

## ESSEX PRIMARY HEADTEACHERS' ASSOCIATION

**MINUTES OF THE EPHA EXECUTIVE COMMITTEE MEETING HELD ON THURSDAY  
22 JANUARY 2026 at 9.15 am – 12.15 pm at The Lion Inn, Boreham**

**Distribution** \* indicates attendance

*Sue Bardetti	Tendring South
*Liz Bartholomew	Harwich and Dovercourt
*Dale Bateman	Epping Forest Rural
*Liz Benjeddi	Billericay
*Heidi Blakeley	Wickford/ South quadrant partnership lead
*Amanda Buckland-Garnett	South Woodham Ferrers
Luke Bulpett	South Vice-Chair
*Dida Burrell	Braintree/Mid quadrant partnership lead
*Terri Chudleigh	Basildon East & Pitsea
*Anna Conley	Witham
*Aaron Cross	Castle Point and Benfleet
Matt Curzon	Uttlesford South
*Dawn Dack	Mid Chair/Maldon
*Richard Green	South Chair
*Nick Hutchings	EPHA Vice-Chair/North East Chair/ Colchester West
*Clare James	Dengie
*Chris Jarman	West Chair
Becky Keitch	Tendring North
*Ian Kendal	Harlow
*Pam Langmead	EPHA Professional Officer/County Treasurer
*Ian MacDonald	Tendring Mid
*Kerry Malcolm	North East quadrant partnership lead
*Richard McIntosh	Chelmsford South
Carl Messer	Tiptree and Stanway
*Mark Millbourne	Colchester East
*Samantha Murell	Canvey Island
James Newell	Tendring North
*Jinnie Nichols	Halstead
*Matt O'Grady	Brentwood
*Lisa Patient	Basildon West
*Nicky Patrick	North East quadrant partnership lead
*Harriet Phelps-Knights	EPHA Chair
*Andrew Price	West Vice-Chair
*Richard Potter	North East Vice-Chair
*Colin Raraty	West quadrant partnership lead
*Amanda Reid	Mid Vice-Chair/Chelmsford North
*Marne Reynecke-Raybould	North Uttlesford
*Claire Smith	Rochford
*Gary Soars	Rayleigh
Nick Taylor	Chelmsford West
*Joanne Willcox	Epping Forest South

Also in attendance

Joel Salamon	DfE School Food Policy Unit
Kim Gan	DfE School Food Policy Unit
Nicki Harris	Juniper HR
Jo Barclay	Education Safeguarding

**1. WELCOME AND APOLOGIES FOR ABSENCE**

Action

Harriet Phelps-Knights, the EPHA Chair, welcomed everyone to the meeting.

Apologies were received from:

- Luke Bulpett                      South Vice-Chair
- Matt Curzon                      South Uttlesford
- Becky Keitch                      Tendring North
- Carl Messer                      Tiptree and Stanway
- James Newell                      Tendring North
- Nick Taylor                      Chelmsford West

Harriet noted that the Local Authority officers had sent their apologies for the meeting, stating that they were unable to send a representative as a result of their focus on the local area SEND inspection.

Harriet welcomed all of the Executive members, and in particular Samantha Murrell, representative for Canvey Island, who was attending her first Executive meeting. She thanked the Executive members for their commitment to EPHA and to their colleagues, and also thanked the Professional Officer and Vice-Chair for their support and work on behalf of EPHA.

Harriet noted that she had recently attended Level 3 DSL training delivered by Dida Burrell, and stressed that the training had been exceptional.

**2. MINUTES OF THE PREVIOUS MEETING**

The minutes of the Executive meeting held on 2 October 2025 were confirmed as an accurate record. There were no matters arising from this meeting.

The Executive also considered the minutes of the LA meeting on 2 October 2025, and noted that it was important to follow up on actions that had been agreed by Local Authority officers. It was **AGREED** that in future they would be asked to include consideration of the minutes as a standing item on the agenda.

In the meantime the following agreed actions were considered:

**a) Neurodiversity summit – Minute 2a refers**

It was noted that Clare Kershaw has confirmed that Carly Clarke, Autism Strategy Team, attended this summit on behalf of the Local Authority.

**b) Locality protection for access to SEND hubs – Minute 2b refers**

A concern was raised that schools were unable to access places for children in local

SEND hubs. Clare Kershaw followed up on this matter, as requested, and reported:  
*There 8 places at the ASC hub. 4 pupils from the west quadrant have been placed at the hub. Of the other 4 places, 3 pupils come from the mid quadrant and 1 from the NE quadrant. The NE pupil was named via a tribunal and 1 of the mid pupils was named to resolve an appeal. All admissions go via the ASC Panel, where all the hubs are represented, and if it is collectively agreed that the pupil is ASC appropriate the hub closest to the home address will be asked to admit. If they are unable to admit due to capacity, the LA will then ask the next closest ASC provision, so there are circumstances where there are pupils attending from other quadrants if there is space.*

It was suggested that directions as a result of appeals and tribunal cases tend to take precedent over requests from schools.

