



## **Autumn term briefing 2018**

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# Ofsted

## Key information

### Updated Ofsted section 8 and section 5 handbooks – current versions September 2018

Both the Section 5 (full inspection) and Section 8 (short inspection) handbooks have been updated with minor changes. Each handbook now includes a privacy notice. There are versions of both with highlighted changes on the EPHA website.

#### *Section 5 handbook – key changes*

The clarification for schools section has been updated. It now states that Ofsted does not require schools to predict their attainment scores (as well as their progress scores). The handbook states:

Attainment of past pupils does not determine inspection outcomes. Published attainment data can inform inspectors' key lines of enquiry, and inspectors take published data into account in evaluating outcomes. However, in reaching a judgement about outcomes, inspectors will give most weight to progress, particularly the progress of pupils currently in the school.

There is no expectation about how primary schools should carry out assessment or record pupils' achievements in any subject, including foundation subjects. Schools will not be marked down because they are not 'tracking' science and foundation subjects in the same ways that they may be doing in English and mathematics.

The overall effectiveness judgement for an inspection does not predetermine the outcome of any subsequent inspection.

The performance management section is updated, as is the safeguarding section – these paragraphs note:

- There is no expectation or statutory requirement for the routine checking of personnel files by inspectors. Inspectors may look at a small sample of personnel records. Ofsted **does not** have expectations about the format in which staff records are maintained.
- Ofsted **does not** expect schools to retrospectively apply for references for staff appointed prior to and continuously employed since the introduction of the vetting and barring requirements.
- Ofsted does not expect schools to take any specific set of steps about site security. Schools should assess the risks posed within their own context and take appropriate and proportionate steps to keep children safe. In particular, inspectors do not have a pre-determined view on the need for perimeter fences. They will consider each school's site security on its own merits.

The curriculum – changes relate to the Ebacc

Inspectors **will** discuss with school leaders their curriculum vision and ambitions for their pupils, including consideration of EBacc subjects as part of their curriculum offer.

Inspectors **will not** expect all schools to be at similar stages of EBacc implementation, nor will inspectors pay particular attention to where the school is currently. There is no benchmark or single route to the successful implementation of a curriculum with the EBacc at its core, although inspectors will evaluate how a school's curriculum plans contribute to the government's ambition.

Inspectors **will not** expect school leaders to have developed and to present separate plans about EBacc, or to provide additional information outside of their normal curriculum planning.

#### *Section 8 handbook – key changes*

Privacy notice included – and clarification that the timing of future inspections is calculated from the date of publication of a report (rather than the inspection date).

### Ofsted clarification guidance – myth-buster

Updated in line with the changes set out above

### School Inspection newsletter July 2018 – Sean Harford briefing

14<sup>th</sup> edition of the inspection newsletter. Sean Harford confirms that there will be few changes to the September 2018 handbooks, and reminds inspectors of the timetable for short inspections.

Inspectors also need to be mindful of the new Keeping Children Safe in Education guidance, including the expectation that '*Where reasonably possible, schools and colleges should hold more than one emergency contact number for each pupil or student. This goes beyond the legal minimum and is good practice to give the school or college additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.*'

*Focusing on groups of pupils on inspection*

As set out in our September 2017 special edition, we have reviewed our approach to looking at the performance of groups in schools this year. Inspectors are reminded that over-focusing on the performance of groups, including small groups, when the data are less than robust, can result in schools taking actions with individual groups when effort would be better spent on approaches that have an impact for all pupils. Inspectors must be cautious if making any inferences about underperformance of small numbers of pupils in schools in any group, especially when there are intersections between these groups. We know that particular sub-groups can be far too small for leaders or inspectors to state with confidence that there is underperformance.

#### *Clarification on 'tracking' subjects in primary schools*

Inspectors are reminded that Ofsted has no expectation about how primary schools should be carrying out assessment or recording of pupils' achievements in any subjects, including foundation subjects. Use of the word 'tracking' in inspection reports is problematic as it can suggest that some form of numerical data is required, when there is no such requirement, even in English and mathematics. Schools will not be marked down because they are not 'tracking' science and foundation subjects in the same ways they may be doing so in English and mathematics. This clarification will be added to our 'Clarification for schools' section of the 'School inspection handbook', effective from September 2018.

#### **New website for inspection reports**

A new website has been launched by Ofsted to publish inspection reports – the old website still works for the time being and they are welcoming feedback on the new site.

<https://reports.beta.ofsted.gov.uk/>

#### **Safeguarding concerns during inspection – guidance for inspectors**

Updated guidance for inspectors <https://www.gov.uk/government/publications/ofsted-safeguarding-policy/safeguarding-concerns-guidance-for-inspectors>

#### **The new framework for 2019 – Ofsted murmurings**

Ofsted is preparing for its new inspection framework. Stay on top of the latest Ofsted murmurings to figure out what the framework will mean for your school and how to plan ahead, so that any changes are routine by the time of your next inspection.

The development of the new inspection framework centres around **3 key principles**, according to a June 2018 [speech](#) by Amanda Spielman at the Bryanston Education Summit. These are:

- Making inspections about more than a grade, including focusing more on what makes a school distinctive
- Using data appropriately. This means greater emphasis on what pupils know, how you know they know it, and what you do when they don't. This feeds into curriculum inspection (covered in section 2 of this article)
- Not penalising schools for being unable to address wider issues of society, such as obesity and knife crime. The framework is therefore unlikely to be broadened in this way

#### **4 new inspection judgements**

Ofsted is proposing to replace the current inspection judgements with the following:

- Quality of education (to replace the current 'outcomes for pupils' and 'teaching, learning and assessment' judgements)
- Personal development
- Behaviour and attitudes (the existing 'personal development, welfare and behaviour' judgement is split between 'behaviour and attitudes' and 'personal development')
- Schools' leadership and management

There will still be an overall effectiveness judgement and the 4-point grading scale will remain.

Amanda Spielman made the announcement in a [speech](#) at the Schools North East summit in October 2018.

#### ***"Even sharper" focus on the curriculum***

Will there be a separate inspection judgement for curriculum?

Ofsted is planning to combine the current teaching, learning and assessment rating with the pupil outcomes grade to create a [new "quality of education" measure](#), according to a speech given by Amanda Spielman in October 2018.

The new measure aims to lessen the reliance on [exam results as a measure of school quality](#) by taking into account a school's broader curriculum offering, according to an anonymous source in The Sunday Times in August 2018.

Inspectors do currently consider curriculum when assessing a school's effectiveness, but it does not have a standalone judgement.

Ofsted has been carrying out [research](#) on how schools implement the curriculum since spring 2017. In April 2018, its national director of education, Sean Harford, wrote about [developing "an even sharper focus on the curriculum"](#) for the 2019 inspection framework. So what is this likely to mean?

### ***A new definition***

The first stage of the research found that there is no "common language" for curriculum. To help address this, Ofsted inspectors are testing out a new working definition of 'curriculum':

A framework for setting out the aims of a programme of education, including the knowledge and understanding to be gained at each stage (**intent**) ...

... translating that framework over time into a structure and narrative, within an institutional context (**implementation**) ...

... evaluating what knowledge and understanding pupils have gained against expectations (**impact**).

In practice, this means being clear on your answers to 3 key questions:

- What are you trying to achieve through your curriculum? (Intent)
- How is your curriculum being delivered? (Implementation)
- What difference is your curriculum making? (Impact)

### ***Breadth and balance***

In her commentary on the findings in autumn 2017, chief inspector Amanda Spielman identified 3 important issues, which she linked to the reduced understanding of the idea of curriculum:

- A narrowing of the curriculum at primary level, caused by too much of a focus on preparing for Key Stage (KS) 2 tests
- A misunderstanding of the purpose of KS3 and the new GCSE assessment criteria
- The intended curriculum for lower-attaining pupils being associated only with qualifications that count in league tables
- More recently, Ofsted representatives speaking at events have stressed that what have traditionally been thought of as ['extra-curricular activities' are part of the curriculum](#), and made it clear that Ofsted will [reward schools for being "bold and courageous"](#) in their curriculum offering. The latter echoes the inspectorate's [5-year strategy](#) (2017-22), which commits to tackling practice that discourages innovation.
- What does all this mean for inspections?
- From September 2019, inspectors are likely to be watching out for:
- Primary schools that prioritise phonics and the transition into early reading, and which encourage older children to read widely and deeply
- Too much of a focus on English and maths at KS2, to the detriment of the wider curriculum
- The length of your KS3 curriculum (take a look at some [pros and cons of a condensed KS3](#)); if you've shortened any non-core subjects, make sure you have sound justification for doing so
- The range of subjects you make available, particularly for disadvantaged groups and pupils with low attainment
- Secondary schools that encourage the take up of core EBacc subjects at GCSE, such as the humanities and languages, alongside the arts and creative subjects
- Pushing pupils into less rigorous qualifications to boost league table positions
- Too much time spent on test preparation at the expense of teaching
- In-depth knowledge of your curriculum 'whys' and 'hows' (avoid using woolly terms such as 'enrichment' and 'skills')
- Whether your stated 'intent' is translating into practice

### ***Important points to note***

- There is no Ofsted-prescribed or "preferred" curriculum
- Curriculum is not the same thing as timetable or what qualifications you offer
- Curriculum encompasses, but is much more than, 'what will be on a test'

Need help with developing your curriculum?

