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**MINUTES OF THE LA AND EPHA EXECUTIVE COMMITTEE MEETING**  
**THURSDAY 5 OCTOBER 2023 starting at 1.00 pm**

The meeting was held at The Lion Inn, Boreham.

<b>In attendance</b>	<b>Representing</b>	<b>email address</b>
Clare Kershaw	Director of Education	Clare.kershaw@essex.gov.uk
Shamsun Noor	Head of Statutory and Regulated Customer Services	shamsun.noor@essex.gov.uk
Ralph Holloway	Head of SEND Strategy and Innovation	Ralph.Holloway@essex.gov.uk
Lisa Fergus	Assistant Director, South	Lisa.fergus@essex.gov.uk
Jo Barclay	Head of Education Safeguarding	Jo.barclay@essex.gov.uk
Paula Clowes	ECC Head of Assurance	Paula.Clowes@essex.gov.uk
Frank McKeown	ECC Health and Safety Manager	Frank.McKeown2@essex.gov.uk
Ondrea Bloom	ECC Strategy Lead for Autism	Ondrea.bloom@essex.gov.uk
Sue Bardetti	EPHA Tendring South	admin@hollandhaven.essex.sch.uk
Isobel Barron	EPHA West Chair	head@roseacres.essex.sch.uk
Liz Bartholomew	EPHA Harwich and Dovercourt	head@mayflowerprimary.com
Dale Bateman	EPHA Epping Forest Rural	Head@coopersaletheydongarnon.essex.sch.uk
Liz Benjeddi	EPHA Billericay	head@southgreen-jun.essex.sch.uk
Julie Braithwaite	EPHA Basildon West	Julie.braithwaite@lincewood.essex.sch.uk
Amanda Buckland Garnett	EPHA South Woodham Ferrers	abg@collingwood.essex.sch.uk
Luke Bulpett	EPHA South treasurer	Head@brightside-pri.essex.sch.uk
Dida Burrell	EPHA Braintree	Head@whitecourt.essex.sch.uk
Anna Conley	EPHA Witham	head@howbridge-inf.essex.sch.uk
Dawn Dack	EPHA Mid Chair/ Maldon	drdack@wentworth.essex.sch.uk
Paula Derwin	EPHA Colchester East	headteacher@hazelmere-jun.essex.sch.uk
Sandra Dorrington	EPHA Canvey Island	head@canvey-inf.essex.sch.uk
Mary Evans	EPHA Harlow	mary.evans@hiltacademies.org
Richard Green	EPHA South Vice-Chair	Head@groveswood.essex.sch.uk
Nick Hutchings NH	EPHA Vice-Chair/NE Chair	head@hamiltonprimary.com
Clare James	EPHA Dengie	cjames@maylandsea.essex.sch.uk
Chris Jarmain	EPHA West Vice-Chair	Head@st-maryscofe.essex.sch.uk
Becky Keitch	EPHA Tendring North	Head@st-georges-pri.essex.sch.uk
Pam Langmead	EPHA Professional Officer	pam@langmead.me.uk
Kerry Malcolm	North East Partnership Lead Head	head@st-lawrence-pri.essex.sch.uk
Diana Mason	EPHA Castlepoint and Benfleet	head@montgomerieprimary.essex.sch.uk
Richard McIntosh	EPHA Chelmsford South	head@baddowhall-jun.essex.sch.uk
James Newell	EPHA Tendring North	headofschool@wix.essex.sch.uk
Jinnie Nicholls	EPHA Halstead	head@sgasa.uk
Matt O'Grady	EPHA Brentwood	Matt@westhorndon.essex.sch.uk
Nicky Patrick	North East Partnership Lead Head	head@springmeadow.essex.sch.uk
Harriet Phelps-Knights	EPHA Chair	<a href="mailto:head@janetduke.essex.sch.uk">head@janetduke.essex.sch.uk</a>
Richard Potter	EPHA North East Vice-Chair	head@homefarm.essex.sch.uk
Colin Raraty	West Partnership Lead Head	mr.raraty@rodingsprimary.co.uk
Gary Soars	EPHA Rayleigh	gsoars@edwardfrancis.essex.sch.uk
Nicky Stone-Riley	EPHA South Chair	headteacher@cherrytree-pri.essex.sch.uk
Joanne Willcox	EPHA Epping Forest South	<a href="mailto:headteacher@hillhouse.essex.sch.uk">headteacher@hillhouse.essex.sch.uk</a>