**c) Early requests for information for annual reviews - Minute 2c refers**

At the meeting in October a headteacher raised the issue of being asked for documentation at least 12 weeks before an annual review is due, i.e. at 9 months rather than at the point of a full year, which is both challenging for the school and does not give the full picture of a child's situation. Clare agreed to follow up on this issue, but has not reported back to EPHA. It was **AGREED** that the Professional Officer will follow this up.

Professional  
Officer

**d) EHCP top-up interim funding payments – Minute 2d refers**

The EPHA Executive had welcomed the recent Schools Forum decision to bring forward the payment of EHCP top-up funding to 20 weeks, in advance of the EHCP being agreed. However, at that point there had not been a communication to schools about this change, and Clare was asked to undertake this as soon as possible.  
*Clare confirmed an initial letter was sent to schools in the weekly email dated 13<sup>th</sup> October 2025.*

The Executive members discussed the distribution of the interim funding which had not been received by schools, and suggested that the LA shouldn't make policy announcements without planning the operational strategy and systems. It was accepted that the process of determining and distributing this funding would be complicated and doesn't lend itself to quick solutions. It was **AGREED** that if the funding was not distributed to schools by the end of January, as the LA had suggested, then EPHA would follow this up.

The Executive members discussed the continuing inconsistency of the needs assessment process. There were examples of needs assessments for pupils who desperately needing support taking two years, whilst another application for a child whose parent worked for the LA took just three weeks.

One headteacher talked about the application process for resourced provision, noting that difficult or demanding parents sometime seem to be considered more quickly than other less demanding families.

There were a number of other examples of inconsistency and what is often seen as unfairness in the application process. The EPHA Chair **AGREED** to feed back these case studies at the EPHA Leadership meeting with Clare Kershaw and the Assistant Directors

Super  
Executive  
meeting  
with LA  
Officers  
16/04/26

in the summer term.

**e) Data collection and pressure on workload - Minute 5 refers**

At the last meeting the Professional Officer raised the issue, discussed at the last two Executive meetings with the LA about the workload and impact of data collections; for example, how does the DfE use the information about suspensions in schools, or the data around part-time timetables. Schools are asked for huge amounts of data and the workload involved is considerable, and it is often hard to see the benefit to children and young people.

It was argued that often the data collection processes are inefficient and time consuming; for example, there is no way to store information about a pupil on a part-time timetable, and so schools have to repeat this data input every half term. The Executive questioned the need for this data to be collected on a half termly basis, and, at the last meeting, asked Lisa Fergus to find out if this was a statutory requirement or specifically the approach by ECC (and, if the latter, this could be changed to a termly data collection).

To date, the LA officers have not responded to this query. It was **AGREED** that the Professional Officer will follow this up.

**f) Year 6 -7 transition arrangements**

The supporting papers for the meeting included last year's transition form that was agreed with ASHE, setting out the information that secondary schools will need from primary schools about Year 6 pupils. The EPHA Executive reviewed the form and agreed that it should not be changed; the aim is to keep the range of questions as concise as possible. It was **AGREED** that the form will be updated with new dates and will be shared with ASHE. Once they have agreed the form it will be sent out to all primary headteachers for information only. Secondary schools have agreed to send out the form at the beginning of the summer term, for primary schools to complete and return by May half term. The Year 6 transition days are scheduled in the last week of June (this year, the week commencing Monday 22<sup>nd</sup> June 2026).

**g) Child protection file receipts from secondary schools**

A headteacher noted that she has had to chase file receipts from local secondary schools, and these were still not forthcoming despite the child protection files being delivered in September. It was **AGREED** that this concern would be raised with Jo Barclay later in the meeting. It was accepted that many secondaries are giving receipts for child protection files in a timely manner.

Professional  
Officer

### 3. FINANCE REPORT

- a) The following finance report was circulated to EPHA Executive members in advance of the meeting.

#### Current account income and expenditure 19.09.25 – 02.01.26

	Expenditure	Income
Miscellaneous	£2,980.49	£5,150.00
DSG		
Subscriptions		
Supply	£1,800.00	
Travel & mileage	£179.64	
Professional Officer	£27,883.74	
Meetings	£17,279.46	
Colleague Support	£1,033.60	
Headteacher wellbeing		
EPHA Chair supply cover	£2,705.00	
EPHA Chair reimbursement	£3,016.50	
Transfer to conference account	£25,000.00	
<b>Totals</b>	<b>£81,878.43</b>	<b>£5,150.00</b>

*The Professional Officer expenditure for September – December 2025 is broken down into*

- *professional fees* £25,830.00
  - *mileage* £920.70
  - *expenses paid on behalf of EPHA* £1,133.04
- £27,883.74**