[Curriculum intent: example statements](#)

[Reviewing and auditing the school curriculum](#)

What can you do?

Keep those 3 key questions about intent, implementation and impact in mind as you're planning and implementing your curriculum

- If your next inspection is due, be prepared to discuss your curriculum using these 3 focal points to structure your thinking. This won't affect the judgement of your school at this point, but will be useful both for you and for the inspectors who are helping to shape the 2019 inspection framework
- Dedicate substantial timetable slots beyond the 'core' subjects, wherever possible
- Consider how your curriculum caters for disadvantaged groups. Ensure these pupils are not 'shut out' of pursuing subjects they wish to study because of too sharp a focus on exam results
- Show you are making curriculum development and design a priority. Survey your staff on how confident they feel in these skills
- Offer a range of "extra-curricular" activities

For primary schools: evaluate the regularity of SATs preparation, such as mock tests and booster classes. Consider introducing additional reading sessions and encouraging reading for pleasure for a counter-balance "Clearer" focus on behaviour and pupil attitudes

The new framework will feature a judgement that focuses specifically on the behaviour and attitudes of pupils. Ofsted "expects heads" to have "strong policies that support staff in tackling poor behaviour", according to a June 2018 [speech](#) given by Amanda Spielman at the Festival of Education. They are leaning on [Tom Bennett's independent review of behaviour in schools](#) when developing the new framework.

The review recommends that Ofsted:

Conduct a national survey among both staff and pupils to capture data on behaviour in schools

Interview non-teaching staff, such as trainees, supply staff, NQTs, administrative staff and catering staff, about school culture and practice

Interview school leaders so they can account for the results of the surveys and interviews within their school  
Ofsted have not confirmed whether these suggestions will definitely form part of the new framework, but Spielman has said they "fully support" a national behaviour survey and there is "scope" for increased dialogue with more staff.

### ***Changes to inspection procedure and reporting***

In line with Ofsted's 5-year strategy, it is likely that there will be some changes to the format of inspections, intended to improve their validity and reliability. Ofsted has released nothing concrete on this yet, but speculation currently revolves around the possibilities described below.

We'll update you if and when we hear any more on these, or other possible changes.

### ***The 'Outstanding' grade is here to stay***

The current 4-point grading system will remain in place, despite widespread rumours that Ofsted would move to a pass/fail system or get rid of grades altogether.

Amanda Spielman announced this in her speech at the Festival of Education in June. Ofsted will keep the grading system under "regular review", but headteachers, teachers and parents widely prefer the 4-point grading system.

### ***More frequent inspections for Outstanding schools***

It is possible that 'outstanding' schools will no longer be exempt from routine inspections, following a [report from the National Audit Office](#) which identified many schools that hadn't been inspected in more than 10 years. Ofsted is actively lobbying the DfE to change the current system and include 'outstanding' schools in the normal cycle, according to reports from the [BBC](#), [The Guardian](#) and [TES](#).

### ***Changes to lesson observations***

Ofsted have released a [report](#) about their November 2017 seminar on international lesson observations. The report emphasises that further reflection is needed before making any changes to the current lesson inspection model. However, there are some findings that could be telling about the future of lesson observations in the UK. For instance:

All international models have a systematic design, with a range of key criteria to measure performance. Criteria includes classroom management, clarity of instruction, and student behaviour and attitudes

Ofsted acknowledges that 'pupils' learning' cannot be measured through a single lesson observation alone

All models are high inference and require qualitative, subjective scoring in some way

All observers therefore require high standards of training, carried out on a regular basis, to calibrate their judgements

If any aspect of international lesson observation practice does make its way into Ofsted's inspection

framework, we will update this article right away.

### ***Be confident in your safeguarding arrangements***

Separate safeguarding measure

There are some rumours circulating that Ofsted will introduce separate safeguarding inspections, independent from normal inspections. Luke Tryl, speaking to [TES](#), said Ofsted would be "foolish not to look at" the suggestion, following a [June 2017 statement from ASCL](#) that compliance should be separate from a quality of education judgement.

This is still speculation and finer details, such as the frequency or procedure of such an inspection, are yet to be discussed.

### ***No-notice inspections: unlikely***

Speaking to Tes, Amanda Spielman said that she was [open to piloting](#) no-notice inspections. She is the 3rd chief inspector to talk about doing so but, so far, the practice has not been rolled out.

### ***A new framework for MATs***

The Ofsted 5-year strategy indicates an intention to "better scrutinise education, training and care structures, including at the multi-academy trust (MAT) level".

Amanda Spielman is particularly committed to expanding Ofsted inspections into MATs. She wants to improve how Ofsted report on the impact of MATs and better understand the way they are organised and operate.

Read her full speech, delivered at the Education Policy Institute Conference, [here](#).

The current situation is as follows:

The decision on whether Ofsted will carry out full inspections of MATs, and what this will look like, rests with the Department for Education (DfE)

There is significant resistance to the idea of Ofsted inspections of MATs, particularly around the issues of whether Ofsted has the necessary experience and/or expertise of how a MAT functions, whether its role overlaps with the role of regional school commissioners, and whether there is enough funding

### ***What might a MAT framework look like?***

A group of MAT chief executives and trustees met in January 2018 for a [Forum Education policy roundtable discussion](#) on what a MAT inspection framework should cover. The group's recommendations included:

- Financial accountability
- Sustainability and succession planning
- The central trust's relationship with individual schools' pupils and parents
- The collaborative activity of a MAT within its own schools

It's likely that any Ofsted framework for MATs will also focus on criteria such as this.

## **Relevant Documents and Guidance**

- School Inspection Handbook –section 5 including evaluation descriptors *September 2018*
- School Inspection handbook - section 8 *September 2018*
- School Inspection Newsletter July 2018
- The Common Inspection Framework – education, skills and early years *August 2015*
- Ofsted myth-buster – clarification for schools *September 2018*
- Ofsted inspection website
- Inspecting safeguarding in early years, education and skills settings *August 2016*

All guidance can be found on GOV.UK <https://www.gov.uk/government/collections/ofsted-inspections-of-maintained-schools>

Information at <https://www.gov.uk/guidance/being-inspected-as-a-maintained-school-or-academy>

Or on the EPHA website [www.essexprimaryheads.co.uk](http://www.essexprimaryheads.co.uk)

## **Your “do-list”**

- Download the new School Inspection Handbooks (versions with changes highlighted on the EPHA website)
- Check out the new Ofsted inspection report website <https://reports.beta.ofsted.gov.uk/>
- Check that the school and Governing Body is fully, legally compliant and is meeting statutory responsibilities.
- Check that your website is up to date and fully compliant –see checklists on the EPHA website

## Safeguarding

### Keeping Children Safe in Education – September 2018

The revised version of Keeping Children Safe in Education is now in force. New guidance on information sharing, multi-agency working and data protection has been added since the draft version was published in May.

The guidance emphasises that the Data Protection Act (DPA) 2018 and GDPR **do not** prevent, or limit, the sharing of information for the purposes of keeping children safe.

In this guidance, there's very much emphasis on thinking about children with SEN and disabilities, those who were care leavers, and those children who were previously looked after, in the main those children are adopted children. This links into the guidance for designated teachers for looked after children and previously looked after children. The new guidance is also very clear about peer-on-peer abuse, and indeed on sexual violence and sexual harassment.

Keeping Children Safe in Education 2018 provides clarity that schools should have their own individual safeguarding policy. This policy should meet the needs of their children in their community, with the particular kinds of issues that may be most important for them. Multi-Academy Trusts may have an overarching policy, but each school must be able to include procedures and information that is particularly relevant to them.