## 1. WELCOME AND APOLOGIES

Apologies were received from:

- Dawn Baker                      Chelmsford West
- Heidi Blakeley                Wickford
- Matt Curzon                    Uttlesford South
- Ceri Daniels                   Colchester South (Tiptree & Stanway)
- Mary Jo Hall                   Uttlesford North
- Hayley O'Dea                 Rochford
- Katherine Parker            South Partnership Lead Head
- Amanda Reid                 Mid Vice-Chair/Chelmsford North
- Sarah Stevenson             Tiptree and Stanway

Clare Kershaw, Director for Education, welcomed everyone to the meeting. She expressed her gratitude to headteachers for navigating a busy start to the term, and for the excellent pupil outcomes in July. Essex is one of the highest performing local authorities in the East of England.

## 2. MATTERS ARISING FROM THE EPHA EXECUTIVE MEETING EARLIER

### a) Inclusion conference venue

Clare noted the concerns that had been raised about the venue for the inclusion conference (County Hotel, Chelmsford) which is difficult for many to access and has limited parking.

### b) Autism hubs and provision mapping

It was noted that there will be a review of all enhanced provisions in order to obtain a more coherent idea of the purpose, capacity and location of existing enhanced provisions. There was a discussion about effective communication as many headteachers are unaware of the existence of some units, such as the autism hubs. Ralph explained that the existing provisions and support are listed on the Local Offer and the Essex Schools Infolink, but it was agreed that more information should be shared at the termly headteacher meetings.

### c) Landlord consent

A number of headteachers raised their concerns about the need to obtain landlord consent for the vast majority of projects, and the inefficiency and delay in the system. One headteacher, of a church school, explained that there is an ongoing debate between the Diocese and Local Authority about who is the landlord and, as a result, neither are prepared to make a decision. Lisa Fergus noted that there have been personnel changes at the Diocese and suggested that the headteacher should contact Carrie Prior.

Another headteacher gave an example of a project where she had been told by Mitie that they need to follow CDM regulations which has added thousands of pounds to the cost of building work, meaning that the project was then unable to go ahead.

Another headteacher gave an example of needing to install a fire door, for safeguarding purposes, and being unable to do so as she had not obtained consent many months after applying.

There was a general feeling that obtaining landlord consent takes far too long, even for the simplest of projects, resulting in delay and additional costs.

Clare **AGREED** to discuss these issues with Ben Finlayson and Mitie representatives. She explained that landlord consent was introduced/strengthened as a result of a building project where the contractor failed to follow an asbestos management plan, resulting in a lengthy and difficult court case and a significant fine.

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She advised headteachers to contact Lisa Freshwater if they needed to discuss specific projects. Clare reassured the Executive that building and maintenance projects will not be delayed further as a result of the need to manage RAAC in schools, as additional resources have been in put in place.

### 3. RAAC (REINFORCED AUTOCLAVED AERATED CONCRETE) UPDATE

Clare gave an update on the RAAC situation in Essex schools.

In April 2023 ECC was informed that Structural Engineers had changed their guidance, stating that if RAAC was deemed **critical** the affected area of a building couldn't be used until structural mitigations had been put in place.

In response to this change DfE commissioned ARAP to carry out RAAC surveys, but didn't tell the LA which schools were affected.

Last term a number of schools were surveyed, including Hockley Primary, Mistley Norman Primary, Springfield Primary and the Anglo European were partially or fully closed due to RAAC surveys.

ECC was aware that Hatfield Peverel, St Andrew's Junior School was affected. Separately, Sir Frederick Giffard, a new school that was built by the DfE, was deemed to be structurally unsafe following a survey and was unable to re-open at the start of term. The school has now re-opened in temporary accommodation.

The maintained school most seriously affected is Hatfield Peverel, St Andrew's Junior School.