*Part of the PO expenses paid on behalf of EPHA is a monthly Zoom subscription of £103.19 which supports the online meetings, briefings, conferences and webcasts run by the Association.*

#### Bank statements for account 00795978

11.09.25	£220,658.28
<b>16.12.25</b>	<b>£152,163.70</b>

#### Conference account Income and Expenditure 05.09.25 – 30.12.25

	Expenditure	Income
Bank service charges	£21.02	
Deputy conference 2025	£22,837.19	£15,620.00
Headteacher conference 2026	£7,800.00	£6,810.00
WEPHA conference September 2025	£3,452.51	£1,605.00
Training events, small schools & misc	£15,216.98	£35,340.00
<b>Totals</b>	<b>£49,327.70</b>	<b>£59,375.00</b>

*Please note that the income and expenditure relates to this 3 month period, and therefore doesn't record the overall income and expenditure for each event.*

Income includes a £25,000 transfer from the current account to the conference account.

#### Bank statements for account 00795978

19.08.25	£23,470.22
<b>30.12.25</b>	<b>£20,312.69</b>

## **b) Claim rates**

The Executive considered the current rates that can be claimed for supply cover and mileage when attending meetings on behalf of EPHA or offering colleague support, which are:

- Hourly rate - £36
- Morning rate - £120
- Afternoon rate - £85
- Whole day rate - £200

It was **AGREED** that these rates should continue at the current levels.

## **4. EPHA REPRESENTATION ON GROUPS AND COMMITTEES**

### **i) Schools Forum**

The EPHA Chair noted that a number of Executive members attended a recent Schools Forum meeting, where the main discussion was around the High Needs Block expenditure. It was explained that the DfE has suspended the HNB formula, and the Local Authority is very concerned that there will be little or no increase in High Needs Block funding, despite the 20% increase in the number of pupils with EHCPs and SEND needs.

There was a general discussion at the Schools Forum about the fact that Essex has historically been poorly funded as a Local Authority:

- The Schools Block allocation is within the 40 lowest Local Authorities (153 LAs)
  - The High Needs Block allocation is within the 50 lowest Local Authorities (153 LAs)
- Councillor Ball is writing to the Government to challenge this. Essex has joined the F40 group, the lowest funded authorities, and is asking for funding discussions in Parliament. The High Needs Block is already in deficit, and the 1% transfer from the Schools Block will not make up this shortfall. The Government has announced that it will absorb SEN funding deficits from 2028, but there is no clarity on whether the existing local authority deficits will be written off. All of the Associations and Unions are equally concerned about existing funding uncertainties.

The ESSET Outreach service has been positively received, and Schools Forum anticipates a further bid for funding from March, to continue the programme.

### **ii) Professional Officer report**

The report gave details of the meetings attended by Pam Langmead on behalf of EPHA. In addition to the attendance at meetings (and writing follow up reports), her work for EPHA has included:

- Information, emails and communications with all headteachers;
- Advice to headteachers, clerks and governors, particularly in relation to complaints, exclusions, headteacher recruitment and where to access support for a range of issues;
- Responding to queries and actions from the Executive, ECC, other association officers, interested companies;
- Individual support for headteachers when issues arise, including attending complaints panel meetings;
- Identifying and supporting new headteachers, maintaining lists;

- Managing the Colleague Supporter programme and capacity support opportunities;
- Briefings to headteacher groups – 27 partnerships/clusters hold termly briefings – researching and writing briefing notes and presentations –and keeping them up to date as new directives, guidance and documents are introduced;
- Termly online education briefing to governors, based on the headteacher briefing notes;
- Managing the Small Schools Support Group, running those meetings, running October conference;
- Facilitating the Small Schools Governor group and organising and running future meetings;
- Working with the National Head Teachers' Association Network, on their administration group, liaising with Schools Week;
- Writing and delivering training to staff, governors and clerks, focused on exclusions and complaints;
- Planning and organising the Deputy Headteacher conference, EPHA wellbeing conference and WEPHA conference;
- Planning and organising Helen Youngman Ofsted training;
- Planning the annual Headteacher conference;
- Updating support materials for schools, including statutory policy lists, website checklists, Ofsted checklist and the Support Directory;
- Writing new 7 minute safeguarding staff meetings (Hate Crime, and Misogyny) and updating existing material;
- Organisation and management of the area meetings in the autumn and spring terms;
- Managing requests for headteacher wellbeing support;
- Managing the EPHA finances: paying claims and invoices (including from Colleague Supporters), supporting area treasurers, producing reports, paying in cheques;
- Updating EPHA records and website;
- Other tasks as required.

### iii) **Small Schools Support Group**

Jinnie Nichols, Chair of the Small Schools Support Group, reported that the last meeting in November had focused on a number of issues of concern to small school headteachers including the accessibility and availability of the Inclusion Framework funding.