Annex A provides new information on

- Children and the court system
- Children with family members in prison
- County lines
- Domestic abuse
- Homelessness
- Peer-on-peer abuse
- Sexual violence and sexual harassment

It also provides additional context for honour based violence (HBV) and the preventing radicalisation guidance now focuses on what staff should be doing and considering.

What should you do now?

*Familiarise yourself with the updated guidance*

There are several changes and clarifications which have been made to [Keeping Children Safe in Education](#). There's also a new section on how you should respond to reports of child-on-child sexual violence and sexual harassment (part 5).

Make sure you familiarise yourself with the updated guidance, particularly part 1 (which all staff are required to read) and the new part 5.

*Ensure your staff are familiar with the part 1 updates and the new part 5, as well as Annex A*

As safeguarding training should be regularly updated, it would be good practice to provide training for your staff that's in line with the latest version of the guidance. You should ensure that any safeguarding training you provide is also in line with advice from your Local Safeguarding Children Board (LSCB).

*Make sure your induction processes cover the updated part 1 requirements*

As part of the systems within the school which support safeguarding, you must also ensure your induction for staff members covers:

Your school's pupil behaviour policy and safeguarding response to children missing education

The identity of the DSL and any deputies (as well as their role)

*Ensure your board level leadership lead sits at governing board or proprietor level*

Part 2 of the guidance has been updated to clarify this requirement, so check you've got the right person in this role.

*Ensure that you hold more than one emergency contact number for your pupils where reasonably possible*

This has been added to part 2 of the guidance.

*Ensure your recruitment processes include section 128 checks for governors*

The updated guidance includes the Department for Education's recommendation that maintained schools contact the Teaching Regulation Agency (TRA) Teacher Services to check if a person they propose to recruit as a governor is barred due to being subject to a section 128 direction. Section 128 checks were already a requirement for academy trustees.

*Ensure your staff feel confident about safeguarding previously looked after children*

Previously looked after children are now covered in part 2, to highlight that they remain vulnerable and that agencies should work together and take prompt action when necessary to safeguard them.

Speak to your designated teacher for looked after and previously looked after children, and other staff, about whether they feel confident in their skills, knowledge and understanding. If they need further development, speak to the virtual school head at your local authority about training opportunities.

*Update 19<sup>th</sup> September 2018*

The Department for Education (DfE) has updated the KCSiE statutory guidance for England to include: a link to The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (paragraph 132); and clarification on the point at which a school must make referral to the Disclosure and Barring Service (paragraphs 158 and 159). The flowchart titled 'Actions where there are a concern about a child' in Keeping children safe in education: for school and college staff (part 1) has also been updated to make it more accessible.

**Working Together to Safeguard Children – July 2018**

The new Working Together document was effective from July 2018. This important document applies to **all** schools and to **all** children up to the age of 18. It focuses on the core legal requirements, making it clear what individuals, organisations and agencies must and should do to keep children safe. In doing so, it seeks to emphasise that effective safeguarding is achieved by putting children at the centre of the system and by every individual and agency playing their full part.

**Sexual violence and sexual harassment between children in schools**

Advice for schools and colleges on how to prevent and respond to reports of sexual violence and harassment between children was published in December 2017 and updated in May 2018.

The advice is available at the following link: [www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges](http://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

**Information sharing advice for safeguarding practitioners – DfE 2018**

The DfE has published advice to support practitioners in the decisions they take to share information, which reduces the risk of harm to children and young people and promotes their well-being. This advice has been updated to reflect the General Data Protection Regulation (GDPR) and Data Protection Act 2018, and it supersedes the Information sharing: advice for practitioners providing safeguarding services (2015)

**Regulated activity in relation to children**

Regulated activity in work that a barred person must not do. The new definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:

- i. unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;
- ii. work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is regulated activity only if done regularly: "regularly" is defined in detail on the following pages under items (a) to (f).

HM Government is publishing statutory guidance on supervision of activity that would be regulated activity if unsupervised.

- iii. relevant personal care, e.g. washing or dressing; or health care by or supervised by a professional;
- iv. registered childminding; and foster-carers.

## **Childcare Disqualification regulations**

See HR section below

## **Child Protection policy – September 2018**

A new model child protection policy has been produced for schools – this reflects the latest statutory and local guidance and should be adapted and adopted for use in your school.

## **Keeping pupils and staff safe –Autumn 2018**

ESCB/ECC guidance on the management of behaviour in Essex schools, including the use of physical contact and restrictive/non-restrictive physical intervention to address difficult and harmful behaviour.

## **Safeguarding forums for schools – autumn term 1.30 - 4.30 pm**

N-EAST	Wednesday 7 November	Weston Homes Community Stadium
SOUTH	Thursday 8 November	Holiday Inn, Basildon
MID	Wednesday 14 November	Chelmsford City Football Club
WEST	Thursday 15 November	Weston Homes Business Centre, Takeley

[https://schools-](https://schools-secure.essex.gov.uk/pupils/Safeguarding/Termly_Safeguarding_Briefings/Pages/default.aspx)

[secure.essex.gov.uk/pupils/Safeguarding/Termly\\_Safeguarding\\_Briefings/Pages/default.aspx](https://schools-secure.essex.gov.uk/pupils/Safeguarding/Termly_Safeguarding_Briefings/Pages/default.aspx)

## **Child protection records – record of transfer form**

It is vital that any setting should have knowledge of previous child protection concerns about a child where they exist. Please ensure that child protection files 'follow the child' to any new educational setting (including from Early Years to primary and from secondary to college). This is a requirement within KCSIE (*Annex B, the role of the Designated Lead*):

Jo Barclay has produced guidance and provided a template for the transfer of child protection files in this briefing sheet.

## **Template to record that your staff have received key safeguarding documents**

Jo Barclay has written a template for schools to use to record that all staff have been provided with the key documents referred to in 'Keeping Children Safe in Education'. She suggests you keep copies on individual staff files, or in a separate file where you record staff CPD and training (or both!). The template is available on Essex School Infolink safeguarding section or on the EPHA website.

## **NSPCC report 2018 – How safe are our children?**

The NSPCC's sixth annual report *How safe are our children?* is the UK's definitive record of the current state of child protection, and pulls together the latest and most robust information across our four nations. The forward for the report states: *There will always be challenges in child protection. This year (2018) we have seen a 16 per cent rise in the number of police recorded child sexual offences across the UK. Worryingly, offences of this nature have been steadily increasing for the past five years. A clear factor is the growth of technology and the often unchallenged opportunity it provides sexual predators to target and groom children. Like all abusive behaviour, technology-facilitated abuse and exploitation can take many forms, such as communicating with a child via social media or recording a sexual assault of a child. Since we successfully campaigned for a new law to enable police to charge adults who send a sexual message to children in England and Wales, there have been more than 3,000 recorded offences in the first year.*

## **How to promote positive emotional well-being and reduce the risk of suicide in children and young people – ECC guidance – Spring 2018**

This guidance has been produced to support schools in promoting positive emotional well-being and mental health and to reduce the risk of suicide in children and young people. However, it may be used by any professional working with children and young people as a source of information and support. In addition, the advice contained within it to support pupils will be relevant to a range of issues. It has been produced by a multi-agency group and has undergone consultation with young people, schools and other professionals (see Acknowledgements section). Further guidance specifically to support schools with issues around self-harm is available in the 'Let's Talk' - self-harm management toolkit for educational settings.

### **Seven-minute Safeguarding Staff Meetings**

EPHA has produced a series of “Seven-minute Safeguarding Staff Meetings” on a range of topics. During the summer these were all updated to ensure they reflect current guidance. Recent additions include the new Keeping Children Safe in Education guidance along with an updated quiz for staff. Coming soon – a 7 minute staff meeting on Sexual Violence and Sexual Harassment, and a (short) safeguarding presentation and handout for volunteers in your school.

<https://essexprimaryheads.co.uk/info-and-documents/seven-minute-staff-meetings/>

### **ESCB Annual report 2017-18**

Available on the ESCB website

<http://www.escb.co.uk/Portals/67/Documents/Reports%20Plans/ESCB%20Annual%20Report%202017-18%20Final%20Web.pdf>

The report gives information about the work of the Essex Safeguarding Children Board during the past year, and includes child protection statistics for Essex.