On the 30<sup>th</sup> August the DfE changed its policy in relation to RAAC and has advised that any school where TAAC has been identified, where there is no structural mitigation in place, the school or part of the school cannot be used with immediate effect.

Clare had a meeting with Jonathan Duff, the regional director, that morning, who informed her that 50 schools were affected by this change in policy.

Of the 50 schools, the majority of maintained schools did have the structural mitigation in place. Clare confirmed that they have carried out intrusive surveys in all of these schools and will continue to make periodic checks.

There are a number of academies that have been significantly impacted, in particular secondary schools. About 11 schools are still offering remote education and work is underway in those schools to put temporary accommodation on site.

The DfE is continuing to survey schools. The LA has records going back to 1995 and is cross-referencing with DfE intelligence. Clare said that she is fairly confident that they know of all the schools with RAAC – she confirmed that there are currently 63 schools affected.

Schools are categorized according to their current state:

- Structural mitigation – fully open
- Remediation of RAAC taking place – fully open with some disruption
- School open in alternative accommodation (Hockley, Mistley, Hatfield Juniors)
- School has confirmed plans for temporary accommodation, but has some hybrid learning
- Plans in development – offering hybrid learning (1 school)
- Schools where RAAC is confirmed, but no plans (no schools now)

Joe Chell has been seconded to work on the Essex RAAC response and £133k has been committed to put a team in place.

The ECC list of schools is public and updated weekly. There is a weekly comms meeting with MPs, and fortnightly meetings with DfE and MPs. Clare confirmed that she has had relatively few concerns raised by parents.

She explained the time table for rebuild and repair – the response has been variable as the Responsible Body is required to put the mitigation in place. The steps are:

1. Survey
2. Design team appointed - puts forward options for mitigation (e.g. propping)
3. DfE agree that design
4. Contractor carries out the work

The DfE has confirmed that they will meet structural costs, and reasonable revenue costs. It's still unclear if the DfE has a long-term plan to resolve the temporary solutions.

One headteacher noted that the Local Authority communication and support has been excellent and appreciated, particularly by those schools affected. However, she has received a survey report from Mitie with incorrect information, including photographs and details of another schools. She has been told that more work needs to be done in her school, but is concerned that they have been given an inaccurate report.

Clare was asked when the Mitie contract was due for renewal, and who holds the company to account. Clare was not sure when the contract end was due, but noted

that Ben Finlayson has responsibility within the LA. She stressed that headteachers should contact her directly if they have concerns about any aspect of their work.

#### **4. HEALTH AND SAFETY AUDIT IN SCHOOLS**

Paula Clowes, ECC Head of Assurance, and Frank McKeown, Health and Safety Manager, were welcomed to the meeting.

Paula explained that the health and safety team will be conducting a health and safety audit of all maintained schools, partly as a result of a number of HSE investigations that have been costly and stressful for the schools, and headteachers, involved. Her team have needed to pull together statements and evidence to defend these investigations, and they want to be more proactive in ensuring that schools are meeting HSE standards.

They have recruited a specialist health and safety auditor to the team, Lorna Naessens, who will inspect all maintained schools over the next 2-3 years. Academies are able to buy this audit as a traded service if they wish to take part. Schools will be prioritised, depending on the date of their last audit.

The audit will involve the headteacher and site manager, and will take a day. Following the audit, Lorna will write a report which will be shared with a committee, that will make recommendations.

Schools will be notified of the audit 4-6 weeks in advance and will be given an indication of the areas that will be considered. Two of the headteachers on the Executive explained that the audit has already been undertaken in their schools and that, whilst it was detailed, it was helpful and reassuring to have it done.

Paula also noted that HSE is carrying out a spot-check audit of a number of schools and academies focused on Asbestos management. HSE has not told the Local Authority which schools will be checked, and the Health and Safety team is asking maintained schools to let them know if they are contacted, so that they can offer support.

#### **5. ADMISSIONS**

Shamsun Noor, Head of Operations, was welcomed to the meeting.

He was asked about mid-year admissions and why the Local Authority was contacting academies that had already turned down an admission application from a parent.