Peter Stonier, Senior HMI, attended the meeting, specifically to talk about the new Ofsted framework and how this might work in small schools. Jinnie stressed that, as a former small school headteacher, he does come from a position of understanding, but argued that this must be conveyed to all inspectors so that the experience of inspection is fair and consistent for small schools. She noted that if the school has fewer than 5 children in Reception there will be no grade for Early Years but there is still an extremely strong focus on infants, which puts a great deal of pressure on school staff.

Emily Bartram, headteacher at Radwinter CE Primary, highlighted the current wraparound childcare and OOSIF (Out Of School Inclusion Funding) funding that is

currently available; she is happy to share business plans and resources. Her experience has highlighted the lack of knowledge of the funding streams, and the Professional Officer has been highlighting this in the spring term briefings.

The small schools' governor network group continues and they run twice termly online meetings, on a variety of themes. These give those governors an opportunity to share their experience and the good practice in their schools, which is proving valuable for the governors who are involved. Jinnie thanked the Professional Officer for facilitating these meetings.

## 5. FEEDBACK ON THE NEW OFSTED FRAMEWORK

It was noted that the new Ofsted framework started in November 2025, initially inspecting 22 volunteer schools. There have been a number of inspections of Essex schools and Ian Kendal gave feedback about the inspection at one of the schools in his MAT. He reported the following experience:

Ian noted that this was the most challenging inspection that he had experienced in his over 30 years in headship. There were 4 HMI inspectors on the team, which he felt was a lot for a small primary school.

Inspectors stuck to the handbook – Started at Expected and worked up and down - each point of challenged (grade descriptor) needed clear evidence. Generally / typically were not used as variables. Generally (for our inspection) meant nearly all the time... and if 'weakness' was seen they it did not reflect Generally/Typically.

As expected, the focus was entirely on Early Years during the first morning. The EY teacher was observed by inspectors on rotation for over 3 hours.

Ian noted that the inspectors were fair and professional, and he felt that school leader were listened to, but it was hard to keep track of all the inspectors.

There was a great emphasis on the impact of pupil premium / disadvantaged. Strategic use of spending the money to close the disadvantage gap; have you diagnosed your pupils' needs?

How did you drill down into the challenges / barriers for your pupils?

What was the impact of the actions - do you know this has impacted on children's confidence- wanted hard data.

How effective is this expenditure – based on evidence? How to demonstrate impact (We challenged due to difficult in evidence base – would not have it. i.e. would need control sample that did not receive support thus not supporting one group)

Need to demonstrate - the strongest, research-based recommendations from EEF is the need to 'start early with high-quality provision for under-fives? Is this reflected in your Pupil Premium Strategy?

Ofsted expects everything to be systematic, demonstrating and explaining the choices that are made.

Ian explained that 6 children were selected from the list for the case studies during a 20 minute meeting, and the school had no input into that decision – the inspectors refused

to take into account the school's views about their suitability. Those children were followed throughout the inspection, to the extent that one child asked "What have I done wrong."

Ian noted that, despite Sir Martyn Oliver's online assurance that the previous data does not determine the judgment, it absolutely did - due to low outcomes at the end of KS2, we were very much told there is no possibility of being "at expected" – despite demonstrating the recent impact of the work undertaken. In his experience the context of their data wasn't taken into account: for example, one child seriously disrupted the tests, but this wasn't taken into account when reviewing the data.

Ofsted supposed to have reformed to reduce pressure - this, in our view, this was not witnessed. Felt like back to 'old days' Ofsted: much higher expectations but without lesson grading. The team refused to discuss challenges on day 2 or listen to any justification: "We cannot unsee what we have seen."

Ian said that he gave feedback, but was simply told that the inspectors were following the process. Ironically, despite the challenging nature of the inspection, the outcome report is very positive.

Another headteacher said that he had trained two years ago as an Ofsted inspector, but has not taken part in any inspections under the new framework. He noted that inspectors have undertaken many hours of recorded training. He noted that Ofsted stresses that there is no correlation between the old Requires Improvement grade, and Needs Attention.

There is a massive focus on Strong Foundations – at least a third of the training is on early years, with an emphasis on "keep up" (or catch up). The case study that inspectors have looked at was on handwriting, so that could be a trend for inspection.

There is a continued focus on learning being evidenced in books, but he advised headteachers to have evidence of learning in other ways.

There was a general discussion about the new Framework. One headteacher had just heard Sir Martyn Oliver speak at the BETT conference, where he acknowledged the challenge of the Behaviour and Attendance grade. It was felt that this may be reviewed as it is proving an issue for schools and inspectors alike.

There was some concern that "achievement" will be considered an overall effectiveness judgement by some parents, whilst others may be more concerned with the "inclusion" grading.

It was **AGREED** that Peter Stonier should be asked to attend the next Executive meeting in May to discuss the experience of the new Ofsted Framework.