### **Relevant Documents and Guidance**

- Keeping Children Safe in Education – DfE September 2018
- Working Together to Safeguard Children – July 2018
- Information sharing advice for safeguarding practitioners – DfE 2018
- Sexual Violence and Sexual Harassment in schools – DfE May 2018
- How safe are our children? - NSPCC report 2018
- ECC model Child Protection Policy - September 2018
- EPHA Seven-minute safeguarding staff meetings <https://essexprimaryheads.co.uk/info-and-documents/seven-minute-staff-meetings>
- Child Protection Records – file transfer 2018
- ESCB Effective Support for Children and Families in Essex – July 2017
- How to promote positive emotional well-being and reduce the risk of suicide in children and young people – ECC guidance – Spring 2018
- Keeping pupils and staff safe –Autumn 2018
- ESCB Annual report 2017-18
- Children’s Safeguarding Service (Education) 01245 436744
- Essex Schools Infolink safeguarding pages <https://schools.essex.gov.uk/pupils/Safeguarding/Pages/Safeguarding.aspx>
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### **Your “do-list”**

- Download the new KCSiE guidance
- Ensure all of your staff have read at least part 1 and Annex A (and, ideally, the new part 5)
- Make sure that you have two emergency contact numbers for each pupil
- Update and approve the latest Child Protection Policy –September 2018
- Download and use the new ECC guidance about keeping pupils and staff in schools safe
- Attend one of the safeguarding network group meetings in the autumn term
- Use the EPHA “Seven-minute safeguarding staff meetings” to keep your staff up to date with current issues including the new version of Keeping Children Safe in Education <https://essexprimaryheads.co.uk/info-and-documents/seven-minute-staff-meetings/>
- Ensure that you are signed up to Andrew Hall’s brilliant weekly safeguarding briefing <http://www.safeguardinginschools.co.uk/>

## DfE updates and publications

### Key information

#### Provisional 2018 KS2 data published

DfE announced that earlier this year, figures showed:

- 64% of pupils met the expected standard in all of reading, writing and maths. This figure was 61% in 2017;
- 75% of pupils met the expected standard in reading, compared to 71% last year and 66% in 2016
- 76% of pupils met the expected standard in maths, up by 1 percentage point;
- 78% of pupils met the expected standard in grammar, punctuation and spelling, up by 1 percentage point;
- 78% of pupils met the expected standard in writing. This figure was 76% in 2017.

This year's results are the third to be released following the introduction of a more rigorous national curriculum assessments in Summer 2016. The tests assess how well schools are equipping pupils to go on to secondary school, rather than as a measure of individual pupils' performance.

Standards are rising in primary schools. In 2017 the attainment gap between disadvantaged primary pupils and their more affluent peers had narrowed by 10.5% since 2011.

#### 1. Reading results saw the greatest improvement

In reading, 75 per cent of pupils reached the expected standard in 2018, up four percentage points from 2017. However, this subject still had the lowest proportion of pupils meeting the standard.

In maths, 76 per cent of pupils reached the expected standard, up by one percentage point and in grammar, punctuation and spelling the figure was 78 per cent, up by one percentage point on last year again.

#### 2. Performance at academies and LA-maintained schools was similar again

Academies and free schools performed similarly to local authority-maintained schools this year, with LA schools again coming out on top by just one percentage point.

In LA-maintained schools 65 per cent reached the expected standard in reading writing an maths, compared with 64 per cent in academies and free schools. Ten per cent reached the higher standard in both types of schools.

Maintained schools beat academies by two percentage points in reading and grammar, punctuation and spelling, and by one percentage point in maths, while writing results were the same.

Converter academies – those rated 'good' or 'outstanding' by Ofsted at the time they converted – had the highest percentage of pupils achieving the expected standard again overall, at 67 per cent.

#### 3. London continues to come out on top

Inner and outer London were the highest-achieving regions in England, with 70 per cent and 68 per cent of pupils achieving the expected standard in reading, writing and maths combined respectively.

The regions with lowest attainment were Yorkshire and the Humber, the east midlands, west midlands, and the east of England, all of which had 62 per cent of pupils achieving the expected standard.

The relative attainment in the regions was broadly consistent with last year, but attainment overall increased.

#### 4. No change to the gender gap

Both genders improved their performance by three percentage points this year, and girls continue to outperform boys.

In reading, writing and maths, 68 per cent of girls and 60 per cent of boys reached the expected standard, a gap of eight percentage points.

Reading yielded the lowest results for boys, with 71 per cent reaching the expected standard, compared with 79 per cent of girls.

Maths had the smallest gap, with 76 per cent of girls reaching the expected standard, compared with 75 per cent of boys.

In grammar, punctuation and spelling, 82 per cent of girls and 73 per cent of boys reached the expected standard, but writing saw the greatest gap with 84 per cent of girls meeting the standard, compared with 72 per cent of boys

#### The marks required for 2018 on each of the key stage 2 SATs tests are:

- Maths: 61 out of 110 (up from 57 in 2017)
- Reading: 28 out of 50 (up from 26 in 2017)
- Grammar, punctuation and spelling: 38 out of 70 (up from 36 in 2016)

#### KS2 floor and coasting standards remain in place for 2018

Floor standard

In 2018, your school will be above the floor if:

- At least 65% of pupils meet the expected standard in reading, writing and maths; or
- Sufficient progress scores are achieved in all 3 subjects: at least -5 in reading, -5 in maths and -7 in

writing

In order to be counted towards the attainment element, an individual pupil needs to meet the 'expected standard' in all 3 subjects.

To meet the progress element, a school needs to have sufficient progress scores in all 3 subjects – there's no measure of 'sufficient progress' for individual pupils.

This is outlined in the Department for Education's [updated primary accountability guidance](#).

**Coasting standard**

Your school will fall below the coasting definition if, based on revised data for 2016, 2017 and 2018:

Fewer than 85% of pupils achieved the expected standard; and

Average progress made by pupils was less than -2.5 in reading, -2.5 in maths or -3.5 in writing

Standards will only be used to identify schools that may need support

If a school is below the floor or coasting standards, but is not judged inadequate, it will not be issued with an academy order or warning notice by the regional schools' commissioner.

Instead, the floor and coasting standards in 2018 will only be used by the DfE to identify schools that may need additional support.

### **Primary school accountability in 2018 –DfE September 2018**

A technical guide for primary maintained schools, academies and free schools

This guide explains the primary accountability measures, including how a school's progress scores are calculated.

Schools received their own provisional progress scores from 3 September 2018. Annex B of this guidance provides the provisional national distribution of schools' progress scores in 2018 to help schools interpret and contextualise their own provisional scores.

No school will be confirmed as being below the floor or coasting in 2018 until December, when schools' performance tables are published. Further statistical information on primary progress scores, including the number and percentage of schools below the floor in 2018, will be available on GOV.UK from December 2018 when revised data are published.

For 2018, the assessments used to measure the progress that schools help their pupils achieve between key stage 1 and key stage 2 are:

- key stage 1 results in English reading, English writing and mathematics teacher assessments, that took place in summer 2014, when the 2018 year 6 cohort were aged 7; and
- key stage 2 results in English reading and mathematics tests, reported as scaled scores, and the English writing teacher assessments, that took place in summer 2018.

#### *Updates to the previous guidance*

This September 2018 update to the guide includes information on:

- the re-introduction of three-year averages for attainment measures for primary schools;
- refinement to the methodology to reduce the disproportionate effect that a small number of extremely negative scores can have on a school's average progress; and
- a summary of the new statutory framework for teacher assessment.

It also clarifies the Government's policy on schools falling below the floor or coasting standards in light of the Secretary of State for Education's recent speech on his vision for a clearer school accountability system.

### **Workload Reduction Toolkit**

School leaders, teachers and other sector experts have worked in conjunction with the Department for Education (DfE) to design this toolkit to help schools assess and address workload issues.

It's split it into 3 stages, but the tools in each stage can also be used as standalone materials. You can tailor and customise them to fit the situation in your own school. Facilitator notes are provided in each of the workshops.

You are not specifically required to use any of these tools or examples over other approaches which have already been proven to work, and there is no expectation that you use all of the resources provided.

Stage 1 - Identify the workload issues in your school(s)

Stage 2 - Address the issues in your school(s)

Stage 3 - Evaluate the impact

<https://www.gov.uk/guidance/reducing-workload-in-your-school>

### **School Resource Management Toolkit**

Information, tools, training and guidance from the DfE to help with schools' financial planning and resource management.

<https://www.gov.uk/government/publications/supporting-excellent-school-resource-management/supporting-excellent-school-resource-management>

### **Autumn school census**

The [autumn 2018 school census](#) day is Thursday 4 October. The deadline for approved submissions is Wednesday 31 October.

ESFA has published guides to help schools and local authorities [complete and submit their autumn 2018 school census](#). These include an interactive tool to support the return of accurate 16 to 19 school census data.

