intervening in failing, under performing and coasting schools (March 2016) *and*

DfE Primary School Accountability in 2016 (October 2016)

Includes Coasting Schools, National Floor Standards *and*

An Essex threshold setting out what we consider is 'unacceptable low standards'.

Based on provisional data 11 Essex schools will fall within the coasting schools definition based on the recent confirmed progress thresholds for 2016

13 Essex school's data places the school below the National Floor Standard

126 congratulations letters sent to schools

No school will be confirmed as being below the floor or coasting until December 2016 when schools' performance tables are published.

RAG process

- For a small number of schools, where there are previous indicators of concern or a significant inconsistency between subjects, the RAG will have changed this term. The 2016 data is not being compared with 2015 outcomes.
- Data has been scrutinised and, where there is cause for concern, the school's SEC will arrange a visit to discuss data and determine whether additional action should be taken. The pragmatic reason for changing any school's RAG rating mid-term is to enable additional support from the Standards and Excellence team
- At the end of the Autumn term there will be a RAG review of all schools using the revised criteria approved at the EPHA Executive on 6 October.
- Schools will be notified of the RAG in January. Where there is a change, the SEC will initially contact the school, a letter will be sent to each school.

Raising the achievement of all disadvantaged children

Project 1 - Maximising the use of the Essex toolkit – to promote the use of the toolkit to support school's developing their own approaches to self-evaluation of their pupil premium strategy.

NORTH-EAST – Monday 5th December at 1:15 p.m.

Venue: Willow Brook Primary School, Colchester

SOUTH – Monday 28th November at 1:15 p.m. Venue: Lee Chapel Teaching School

Project 2 – Ongoing support for a pupil premium strategy – to provide additional support for identified schools who may be Ofsted good, but gaps are stubborn and therefore differences in achievement are not diminishing.

Project 3 – Disseminating knowledge from research findings to improve life chances for disadvantaged pupils.

School websites should report the following:

In the previous academic year 2015/2016:

- How the pupil premium allocation was spent
- The impact of the expenditure on eligible and other pupils.
- Remember that information on the website is for parents and carers so should be presented in a form that they will find accessible.

In the current year 2016/2017:

- your school's pupil premium grant allocation amount
- a summary of the main barriers to educational achievement faced by eligible pupils
- how you'll spend the pupil premium to address those barriers and the reasons for that approach
- how you'll measure the impact of the pupil premium
- **the date of the next review of the school's pupil premium strategy.**

An *external accountability review* should include

- A clear rationale for a school's pupil premium strategy, identifying key barriers but aspirational and shared by all
- Quality first teaching is at the heart of raising achievement
- Carefully targeted activities that promote good learning and readiness
- Understanding of school information linked to robust tracking, monitoring and evaluation
- Impact improves outcomes for disadvantaged pupils

The presentation included slides about Perspective Lite and FFT data – the full presentation is available on the EPHA website www.essexprimaryheads.co.uk

5. DATES AND TIMES OF FUTURE MEETINGS

Area Heads Meetings

Spring term 2017

SOUTH	Wednesday 22 February	Holiday Inn, Basildon
N-EAST	Thursday 23 February	Weston Homes Community Stadium
WEST	Wednesday 2 March	Weston Homes Business Centre, Takeley
MID	Thursday 3 March	Chelmsford City Football Club

Summer term 2017

SOUTH	Wednesday 14 June	Weston Homes Community Stadium
N-EAST	Thursday 15 June	Holiday Inn, Basildon
WEST	Wednesday 21 June	Weston Homes Business Centre, Takeley
MID	Thursday 22 June	Chelmsford City Football Club

EPHA Conferences

Headteachers' Conference	Friday 14 March 2017	Stock Brook Country Club, Nr. Billericay
Deputy/Assistant Headteachers' Conference	Friday 6 October 2017	Weston Homes Community Stadium

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