Professional  
Officer

## 6. HR UPDATE

Nicki Harris, Policy Development Manager at Juniper HR, was welcome to the meeting. Harriet noted that Nicki retires at Easter after 37 years supporting Essex schools, and she will be a huge loss to the education system. All of the Executive members stressed

theirs thanks to Nicki for her support, advice and experience that she has generously shared with Essex schools.

**a) Dealing with complaints about staff**

Nicki noted that she had recent discussion with the Professional Officer about the increasing number of complaints and how schools should manage a complaint about the conduct of a member of staff. She stressed that, rather than following the Complaints Policy, the school should be using Disciplinary/Dismissal Procedures or the Dealing with Allegations Against Adults Policy, and it should be made clear from outset to the complainant that the Complaints Policy is not being used. In these cases, governors will usually only become involved if there is a need to hold a Staff Disciplinary Committee meeting. If the complaint is about the headteacher then the Chair of Governors is involved, but under the disciplinary procedures.

**b) Teacher pay update**

The Government evidence to the School Teachers Review Body, has proposed an increase of 6.5% over three years, weighted to the last year. No additional funding is proposed to support the pay rise.

**c) The Crime and Policing Bill will remove the exemption for DBS checks for supervised volunteers.** Nicki explained that, if this goes through, all supervised volunteers will have do have an enhanced check (as currently) with “barred” check.

Governors have DBS checks but not Barred List checks. One headteacher asked if there was a different requirement for Chairs of Governors, but it was confirmed that Keeping Children Safe in Education does not distinguish between Chairs and other governors.

Chairs of governors are required to have an enhanced DBS check in the same way as other governors; there is no separate “more enhanced” level for the chair, though there are some additional process requirements in certain settings.

Maintained schools

- All maintained school governors must have an enhanced DBS check under the Constitution Regulations (as amended in 2016).
- Governance itself is not a regulated activity, so a children’s barred list check is not usually required unless the governor (chair or otherwise) also undertakes regulated activity with children in another capacity.
- The statutory guidance (KCSIE) expects governing boards to ensure all governors have the relevant up-to-date enhanced DBS checks; it does not create a higher level specifically for the chair.

Academies and trusts

- Model articles and the independent school standards require enhanced DBS checks for members, trustees and local governors, again not distinguishing a “more enhanced” level for the chair.
- The key difference is procedural: for academy trusts, the chair of trustees’ enhanced DBS must be countersigned via the Secretary of State/DfE as a suitability check, but the underlying level of check is still an enhanced DBS, not a different or stronger product.

Nicki noted that there are a number of changes to employment law that are being introduced over the next couple of years. These include:

#### **d) ACAS Early Conciliation**

The ACAS Early Conciliation period is being doubled, which in turn lengthens the overall window for bringing many Employment Tribunal claims.

- From 1 December 2025, the maximum period for ACAS Early Conciliation increases from six weeks to twelve weeks for cases where ACAS is first notified on or after that date.
- As now, most claimants must go through ACAS Early Conciliation before they can submit an Employment Tribunal claim, and ACAS must issue a conciliation certificate before the tribunal will accept it.

Impact on tribunal time limits

- During Early Conciliation, the normal tribunal limitation period is “stopped”, and the final deadline is extended to reflect the length of the conciliation period, with at least one further month after the certificate.
- Because the Early Conciliation window can now last up to 12 weeks, the practical time in which a claimant can start a tribunal claim will often be significantly longer than under the old six-week maximum.

Linked change in 2026

- Separately, under the Employment Rights Act 2025, the standard time limit for bringing most Employment Tribunal claims is due to increase from three months to six months from October 2026, which will sit alongside the extended 12-week ACAS period.

Practical implications for employers

- Employers will have longer exposure to potential claims, may see older incidents still in time, and will need robust record-keeping to deal with disputes arising over an extended period.
- The policy aim is to reduce pressure on ACAS and the Tribunal system by giving more time to settle cases before litigation, but some commentators note it may also prolong uncertainty for employers in negotiations.

#### **e) Unqualified teachers**

The Children’s, Wellbeing and Schools Bill will prohibit the employment of unqualified teachers in all state-funded schools other than in certain prescribed roles, such as instructors, overseas trained and trainee teachers. HLTAs can still be used. Unqualified teachers who are currently employed will be exempt. It amends section 133 of the Education Act 2002 so that the existing QTS requirement for “specified work” in LA-maintained schools is extended to (specified) academies, bringing them into line with maintained and special schools.

The requirement is framed so that new teachers in primary and secondary state-funded schools must have QTS, or be working towards it, rather than banning all “unqualified teachers” outright.

The new QTS/induction requirements only apply to teachers who commence employment after the implementation date. This is likely to be introduced from January 2027.

#### **f) Strike action**

Nicki explained that the key change is that the Employment Rights Act 2025 repeals the Strikes (Minimum Service Levels) Act 2023 and removes the special “minimum service level” regime and related dismissal risks for workers who strike in certain public services.