Shamsun explained that although academies and other schools that are their own admission authorities manage the original application from a parent, if they are refused they will often then contact the Local Authority to ask them to facilitate an admission. The LA is then obligated to contact local schools to find out if they have places.

Another headteacher asked about the Fair Access Protocol and asked if there was a fair and equal allocation of places. Shamsun explained that he wouldn't expect a

school to be asked to take a pupil if they are over-subscribed, but schools will be contacted depending on the distance from the pupil's home, and maintained schools may be directed to take that pupil.

## 6. SUPPORT FOR AUTISM

Ondrea Bloom, Strategy Lead for Autism, was welcomed to the meeting.

She noted that she last gave an update to headteachers in the spring term. Since then, there have been a number of developed projects including:

The Peer Education Programme, in conjunction with the [Autism Central](#) website, is a Peer-to-Peer support programme for parents/carers and Personal Assistants of autistic children and young people. This is an all age, free service.

The website has a growing range of resources and guidance for parents/carers and has information about the weekly online group sessions the Peer Educators are running. Some are drop-in sessions where parents/carers can talk about anything relating to autism and others are themed sessions e.g., eating sleeping & toileting, Sensory processing, holiday survival strategies, anxiety.

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Children do not need to have a diagnosis for parents/carers to access this service. All of our Peer Educators have lived experience of autism, mostly with autistic children of a range of ages. They undergo training in order to be able to support other parents/carers.

Parents and Carers can submit a [simple form](#) to request a 1:1 telephone/Teams call if they would like to talk through any concerns or questions in more depth. During calls, Peer Educators will listen, they may offer guidance about services that are available in the local area, navigate parents to services that can support and empower them and increase their knowledge and understanding of autism.

[https://schools.essex.gov.uk/pupils/Autism\\_Portal/Pages/Parent-and-Carers-Support.aspx](https://schools.essex.gov.uk/pupils/Autism_Portal/Pages/Parent-and-Carers-Support.aspx)

Ondrea explained that she will share more information at the termly headteacher meetings in November. She signposted headteachers to the Essex Local Offer, where parents can self-refer to access the programme.

She referred heads to the autism portal on the Essex Schools Infolink.  
[https://schools.essex.gov.uk/pupils/Autism\\_Portal/Pages/default.aspx](https://schools.essex.gov.uk/pupils/Autism_Portal/Pages/default.aspx)

## 7. SEND STRATEGY UPDATE

Ralph Holloway noted that the LA is reviewing sufficiency and sustainability for the SEND system in Essex. In the last 4 years there has been a 33% increase in the number of plans; since 2016 there has been a 60% increase and the staff resource to cope with the applications has not increased.

Since the national SEND reforms there has been a 60% increase of pupils in special schools, as well as a significant increase in the number of children in mainstream

schools who meet the criteria for a place at a special school, but are unable to access a place.

The Local Authority is now spending around £40 million a year on independent school places, many of which are out of county, and not all offer excellent provision. In 2019 there were 179 children/young people in 38 week placements, now in 2023 there are 351.

There has been a steep increase in the number of needs assessments that are being submitted: in 2016 there were approximately 179 a month, now there are 400 a month.

Ralph explained that a Sufficiency Plan is being developed which will consider and include:

1. An inclusive mainstream system
2. Better support for mainstream schools who are managing pupils who should be in a special school, including more local provision
3. Considering whether enhanced provisions are doing what is needed in the present time – not closing, but potentially recommissioning
4. Enhancing the capacity of special schools appropriately e,g
  - Using tactical and opportunistic solutions, such as redesigning empty buildings
  - Accessing section 156 funding
  - Developing satellite provisions on mainstream school sites
  - Continuing to make free school applications to the DfE

Ralph confirmed that they are lobbying DfE, as the current SEND plan doesn't legislate for an inclusive school system.