### **Relevant Documents and Guidance**

- Primary Accountability technical guidance 2018
- Workload Reduction Toolkit <https://www.gov.uk/guidance/reducing-workload-in-your-school>
- School Resource Management Toolkit <https://www.gov.uk/government/publications/supporting-excellent-school-resource-management/supporting-excellent-school-resource-management>
- Schools statutory guidance  
<https://www.gov.uk/government/collections/statutory-guidance-schools>

### **Your “do-list”**

- Download the primary accountability guidance for 2018
- Use the school resource management toolkit to solve your funding issues.
- Use the workload reduction toolkit to solve your workload issues.
- Submit school census data by 31 October
- Determine teacher's pay in line with STPCD 2018 before 31 October – once the STPCD is published!

## HR information and guidance

### Key information

#### Disqualification by Association

The Department for Education (DfE) has published revised statutory guidance for schools and local authorities in England, relating to disqualification under the Childcare Act 2006 which came into force on 31 August 2018. **The guidance removes disqualification by association for individuals working in childcare in non-domestic settings (e.g. schools and nurseries).**

Disqualification by association will continue to apply for individuals providing and working in childcare in domestic settings (e.g. where childcare is provided in a childminder's home). The arrangements continue to disqualify individuals working in domestic and non-domestic settings if they themselves have been found to have committed a relevant offence. A separate document containing tables and annexes sets out a summary of the changes and lists relevant offences for England, Northern Ireland, Wales, Scotland, Isle of Man, Jersey and Guernsey.

What do you need to do?

- i. Inform staff of the changes, and record the date that they were informed; a letter, or email might be best.
- ii. Ensure that this information is included in the Safeguarding and Child Protection Policy; and in the Safer Recruitment Policy
- iii. Identify and record which staff are covered by Disqualification under the Childcare Act 2006 (including volunteers and people on work placements).
- iv. Ask relevant staff to self-declare that they are not disqualified under the Childcare Act 2006. (A form is not necessary). [An Enhanced DBS Certificate will confirm this for new staff; for existing employees schools could consider using the DBS Update Service to supplement any employee self-declaration.]
- v. Remind all staff about the expectation to inform the school where their relationships and associations, both within and outside of the workplace (including online), may have implications for the safeguarding of children in the school.
- vi. Remind all staff that if their circumstances change they must inform the school. (Decide where to put this in writing: Staff Code of Conduct and/or in staff contracts.)
- vii. Decide whether these self-declarations will be kept on the Single Central Register, or elsewhere.
- viii. Review any historic data collected and destroy any information which is no longer required.

The government guidance can be found here: <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

#### 2018 teacher pay award –confirmed by the DfE

On 14<sup>th</sup> September the Department for Education responded to the consultation on school pay.

It confirmed the differentiated pay award, providing an uplift of:

- 3.5 per cent to the main pay range scale
- 2.0 per cent to the upper pay range scale
- 1.5 per cent to the minima and maxima of the leadership range.

The announcement also set out arrangements for **a pay grant** for schools to fund the increase above a notional 'forecasted' one per cent increase.

<https://www.gov.uk/government/publications/teachers-pay-grant-methodology/teachers-pay-grant-methodology>

This grant is intended to cover the difference between the final award and the 1% award that you may have anticipated under the previous public sector pay cap. So your school still has to pay for this initial 1% rise.

The amount you get from the grant is based on the number of pupils (or in special schools, PRUs and AP academies, the number of places) at your school and an area cost adjustment for schools in London.

This sets out that additional funds will be allocated to mainstream school budgets based on pupil numbers; for schools with fewer than 100 pupils, the Department will allocate funding, as if 100 pupils are on roll. For schools offering specialist provision (including APs and PRUs), funding will be based on pupil places; for schools with fewer than 40 places, funding will be allocated as if 40 pupils are on roll.

Funding is split by phase and weighted based on the school's location (Area Cost Adjustment - ACA), to create a per pupil rate:

#### Rates for primary schools

Region	Rate in 2018 to 2019 (£)	Rate in 2019 to 2020 (£)
Inner London	19.51	33.65
Outer London	18.05	31.13
London fringe	16.90	29.14
Rest of England	16.40	28.29

Funding will not take account of each school's individual staffing structure.

The funding for mainstream schools will be distributed through local authorities, while academies will receive the funding directly.

School level allocations for mainstream schools, and local authority level allocations for high needs, will be published in October – **payments will then be made later in the autumn.**

The Secretary of State's announcement has created a legitimate expectation that teachers and school leaders will receive the full uplift where relevant, and we (NAHT) would urge governing boards to ensure that the pay uplift is applied to all staff at all pay points.

#### *Which teachers does this affect?*

The STPCD applies to all teachers in maintained schools, including:

- Senior leaders, such as headteachers
- SENCOs
- Part-time teachers
- Non-agency supply teachers

For academies, the STPCD applies to any teachers whose employment transferred from a maintained school to an academy at the point of conversion and there has been no further renegotiation of their contract.

For other teachers at academies, check their contracts and your own pay policy to see if they are employed under the terms of the STPCD. This will tell you whether you're required to apply these uplifts.

#### *Which teachers will need to have their pay raised?*

Any teacher employed under the STPCD on the minimum of their pay or allowance ranges must have their pay uplifted to meet the new minimum.

Teachers paid elsewhere on the range, including at the current maximum, don't necessarily need to have their pay uplifted.

However, this must be determined in accordance with your pay policy, which should set out how to apply this uplift to all of your teaching staff.

#### *How will pay spine points be raised?*

Since 2013, the STPCD has used pay ranges rather than pay scales with specific pay points within them. You can still use pay points if you wish, although there's no official guidance on what they should be or how they should change following the latest uplifts.

Joint union advice should be published soon with suggested pay points with the uplifts taken into account. In the past, this advice has just raised the previous year's pay points by the percentage that the overall range has been increased by (for example, UPR1 would be increased by 2%, while MPR6 would be increased by 3.5%).

#### *What about support staff?*

Support staff, including school business managers and teaching assistants, are not affected by this announcement as they are not covered by the STPCD.

#### *When do we apply any pay rises from?*

Backdate any teacher pay rises to 1 September 2018.

#### *Who is paying for these rises?*

These rises will be mostly funded by a new teachers' pay grant from the DfE.

### **Staffing and employment advice for schools – DfE 2018**

This advice is designed to help employers in all schools with staffing and employment issues, and to inform their decision making. It advises on matters contained within the School Staffing (England) Regulations 2009 for maintained schools and for independent schools, which include academies and free schools, the Education (Independent School Standards) Regulations 2014 and on wider staffing and employment issues. It draws attention to relevant legislation and sources of up-to-date guidance and advice that employers need to consider, some of which may be statutory guidance. The legislation and guidance referenced in the advice is not exhaustive and following it will not relieve governing bodies, academy trusts or local authorities of any duties imposed upon them in their capacity as employers by other legislation.

### **ID checking guidelines for DBS check applications from 3 September 2018**

The applicant must provide a range of ID documents as part of the DBS check application process. As an employer you must:

- follow the three route ID checking process as outlined
- check and validate the information provided by the applicant on the application form/ continuation sheet
- establish the true identity of the applicant through the examination of a range of documents as set out in this guidance
- make sure the applicant provides details of all names by which they have been known
- make sure the applicant provides details of all addresses where they have lived in the last five years
- check that the application form is fully completed and the information it contains is accurate. Failing to do this can result in delays

When checking the validity of the documents it is best practice to carry out this examination face to face. Other alternative methods include via a live video link, for example Skype and FaceTime. In both cases you must be in physical possession of the original documents. Any risks identified when using live video must be assessed and mitigated by you if implementing this practice. You must not rely on the inspection of the documents via a live video link or by checking a faxed or scanned copy of the document.

<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018>

### **Relevant Documents and Guidance**

- School Teachers Pay and Conditions Document 2018
- Implementing your school's approach to pay DfE advice 2018
- Disqualification by Association - DfE guidance
- Staffing and employment advice for schools – DfE September 2018

### **Your “do-list”**

- Follow the next steps to respond to the change in Disqualification by Association requirements
- Download the School Teachers' pay and conditions document 2018 and the guidance on implementing the implementing your school's approach to pay
- Determine teacher's pay in line with STPCD before 31 October.

## Data Protection

### Key information

#### Data Protection Toolkit for schools – DfE July 2018

The DfE has updated the safeguarding, consent, retention, data protection officer and data breaches sections of the toolkit. Also added new resources in the document.

Much of the best practice associated with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 is based on the Data Protection Act 1998. That said, GDPR and the Data Protection Act 2018 introduce new elements and provide an opportunity for organisations to review their current data protection and privacy practices.