What has been removed:

- The 2023 Strikes (Minimum Service Levels) Act allowed ministers to set minimum service levels in sectors like health, fire and rescue, education, transport, border security and nuclear decommissioning during strikes.
- Employers in those sectors could issue “work notices” naming individuals who had to work to meet the minimum level during a strike.
- If a union did not take “reasonable steps” to ensure compliance with a work notice, it could lose its immunity from being sued, and workers could lose their automatic protection from unfair dismissal while taking part in that strike.

The Employment Rights Act 2025 repeals the Strikes (Minimum Service Levels) Act 2023, so the minimum service level and work-notice framework no longer applies to strike action in the listed services.

As a result, employees taking part in lawful industrial action revert to the usual protections (for example, the standard unfair dismissal protections linked to lawful industrial action under the Trade Union and Labour Relations (Consolidation) Act 1992), rather than facing the additional dismissal risk created by the 2023 Act if they were named in a work notice and refused to work

#### **g) Paternity leave entitlement**

Paternity leave has become more flexible from April 2024, and it will become a **day-one** employment right (with extra flexibility around shared parental leave) under the Employment Rights Act 2025 from 2025/26.

Paternity leave becomes a **day-one right**: the previous requirement for 26 weeks’ continuous service before qualifying to take paternity leave is removed in the Employment Rights Act 1996.

Unpaid parental leave also becomes a day-one right (no 1-year service requirement).

#### **h) Statutory sick pay (SSP)**

Statutory sick pay is being expanded from April 2026 so that more staff qualify, it is payable earlier, and the way it is calculated changes.

- SSP becomes a **day-one** right: the three unpaid “waiting days” are abolished, so eligible employees receive SSP from their first full day of sickness instead of from day four.
- The Lower Earnings Limit is removed: all employees qualify for SSP regardless of how little they earn (so many part-time / low-hours staff who were previously excluded will now be eligible).
- SSP is set at the lower of 80% of an employee’s normal weekly earnings or the standard flat SSP rate (rather than just a single flat figure for everyone).
- These reforms are due to take effect from 6 April 2026 under the Employment Rights Act 2025 framework.

#### **i) Harassment**

From October 2026 the legal duty on employers tightens so that they must take **all** reasonable steps to prevent sexual harassment, rather than just “reasonable steps”, and liability for third-party harassment is also extended.

- The existing proactive (anticipatory) duty under equality legislation currently requires employers to take “reasonable steps” to prevent sexual harassment of employees in the course of employment.

- From October 2026 that is upgraded so that employers must take “all reasonable steps”, raising the bar: an employer will need to be able to show there were no further realistic preventative steps it could reasonably have taken.

#### **Third-party harassment from October 2026**

- From the same date, employers will also become liable if their staff are harassed by third parties (for example pupils over 18, parents, contractors, visitors, customers or clients) in the course of employment, unless the employer can show it took all reasonable steps to prevent that harassment.
- This duty applies to all forms of harassment covered by equality law, not just sexual harassment, though the original focus of the reform is workplace sexual harassment

#### **j) Informing employees of the right to join a trade union**

From October 2026 employers will have a new legal duty to give workers a written statement telling them they have a right to join a trade union.

Nicki noted that this is already within the existing model contracts provided by Juniper.

#### **k) Two tier code of practice for in-sourcing and out-sourcing services**

The new law (October 2026) re-introduces and strengthens the “two-tier” protections so that, when public services are outsourced (or later brought back in-house), workers doing the same contract cannot be kept on significantly worse terms and conditions simply because they are direct hires of a contractor rather than ex-public-sector staff.

#### **l) Unfair dismissal**

The qualifying period for ordinary unfair dismissal is being reduced from two years’ continuous service to six months, with effect from 1 January 2027 (subject to the commencement regulations confirming that date).

- At present, most employees need 2 years’ continuous service to bring a standard unfair dismissal claim (day-one rights already exist for discrimination and “automatic” unfair dismissal reasons such as whistleblowing or trade union activity).
- Under the reforms agreed as part of the Employment Rights Act 2025 package, this 2-year period will be cut to **6 months’ service** for ordinary unfair dismissal claims.
- Government statements indicate that the intention is for the new six-month entitlement to apply from **1 January 2027**, so workers employed from around July 2026 will typically benefit as soon as they reach six months’ service

Nicki noted that Juniper HR is considering reducing the probation period for staff from 6 months to 3 months to avoid unfair dismissal claims; contracts for new staff will be introduced in June. She stressed that it is **essential** to follow probation procedures properly.

#### **m) School Support Staff Negotiating Body (SSSNB)**

The new School Support Staff Negotiating Body (SSSNB) is being created to provide a national, statutory forum to set minimum pay and conditions, and to advise on training and career progression, for school support staff in state-funded schools in England.

Core purpose

- To negotiate and recommend **minimum** national pay, terms and conditions for school support staff (for example teaching assistants, admin staff, catering, site staff), creating a contractual “floor” across maintained schools and academies.