Clare reminded the Executive that they have now launched the Inclusion Strategy, which includes a number of supportive tools, such as the inclusion framework, inclusion reviews, the ordinarily available framework, alongside the disadvantaged strategy and SEND sufficiency plan. She accepted that it will need time for the plans to be absorbed and implemented. The group discussed schools that are not engaged with inclusive practice, and Clare agreed that they need to build up a bank of schools that aren't engaging with any of the aspects of the system, which will raise questions about their inclusivity. Schools can't be forced to take part in an Inclusion Review, but MATs can be held to account against the DfE Trust quality descriptors.

Clare noted that it is positive that the High Needs Block in Essex is in the black; the DfE are working with LAs whose balances are in the red.

Headteachers stressed that the situation in schools is extremely difficult and they have a duty of care to their staff, many of whom have increasing concerns about their own safety. Clare stressed that headteachers should contact their quadrant Assistant Director to discuss their concerns, and they should engage their Inclusion Partner at the earliest opportunity.

One headteacher asked about better training for staff in positive handling and restraint. Clare noted that Price is the affiliated organisation working alongside the TPP programme. In addition, Steve Whitfield is working on "ready to regulate"

training, which will be included in the TPP programme. Clare also noted that Essex Steps is available, though they have declined to be affiliated with TPP.

There was a discussion about access to EPs. Clare noted that there is increased capacity in SEND Operations, and they are finalising an amended leadership structure for the EP team, including the appointment of a Strategic Lead for Psychology.

Clare was asked about the LAs approach to private EP report, which some parents are commissioning in an attempt to speed up the needs assessment. Clare confirmed that SEND Ops will now consider those reports, but will not allow those applications to jump the queue.

## **8. SAFEGUARDING UPDATE**

Jo Barclay, Head of Education Safeguarding and Wellbeing

Jo was asked about the availability of DSL Supervision, following the removal of Government funding from the very well received pilot programme. She noted that she is meeting social care next month to discuss the continuation of the programme, and the likelihood is that DSL supervision will be available at a cost of £1,500 to a school. Jo was asked if they could consider introducing a variable cost for primary and secondary schools, as this amount will be out of the reach of many primary schools, particularly the smallest, who often need the supervision the most.

The Executive discussed the Level 3 training offered by Juniper, which is felt to be expensive and not very good. Jo confirmed that she is looking at this and will follow this up with EPHA representatives.

Jo confirmed that the LA will deliver online Prevent training later in the term, reflecting the newly published guidance.

She acknowledged the increased number of parental complaints to schools, and the increasingly aggressive approach of some parents. She reminded headteachers of the support available from the LA, including from the media team and Jo herself.

## **9. AUTUMN TERM PRIMARY HEADTEACHER MEETINGS**

It was agreed that the focus for the LA meetings would be discussed outside the meeting, due to lack of time.

## **8. CLOSE**

Clare closed the meeting by acknowledging, once again, the stresses and pressures that are on schools are the moment, and thanked headteachers for their amazing work. She stressed the value and importance of the partnership between the LA and EPHA and reminded headteachers to ask for support from the LA when it is needed.



## 9. DATES AND TIMES OF MEETINGS FOR THE 2023/24 SCHOOL YEAR

### Executive meetings (The Lion Inn, Boreham)

Thursday 18 January 2024

Thursday 9 May 2024

### Area Heads Meetings

#### Autumn term 2023

WEST	Wednesday 8 November	Manor of Groves, Sawbridgeworth
MID	Thursday 9 November	The Lion Inn, Boreham
N-EAST	Wednesday 15 November	Colchester Community Stadium
SOUTH	Thursday 16 November	Greenwoods Hotel, Stock

#### Spring term 2024

WEST	Wednesday 28 February	Manor of Groves, Sawbridgeworth
SOUTH	Thursday 29 February	Greenwoods Hotel, Stock
N-EAST	Wednesday 6 March	Colchester Community Stadium
MID	Thursday 7 March	The Lion Inn, Boreham

#### Summer term 2024

WEST	Wednesday 12 June	Manor of Groves, Sawbridgeworth
SOUTH	Thursday 13 June	Greenwoods Hotel, Stock
N-EAST	Wednesday 19 June	Colchester Community Stadium
MID	Thursday 20 June	The Lion Inn, Boreham

The meeting ended at 3.30 pm

Pam Langmead  
EPHA Professional Officer