Schools will be at different stages in preparation for legislative change on data protection. The use of data and related technologies varies significantly across our schools, and this toolkit is intended to support schools in developing the policies and processes that are right for them.

The document provides 9 steps that, we think, can help schools efficiently develop the culture, processes and documentation required to be compliant with the strengthened legislation and effectively manage the risks associated with data management.

The 9 steps outline a suggested sequence of activities that will enable schools to identify and monitor the use of personal data, undertake the necessary processes for auditing and assessing risk, and assist with compiling policies to ensure schools can sustain compliance. Each step is structured to provide the intended outcomes of each step, a suggested 'how to' approach, top tips, case studies, and links to the most relevant resources for that step that have been identified to date. It is important to note that **this document provides tips and guidance only**. It is intended to support schools draw out areas of risk. Where the term 'school' is used, multi-academy trust could equally apply where relevant, as the legal entity with the responsibility for data protection for their schools. **It does not constitute formal legal guidance, and as a data controller in its own right, a school is ultimately responsible for its own data protection procedures and compliance with legislation. Schools (and/or MATs) are data controllers in their own right and therefore should ensure they have appropriate registration with the ICO.**

#### Annual review of school records and safe data destruction checklist (template)

This checklist has been produced in accordance with the guidance produced by the DfE in April 2018 in the "GDPR Toolkit for Schools" and is in accordance with the Data Protection rules and Freedom of Information Act (2000) legislation. This is a checklist developed to enable School Business Managers, Clerks, SENCO and other School Staff to carry out an efficient annual review and safe destruction of school records and information.

### Relevant Documents and Guidance

- Data Protection Toolkit July 2017
- Annual review of school records and safe data destruction checklist
- EPHA website – dedicated page <https://essexprimaryheads.co.uk/info-and-documents/data-protection/>
- Information Commissioner's Office <https://ico.org.uk/>
- Information Management Toolkit for Schools 2016
- Information sharing advice for safeguarding practitioners July 2017
- Essex Schools Infolink  
<https://schools-secure.essex.gov.uk/data/information-governance/Pages/DataProtectionAct1998.aspx>

### Your "do-list"

- Download and refer to the updated Data Protection Toolkit
- Consider using the school records safe destruction checklist
- Adopt and publish key documents in accordance with Data Protection and GDPR requirements.
- Make sure your staff are aware of GDPR, using the 7-minute staff meeting presentations and handouts.

## Updating policies and the school website

### Key information

#### This term you need to review and adopt:

- Child Protection Policy – a new CP policy has been produced, updating information about Effective Support for Children and Families in Essex
- Pay Policy – HR model September 2018
- Performance Management Policy – HR model 2016

#### Current ECC HR policy list for schools, academies and free schools

Policy or procedure	Mandatory or recommended	Current edition
Agency workers regulations		June 2013
Audit of HR function		November 2015
Capability procedure for all staff	Mandatory	May 2018
Code of conduct	Recommended (but required by KCSiE)	February 2018
Cover and PPA	Recommended	April 2016
Discipline and Dismissal	Mandatory	May 2018
Equality and Diversity in Employment	Recommended	May 2018
Flexible Working	Recommended	May 2018
Grievance	Mandatory	May 2018
Leave of Absence (and guidance)	Recommended	May 2018
Pay Policy	Mandatory	September 2018
Performance Management (all staff)	Recommended	May 2018
Pre-employment checks		May 2017
Probation procedure	Recommended	May 2018
Recruitment	Mandatory	May 2018
Redundancy and restructuring	Recommended	May 2018
Sickness Absence management	Recommended	May 2018
Sabbatical	Recommended	May 2018

These policies will need to be re-adopted by your school (ideally you did this before GDPR took effect). All policies have a summary of changes on page 2.

In most cases there are no material changes to the content of the policy/procedure with the exception of the Flexible Working Policy (where a few minor updates have been incorporated as listed on page 2) and the Sickness Absence Management Procedure (where reference to obligations in relation to disabled employees has been inserted).

HR does not consider these minor changes necessitate any staff consultation, however, you should notify staff that these policies have been updated

#### Updated version (June 2018) of the website checklists

I have updated the website checklists for both maintained schools and academies – available on the EPHA website.

<https://essexprimaryheads.co.uk/info-and-documents/model-policies/>

#### Relevant Documents and Guidance

- HR list of policies for schools, academies and free schools available on the secure log in of EES <http://www.eesforschools.org>
- DfE website requirements <https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>
- EPHA website requirements checklists <https://essexprimaryheads.co.uk/info-and-documents/model-policies/>
- EPHA statutory policy checklists <https://essexprimaryheads.co.uk/info-and-documents/model-policies/>

**Your “do-list”**

- Adopt the new Child Protection Policy (September 2018) personalised with your own school’s procedures
- Adopt Pay and Performance Management Policies for the year ahead
- Update your policies with the most up to date versions of the HR policies (if you buy in to Essex HR) – note that many were updated in May to reflect GDPR
- Check the EPHA statutory policy lists to ensure that your schedule is complete
- Update your website in line with most recent guidance, using the checklists provided by EPHA (June 2018).

# Academies Update

## Key information

### Academies Financial Handbook 2018

This handbook is a key document that sets out the financial framework for academy trusts reflecting their status as companies, charities and public bodies. It balances requirements for effective financial governance and management of funds, with the freedoms that trusts need over their day-to-day business.

Compliance with the handbook is a requirement in trusts' funding agreements with the Secretary of State.

Changes and clarifications in the 2018 edition

The main changes and clarifications in this edition of the handbook are:

#### *Powers of the secretary of state and ESFA*

- Highlighting that the secretary of state can require the trust to remove a member or trustee, and make directions under section 128 of the Education and Skills Act 2008 to prohibit individuals from acting as a member, trustee, or executive leader of a trust
- Explaining that the Education Skills and Funding Agency (ESFA) may refer trusts to the Charity Commission where there's a concern

#### *Governance*

- Putting greater emphasis on trustees applying high standards of governance and taking full ownership of their duties, including being aware of Charity Commission guidance and the Companies Act 2006
- Clarifying that in church academies, where the DfE uses 'trustees' to mean the charity trustees and company directors, the church academies use 'directors'
- Emphasising that the chair of trustees is responsible for ensuring the effective functioning of the board and setting professional standards of governance
- Updating the description of the role of members to align with the Governance Handbook
- Clarifying that the academy trust's senior executive leader isn't 'ex-officio' and doesn't have to automatically act as a trustee
- Explaining that if a board meets less than 6 times a year it must describe in its governance statement how it maintained effective oversight of funds with fewer meetings

#### *Financial management*

- Confirming that trusts must apply robust cash management and establish a robust control framework
- A "strong recommendation" that trusts use the [national deal for schools](#)
- Clarifying the expectations about the process for setting executive pay, including that it must be transparent, proportionate and justifiable
- Emphasising that any trusts with 250 employees or more must publish information on their gender pay gap
- Clarifying that the academy trust must have adequate insurance cover or be a member of the risk protection arrangement (RPA)
- Emphasising that the academy trust must have appropriate procedures in place for whistleblowing. All staff must be aware of these and all concerns must be responded to properly and fairly
- Confirming that all trusts must confirm in their governance statement which internal audit system they've used and why and promptly report the findings of their audit to all trustees
- Emphasising the importance of acting on audit advice
- Highlighting how the ESFA may take action where trusts do not comply with requirements for submitting financial information

#### *Transactions with 'related parties'*

- Adding that trusts must report all transactions with related parties that take place on or after 1 April 2019 to the ESFA in advance of the transaction taking place
- Adding that trusts must gain prior approval from the ESFA for contracts for the supply of goods or services to the trust by a related party agreed on or after 1 April 2019 where any of the following limits arise:
  - A contract exceeding £20,000
  - A contract of any value that would take the total value of contracts with the related party beyond £20,000 in the same financial year ending 31 August
  - A contract of any value if there have been contracts exceeding £20,000 individually or cumulatively with the related party in the same financial year ending 31 August
- Clarifying that the above transactions with related parties don't include salaries or other payments made by the trust to a person under a contract of employment through the trust's payroll
- Clarifying that for dioceses, the contributions made by an academy trust to its diocese for services it receives associated with securing the academy trust's religious character and ethos, which only the

diocese can provide, are regarded as meeting the 'at cost' requirement set out in paragraph 3.10.12

### **ESFA academies updates September 2018**

#### *1. Information: academy funding allocation payment schedules are now available*

We have uploaded academies' funding allocation payment schedules for 2018 to 2019 to the document exchange. They are saved in the 'revenue funding' folder under the 2018 to 2019 academic year. Academies can access the document exchange by logging into [Information Exchange](#), and choosing the document exchange tab at the top of the page.