- To advise the Secretary of State on training, professional development and career-progression frameworks for support staff so their roles and progression are better recognised.

Why it is being introduced

- Support staff currently sit in a patchwork of arrangements (NJC/local government scales, local academy scales, bespoke MAT structures), which has led to variation and perceived inequity in pay and progression for comparable roles.
- Re-establishing the SSSNB is intended to deliver greater consistency and fairness, give support staff a stronger sector-specific voice, and support recruitment, retention and standards in schools.

How it will work in practice

- The body will bring together employer representatives (local authorities, MATs, governing bodies), recognised unions (e.g. UNISON, GMB, Unite) and government/independent members.
- When agreements on minimum pay and conditions are ratified by the Secretary of State, they will be implemented through regulations and incorporated into individual contracts, without preventing schools or trusts from offering more favourable local terms

#### n) **Changes to the support staff pay scale**

For April 2026 there is no single, new statutory “School Support Staff pay scale” being imposed, but there are two key changes coming through the local-government (NJC) route that most LA schools and many academies still follow:

- From 1 April 2025: a 3.2% consolidated increase on all NJC pay points 2–43 and on all NJC allowances (this is already agreed and underpins 2025/26 support-staff pay).
- From 1 April 2026: spinal column point 2 on the NJC spine will be deleted, which in practice moves staff currently on SCP2 up to at least SCP3 and slightly reshapes the bottom of the scale.

Those are national NJC changes, not a separate schools-only award, but for most support staff in maintained schools they drive the April 2026 position unless you are on a different trust-specific scale

Nicki was thanked for her invaluable advice and input, and was asked to attend the four area meetings in March to share the HR updates with headteachers.

*Nicki left the meeting at 11.20 am*

## 7. **ITEMS TO BE INCLUDED AT THE SPRING TERM AREA MEETINGS**

The Executive members **AGREED** that it would be helpful to include the following matters on the agenda for the spring term headteacher meetings:

- Clarity and update about SEN top up funding/ outcomes of the local area inspection
- Early Years – support and expertise from the LA, particularly in relation to the strong focus of EY in Ofsted inspections
- Brief update on Local Government Reorganisation and devolution

HR update in the EPHA section of the meeting.

## 8. FREE SCHOOL MEALS EXPANSION

Joel Salamon and Kim Gan, from the DfE School Food Policy Unit, joined the meeting online at 11.30 am. The EPHA Chair welcomed them to the meeting, and noted that EPHA had submitted a number of questions in advance of the meeting. The aim of the session was to help headteachers understand the process and implications of the expansion of free school meal eligibility from September 2026.

Joel noted that he is conscious that the free school meal expansion reforms come at a time when schools are under pressure. He noted that children in families on Universal Credit will be eligible for a free school meal, whatever the income level. The DfE is also removing transitional protection at the end of the academic year.

Joel noted that there will be upgrades to the Eligibility Check Service so that schools and parents can check eligibility; currently this can only be undertaken by local authorities. He explained that there will be two tiers of pupils eligible for free school meals:

Targeted – the existing cohort

Expanded – the additional cohort from September.

It is expecting that the eligibility check will take place annually, and the DfE will provide more advice.

Joel was asked when updated DfE guidance would be published, and he replied “shortly”, but before Easter. This guidance should provide a consistent set of expectations.

Joel was questioned about the funding for the free school meal expansion: what amount this would be, how it would be calculated and so on. It was stressed that schools are currently budget planning, and will need to consider additional food, staffing and resources costs in anticipation of the increase in free school meal uptake.

Joel noted that the amount which will be given to Local Authorities for distribution, will be £505 per pupil, per year. He noted that maintained schools will receive a one-off separate grant to cover the funding shortfall when the free school meal expansion is delivered.

One headteacher asked if the DfE had or would consider rolling out free school meals to every primary-age child, but it was explained that this is a decision to be made at ministerial level.

At 11.40 am Joel’s connection failed and he didn’t return to the meeting. His colleague, Kim, explained that they had needed to do computer updates earlier in the day, and he was unable to continue the meeting as a result.

She explained that she was very new to the team and was therefore unable to answer any questions about the free school meal expansion rollout. Kim did note that her role focussed on reviewing the school food standards.

She agreed that Joel would commit to answering the questions posed by EPHA (see below) when possible and would also take part in an online Q&A session when the updated guidance was published.

The following questions were submitted in advance of the meeting:

- 1) When is the updated DfE guidance going to be published, including details of implementation, communication with parents, funding etc?
- 2) Schools (and in particular, maintained schools) are considering and determining their budgets this term, and need to plan staff, resourcing and increased food costs to take into account a likely increase in free school meal uptake in September. Can you give us information about the funding for the FSM expansion: the amount of funding that will be given to schools, how this will be calculated, and when it will be paid? (For example, if based on numbers in the October census, how will schools fund the increased numbers from September?)
- 3) Whilst schools will be expected to undertake an annual eligibility check, will it be necessary for parents to re-apply annually, or will the initial application in September be sufficient? Presumably if their financial circumstances have changed this would be picked up by the eligibility check.
- 4) Will the October census be changed to include new pupils eligible for free school meals under the expansion.
- 5) Can you clarify the transition protection. E.g. is it the case that a school could have a pupil who is eligible for Pupil Premium under Ever6, but no longer eligible for an actual meal. Is this correct?
- 6) Can you give some more information/clarity about the impact for schools on Pupil Premium funding?

## 9. ANY OTHER BUSINESS

The following matters were discussed:

### a) NAHT view on the new Ofsted framework

Dida Burrell suggested that the union was not currently focusing on the new framework.

### b) Advice to schools in relation to using Artificial Intelligence

One headteacher questioned whether any presenters or organisations were offering robust advice to schools in relation to the use of AI. It was noted that Tim Cook (AI Confident) offers a 5 module course of 5 months, which gives a rounded view of the use of AI in schools. The cost of delivery is around £3,500 for 8 -10 schools.

A conference focused on Responsible AI for School and Education Leaders is taking place on 9<sup>th</sup> March, and one headteacher who plans to attend was asked to report back if any of the presenters/presentations would be of value to Essex headteachers.

Another headteacher noted that the DfE has produced a number of videos about the use of AI in schools. He explained that there are a large number, but that he has filtered the videos in order to create a useful training module, and agreed to share this with

colleagues.

*Jo Barclay (Education Safeguarding Lead) joined the meeting at 11.50 am*

**c) Receipt from secondary schools on delivery of child protection files (Minute 2g above refers)**

Jo agreed to raise this issue with ASHE at their meeting on 6 February. It was noted that this concern was not about all secondary schools; most are meeting the requirement to provide a receipt, but not all.

There was a discussion about wellbeing in Ofsted inspections. Jo noted her surprise that the current feedback is so negative as overwhelmingly she has been told that Ofsted inspections were fairer and took into account headteacher wellbeing. However, she did concede that this feedback was about inspections that took place under the previous framework.

**d) Subject Access Requests and Freedom of Information requests**

Jo reminded headteachers of the information sharing guidance in relation to safeguarding; she explained that the principle is that you don't share anything in relation to child protection, but suggested that headteachers should take advice from legal services, or IGS (Information Governance Services) if they have queries about a SAR. It was noted that IGS had a "pay as you go" service for queries from non-subscribing schools, but may not offer advice if they are too busy.

**10. DATES AND TIMES OF MEETINGS FOR THE 2026/27 SCHOOL YEAR**

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

Thursday 7<sup>th</sup> May 2026

Thursday 1<sup>st</sup> October 2026 (including the AGM)

Thursday 21<sup>st</sup> January 2027

Thursday 6<sup>th</sup> May 2027

**Area Heads Meetings**

Termly headteacher meetings

Spring term 2026

WEST	Wednesday 4 March	Manor of Groves, Sawbridgeworth
SOUTH	Thursday 5 March	The Lion Inn, Boreham
N-EAST	Wednesday 11 March	Colchester Community Stadium
MID	Thursday 12 March	The Lion Inn, Boreham

Summer term 2026

N-EAST	Wednesday 17 June	Colchester Community Stadium
SOUTH	Thursday 18 June	The Lion Inn, Boreham
WEST	Wednesday 24 June	Manor of Groves, Sawbridgeworth
MID	Thursday 25 June	The Lion Inn, Boreham

Autumn term 2026

WEST	Wednesday 4 November	Manor of Groves, Sawbridgeworth
SOUTH	Thursday 5 November	The Lion Inn, Boreham
N-EAST	Wednesday 11 November	Colchester Community Stadium

MID	Thursday 12 November	The Lion Inn, Boreham
Spring term 2027		
N-EAST	Wednesday 3 March	Colchester Community Stadium
SOUTH	Thursday 4 March	The Lion Inn, Boreham
WEST	Wednesday 10 March	Manor of Groves, Sawbridgeworth
MID	Thursday 11 March	The Lion Inn, Boreham
Summer term 2027		
N-EAST	Wednesday 16 June	Colchester Community Stadium
SOUTH	Thursday 17 June	The Lion Inn, Boreham
WEST	Wednesday 23 June	Manor of Groves, Sawbridgeworth
MID	Thursday 24 June	The Lion Inn, Boreham

### **Conferences**

Headteachers' Conference

Friday 20 March 2026 Chelmsford City Race Course

Deputy Headteachers' Conference

Friday 9 October 2026 Weston Community Homes Stadium

Small Schools conference

Wednesday 14 October 2026 The Lion Inn, Boreham

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Harriet Phelps-Knights  
Chair of EPHA

Pam Langmead  
EPHA Professional Officer