To help you understand your payment schedules we have updated the guidance on [revenue funding payments for academies](#) for the 2018 to 2019 academic year. We have also updated the guidance on the [remittance advice notes](#), which accompany funding payments.

#### *2. Information: schools funding 2019 to 2020*

We have uploaded tables onto [COLLECT](#) illustrating the 2019 to 2020 national funding formula (NFF) calculations for the schools block.

Each school can view the calculation for their institution. Each local authority can view the calculations for all the maintained schools and academies in their local authority area.

We have also published [technical notes for 2019 to 2020 for the high needs NFF, the schools NFF and the central school services block NFF](#), explaining in detail the methodologies and data sources.

#### *3. Information: academies accounts return 2017 to 2018 guidance*

We have published guidance to help you prepare for the [2017 to 2018 academies accounts return \(AR\)](#). This includes:

- online form guidance
- further explanation of the pension note requirements
- the information required for your AR in addition to your financial statements

The accounts return online form will be available to complete from 1 October 2018.

The deadline for your trust's external auditors to submit your AR is 21 January 2019.

#### *4. Action: autumn school census 2018*

The [autumn 2018 school census](#) day is Thursday 4 October. The deadline for approved submissions is Wednesday 31 October.

We have made a 'beta' release of the COLLECT system available to allow you to familiarise yourselves with COLLECT in advance of the census date. This will remain available until 4pm on Friday 28 September.

We have issued further details about the collection in the census 'readiness' email. If you did not receive this email, please contact us via a [service request form](#).

We have published guides to help schools and local authorities [complete and submit their autumn 2018 school census](#). These include an interactive tool to support the return of accurate 16 to 19 school census data.

#### *5. Information: risk protection arrangement (RPA)*

For existing RPA members, we have uploaded confirmation of risk protection arrangement (RPA) documents for the 2018 to 2019 academic year to the document exchange.

This includes academies that applied for RPA membership online before 17 August 2018 to start on 1 September.

To view your funding and payments information and easily access your RPA documents, log into your [Secure Access](#) account, go to the document exchange and open the revenue funding, AY 2018/19 folder. For help [accessing the document exchange](#), visit GOV.UK.

The [2018 to 2019 RPA membership pack](#) contains the new RPA contact details, as well as the latest list of frequently asked questions. The [September 2018 to 2019 RPA membership rules](#) are also available.

#### *6. Information: sharing of pupil premium eligibility and SEN pupil data with schools and academies with post-16 students and specialist post-16 institutions*

From 3 September 2018, the Department for Education (DfE) is giving schools, academies and free schools with post-16 students, as well as specialist post-16 institutions, access to data about their new intake of students. Colleges were given access to this data from September 2016.

The data includes details of students' eligibility for pupil premium funding when they were in year 11 in 2017 to 2018 and any SEN support received at school. This is to enable these institutions to effectively identify and monitor their cohort of disadvantaged students and to put in place effective interventions to support them.

We are supplying this information through an existing secure data transfer system (Key to Success). You can find further information and technical guidance about accessing this data on the [Key to Success system](#).

*7. Action: motor insurance for academy schools survey*

The Department for Education (DfE), in collaboration with a commercial motor vehicle insurance broker, is looking to develop an insurance solution for schools.

<https://www.gov.uk/government/publications/esfa-update-5-september-2018/esfa-update-academies-5-september-2018>

**Relevant Documents and Guidance**

- Academies Financial Handbook 2018
- ESFA <https://www.gov.uk/government/organisations/education-and-skills-funding-agency>
- MAT2MAT Headteachers and CEOs can access these resources at <https://www.hivelearning.com/mat2mat/> The passkey is M@T2M&T2017
- Academies compliance documents <https://www.gov.uk/government/collections/academies-funding-payments-and-compliance>

**Your “do-list”**

- Download the Academies Financial Handbook 2018
- Submit your annual return by 19 January 2019
- Check ESFA information and bulletins and action as needed

# The Governing Body

## Key information

### Understanding your data - A guide for school governors and academy trustees ESFA June 2018

This information is for:

- Academy Trustees
- Maintained school governors
- Executive leaders
- Local Authorities
- Local Governing Boards and Clerks

It is the board's responsibility to guide, support and challenge the leadership/executive team to ensure the school or academy trust is:

- setting the right strategic direction
- improving outcomes for the communities it serves
- discharging its duties responsibly
- taking proper account of effective use of the tax payer's money
- ensuring probity

Governors and trustees should already be challenging and evaluating what your data is telling them for your school or academy trust. By having regular sight of key data, this will enable governors to establish the 'root causes' behind problems and drivers behind success. To facilitate further improvement in your school or academy trust's performance, ESFA has developed a set of key themes (annex A) to use as an evidence base in order to discuss the school or academy trust performance with the board.

The key themes bring together a broader range of information to help guide discussions and provide a basis for challenge to ensure value for money is achieved, whilst, focusing on educational outcomes. They should be used in conjunction with each other, and in the context of your organisation and its wider operational strategy.

It is important the data obtained is the most recent available.

### Autumn term governing body business

Governing bodies should review and adopt the following governance documents/undertake the following tasks annually– usually in the autumn term

- Governor code of conduct
- Data consent form
- Standing orders for the governing body
- Delegation/decision planner
- Personal and pecuniary interests (business interests)
- Terms of reference for all committees (standing and statutory)
- Governors' handbook and/or induction pack (if used)
- Election of Chair and Vice-Chair of Governors (depending on the length of term of office determined by the Board)

### Clerking Agency news

Iwona Bainbridge, who has headed up the clerking agency for some years, is leaving ECC for pastures new.

### Relevant Documents and Guidance

- Understanding your data - A guide for school governors and academy trustees ESFA June 2018
- "Get information about schools" <https://www.get-information-schools.service.gov.uk/>
- National Governors Association <http://www.nga.org.uk/Home.aspx>  
[https://www.eescpdportal.org/essex-gov/cpd/content\\_detail.asp?contentid=676](https://www.eescpdportal.org/essex-gov/cpd/content_detail.asp?contentid=676)

### Your "do-list"

- Share the ESFA data guide with governors/trustees
- Ensure that the annual governance tasks are on the agenda in the autumn term
- Access the new information system for schools –and check and update yours if necessary.
- Encourage your governors and clerk to attend training

# The Local Authority

## Key information

### Education Team structure

The team structure is almost finalised. Posts are as follows:

Executive Director for Children, Families and Education – Helen Lincoln

Director, Education – Clare Kershaw

### Quadrant Teams

\* Acting up or Interim

#### South

Assistant Director – Lisa Fergus 07557 167962

Head of Education and Early Years – Maz Norman\*

SEND Quadrant Manager – Kerry Howard

#### Mid

Assistant Director – Elizabeth Cornish 07500 990353

Head of Education and Early Years – Alison Fiala 07768 537487

SEND Quadrant Manager – Tony Sale

#### West

Assistant Director – Nicola Woolf 07872 869522

Head of Education and Early Years – Jacky Castle\*

SEND Quadrant Manager – Chris O’Nions

#### North East

Assistant Director – Philippa Holliday

Head of Education and Early Years – Lyn Wright 07747638848

SEND Quadrant Manager – Ros Somerville

### Specialist Education Services

Head of Specialist Education Services – Michael O’Brien

Virtual School Head – Natalie Stephenson

Education Access Manager – Julie Keating 07894 964805

Schools Safeguarding Manager – Jo Barclay

SENDIASS Manager – Clare Woodcock

Youth Services Manager – Tracey Spear

### Strategy, Planning and Performance

Head of Strategy, Planning and Performance – Anita Kemp

Workforce Development and Performance – Heather Faulkner

Systems and Intelligence Manager – Emma Toublic

Early Years Sufficiency and Sustainability – Carolyn Terry

School Readiness Manager – Liz Norton

### SEND Strategy and Innovation

Head of SEND Strategy– Ralph Holloway

SEND Operations Leader – Helen Wall

SEND Tribunal Team Manager – Kate Harvey

SEND Development Leader – Kate Martin / Candice Thompson\*

SEND School Effectiveness Leader – Ruth Sturdy

School Meals Service Adviser – Geraldine Smith \*

Essex Dance Theatre Manager – Debbie Holme

Music Service Lead Officer – Charly Richardson

Employment and Licencing – vacant

School Crossing Patrol Manager - vacant

### Education Access Arrangements

During the summer the Alternative Education Commissioning Service, the CME/EHE responsibilities from MECES and the Complementary Education Team from the Youth Service joined forces following a

consultation process that took place during the spring term and are now part of one team, known as the Education Access Team. The team officially went “live” on the 1st August.

Please use the following email addresses if you need to make contact with the team:

- To discuss a pupil who has been excluded or is at risk of exclusion – [exclusions@essex.gov.uk](mailto:exclusions@essex.gov.uk)
- To discuss a pupil unable to attend school because of medical issues – [medical@essex.gov.uk](mailto:medical@essex.gov.uk)
- To discuss a pupil placed on a reduced timetable – [provision@essex.gov.uk](mailto:provision@essex.gov.uk)
- To discuss a pupil that has gone missing – [childrenmissingeducation@essex.gov.uk](mailto:childrenmissingeducation@essex.gov.uk)

### **Essex headline provisional data**

The headline provisional data for 2018 is:

Early Years – Good Level of Development 74%

- Key Stage 2 –At least Expected Standard in Reading, Writing and Maths 65%
- Key Stage 4 – Pass 9-4 65% and 9-5 42% in English and Maths
- Key stage 5 – Entries with A\*-C Passes – 77%
- Ofsted Primary\* - Schools judged Good or Outstanding – 89% compared to 87% nationally
- Ofsted Primary\* - Pupils attending a school judged good or outstanding – 91% compared to 88% nationally
- Ofsted Secondary\* - Schools judged Good or Outstanding – 86% compared to 75% nationally
- Ofsted Secondary\* - Pupils attending a school judged good or outstanding – 91% compared to 81% nationally
- Ofsted All\* - Schools judged Good or Outstanding – 89% compared to 86% nationally
- Ofsted All\* - Pupils attending a school judged good or outstanding – 91% compared to 85% nationally

### **SEND Inclusion statement**

At the end of the summer term ECC launched the Essex Inclusion Statement that was produced by the Headteacher Roundtable and asked all schools and governing bodies to sign up to the statement. So far a number of schools have responded to this and I would urge you to make this a priority at your governing body meetings this term. The editorial can be found [here](#) and the Inclusion Statement and sign up form on Infolink, under '[Summer 2018](#)'.

### **Health and Safety Revised Policies**

H&S Inspection Policy & Guidance – new policy (HSP 11.35) and guidance (HSG024) in relation to school inspections have been issued and existing forms and other guidance revised. The forms and guidance include a range of checklists which can be used when carrying out inspections. As part of this, a checklist for Managing Health & Safety in schools has been revised which can be used to identify the minimum systems which should be in place

H&S Driving Policies – both the Driving for Work Policy (HSP 9.23) and Mobile Phones and Driving Policy (HSP 9.42) have been revised and are available on the 'Driving' H&S pages of Infolink, under Staff Related Issues. Both revised policies include a section at the start summarising the main changes.

For further information, please contact the Corporate Health and Safety Service on [HS@essex.gov.uk](mailto:HS@essex.gov.uk) or 0333 013 9818.

(Only for Community and V/C Schools, or other schools which buy into the H&S Service)

### **School Meals Service**

The advisory team are continuing to work on a traded offer for the school meals service, which schools will be able to buy into from April 2019. Schools will be consulted on the proposed model(s) early in autumn term.

### **Sale of EES**

Essex County Council (ECC) is working on the proposed sale of EES for Schools (EES) and has appointed PwC as external advisors to identify preferred bidders. They are currently in the early stages

of the proposed sale and over the coming months, led by PwC, ECC will work through various stages of inviting the market and potential investors to express interest in the business and bid. The original aim was that a decision would be made by the beginning of September, but no announcement has yet been made. For the time being, it continues to be “business as usual” and schools should not be concerned about the continuation of the traded services. EPHA will let schools know of any changes as they happen.

If you have any questions about the above, please speak to EES for Schools or email [enquiries@EESforschools.org](mailto:enquiries@EESforschools.org)

#### **Relevant Documents and Guidance**

- Education Essex – weekly newsletter
- Information about the new School Effectiveness Team structure  
<http://schools.essex.gov.uk/info/director/Pages/default.aspx>

#### **Your “do-list”**

- Make a note of the new Education Team members in your quadrant and contact them if you need support, advice or guidance.
- Attend the termly headteachers’ meetings to be kept up to date on LA plans, strategy and information
- Make sure you read/see Education Essex each week

## EPHA events and dates

### Key information

#### **This term 39 primary schools in Essex have new headteachers – 5 of them in South**

Julie Braithwaite	Lincewood Primary (Acting)
Richard Green/Gary Soars	William Read Primary (Acting)
Terry Flitman	Wickford Primary (Newly amalgamated)
Veronica Wallace	Kingswood Primary

#### **9 of them in North East**

Andy Bear	Ravens Academy
Abbie Fairbairn	Lawford Primary
Diane Fawcett	St Andrew's Weeley (Head of School)
Donna Gaffney	Layer-de-la-Haye Primary
Chris Joy	Hamford Primary
David Larnar	Dedham Primary
Sarah Stevenson	Langenhoe Primary
Michelle Wright	Montgomery Juniors
Tania Wright	Mersea Island School (Acting)

#### **13 of them in Mid**

Jayne Adams	Rettendon Primary (Acting)
Nikki Batt	Howbridge Juniors (Acting)
Andy Cumpstey	St Michael's CE Primary, Braintree (Acting)
Terri Fitter	Southminster Primary (head of school)
Emma Flin	St Andrew's Great Yeldham
Jacqui Gosnold	Woodville Primary
Emma Johnstone	Templars Academy (Head of School)
Kelly Koller	The Beaulieu Park School
Aedin Lipski	Highwood Primary (Head of School)
Charlotte Newley	Templars Academy (Head of School)
Matt Poyton	Lawford Mead Primary (Head of School)
Karen Riches	Kings Road Primary (Head of School)
Nick Taylor	Highwood Primary (Executive Head)

#### **12 of them in West**

Jeanette Allen	The Downs Primary & Nursery
Kirstie Clark	Little Parndon Primary (Head of School)
Amy Dias	Freshwaters Primary Academy (Head of School)
Jackie Diggle	Little Parndon Primary (Head of School)
Elizabeth Gelston	Hatfield Heath Primary
Jane Harvey	Staples Road Primary
Kirsty Johnson	The Alderton Junior School
Rebecca Pine	Newport Primary
Fiona Reid	St Mary's Saffron Walden (Interim Head)
Marios Solominides	Magna Carta Primary Academy
Sue Spearman	Fawbert and Barnard UNDL Primary
Hannah Wheatcroft	Farnham and Rickling Federated Primaries

#### **County EPHA Annual General Meeting**

Thursday 11 October 2018 Chelmsford City Football Club (9.00 am start)

#### **EPHA termly headteacher meetings 2018-19**

##### **South EPHA – Holiday Inn, Basildon**

Thursday 8 November 2018

Thursday 7 March 2019

Thursday 13 June 2019

**North East EPHA – Weston Homes Stadium**

Wednesday 7 November 2018

Wednesday 6 March 2019

Wednesday 12 June 2019

**Mid EPHA – Chelmsford City Football Club**

Wednesday 14 November 2018

Thursday 14 March 2019

Thursday 20 June 2019

**West EPHA – Stansted Business Centre, Takeley**

Thursday 15 November 2018

Wednesday 13 March 2019

Wednesday 19 June 2019

**EPHA Primary Headteachers’ Support Directory**

This document has been updated, to update the appointment of Assistant Directors in the Local Authority,

**Conferences**

*Headteachers’ conference – Friday 22 March 2019 – Stock Brook Country Club*

The programme and booking form will be sent to schools in January – key note speakers include Sir Robert Winston and Mick Waters.

*Deputy Headteachers’ conference – Friday 4 October 2019*

**Relevant Documents and Guidance**

- EPHA website [www.essexprimaryheads.co.uk](http://www.essexprimaryheads.co.uk)
- What headteachers get in return for their EPHA contribution 2018/19
- <https://essexprimaryheads.co.uk/about/constitution-and-finance/>
- EPHA Headteachers’ Support Directory

**Your “do-list”**

- Be kind to new colleagues (and existing ones!)
- Book your deputy headteacher on to the EPHA conference on Friday 5 October 2018
- Download the updated EPHA Support Directory for primary heads
- Find documents and information on the EPHA website, including the 7-minute staff meetings
- Contact Pam Langmead, EPHA Professional Officer, at [pam@langmead.me.uk](mailto:pam@langmead.me.uk) for any support or information that you need