

# GATHERround

EDUCATION NEWS FROM THE GOVERNORS' ASSOCIATION  
THROUGHOUT HULL AND EAST RIDING

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## Welcome!

...to the first of two spring term issues of GATHERround. Now that we are into the new term, all that fantastic but frenetic activity of Christmas parties, concerts and nativities seems but a distant memory and hopefully during the short days of January, things will settle to a more sedate yet purposeful pace in your schools. This time of year is always a good one for governors to get into schools to catch up on plans and see their school at work, so don't delay - make that appointment to go and see where you can offer support or simply to get to know your school better.

This twice-termly newsletter contains updates about what's happening locally and nationally and it is intended to bring you news items, share good practice in schools and hopefully provide food for thought in your work as school governors. We rely on a very small editorial team (two of us) who put this together and we welcome contributions from all our member schools but we have to say that we have not been inundated with articles. We would like your newsletter to reflect the concerns, issues and opinions of member schools. You can share thoughts on national policy, tell us about your governing body's work, about good things that are happening in your school or indeed anything to do with governance so if you have a governors' topic you'd like to share or seek advice on, please contact us.

**Have you any news or views?**

E-mail them to us at: [info@ga-ther.org](mailto:info@ga-ther.org)

Post them on the Forum at [www.ga-ther.org](http://www.ga-ther.org)

Tweet them to [@ga\\_ther](https://twitter.com/ga_ther)

## 1. Life Without Levels

National Curriculum levels have been with us since 1988. They have changed in scope, focus and assessment many times but for the last few years have become embedded in the psyche of education in England. Teachers, governors, parents and children themselves understand the language of these levels and can talk confidently about the difference between, say, a level 3c and a 4a. One of the final acts of Michael Gove as Secretary of State for Education was to announce the removal of these statutory national curriculum levels from September 2014 as a part of the wider wholesale reform of the curriculum. So the levels have now been discontinued but the SATs and teacher assessments at the end of key stages 1 and 2 will be reported in levels for the last time in summer 2015, as the pupils in Year 2 and Year 6 this academic year will not have been taught the new national curriculum. Confused? Read on.



The ‘old’ levels will disappear completely once next summer’s results have been published and the first new KS1 and KS2 tests in English, mathematics and science, based on the new national curriculum, will be sat by pupils for the first time in the summer of 2016. In the meantime, the biggest change that schools have to implement is devising their own formative assessment methodology to replace the old levels. There will be no nationally agreed way of doing this but it is likely to mean that there will be a greater focus from Ofsted on whatever system is adopted as inspections will have to be informed by the school’s chosen assessment methods and tracking data. There is as yet no absolute consensus about why levels are disappearing so perhaps the best way forward at the moment is just to wait and see what develops in terms of replacement systems. HMI have stated at recent conferences that there is no need for schools to rush into adopting new practices, particularly where the current system is working well in terms of enabling improvement. It is very important for governors to know how their own school’s pupil assessment and tracking works and how the resulting data is interpreted. We plan to offer a workshop at our March conference to look at this issue.

All of this begs the question will we still have school ‘league tables’ to compare pupil attainment as schools start to use different methods of assessment? Are you planning any changes? You can find more on this on the DfE website.

## 2. Performance Related Pay

Every school’s governing body now has the responsibility for determining the pay of all teachers and the DfE has published a revised set of guidelines to help senior leaders and governors produce their school’s assessment and pay policies. These guidelines need to be read alongside the Teachers’ Pay and Conditions Document 2014 to ensure that your policies pay regard to all statutory requirements. This is important. If your policies contain any loopholes, you can be sure that at some time they will be exploited. Unfortunately, we are hearing from governors that the DfE publications on setting up PRP policies are very long-winded and in places incomprehensible which is making the production of workable policies very difficult. You are not alone in this view. Simply google ‘Model pay policy for teachers 2014’ and you will be presented with a plethora of advice from teachers’ unions, LAs and individual schools and academies. You should be able to select information that fits your

school and come up with workable policies but bear in mind that it is principally the responsibility of the headteacher and SLT to come up with these policies, preferably with the involvement of some governors. If you have expertise or interest in helping to write your school's PRP policies, volunteer today.

Below is a table summarising what each involved in the process needs to do, adapted from page 8 of the 'Implementing your school's approach to pay' document:

<b>School Leaders</b>	<b>Governing Body</b>	<b>Teachers</b>
Agree processes for linking appraisal to pay progression, including clear appeals procedures. Consult staff and union representatives as appropriate. Prepare and submit policies to governing body for approval.	Consider and adopt appraisal and pay policies, including the criteria for pay progression and appeals. Agree the extent to which specific functions relating to PRP will be delegated to others such as the headteacher.	Made aware of the changes to pay structures and what these will mean in broad terms.
Ensure they have the knowledge and skills to apply the PRP processes fairly and inform all teachers of the agreed PRP policies and procedures.	Are assured that appropriate arrangements for the agreed PRP process are in place to be applied consistently and that pay decisions can be objectively justified.	Informed about what is expected of them in the school's PRP process and participation in their own appraisal in accordance with the school's PRP policies.
Ensure teachers are appraised in accordance with the school's PRP policies and the relevant regulations. Put pay recommendations to the governing body and ensure governors (especially those serving on a delegated PRP committee) have sufficient information upon which to make their decisions. Maintain records of recommendations and subsequent decisions, demonstrating that all decisions are objective, fair and in compliance with school's PRP policies and equalities legislation.	Consider pay recommendations from the senior leadership team following staff appraisals.  Make/ratify decisions based on all information provided and in accordance with the PRP policies.	Keep records of individual objectives and review them throughout the appraisal process. Keep a record of the appraisal process and the subsequent pay decision.  Where applicable, appraise the performance of other teachers (as delegated by the headteacher).
Keep teachers informed about the process, recommendations made and decisions reached.	Monitor the outcome of decisions made and check processes operate fairly, including any appeals. Identify and consider any budgetary implications of pay decisions on the school's spending plan.	Following appraisal, decide whether to: a) apply for progression to the upper pay range b) appeal against the pay decision made

Recent Ofsted reports have included commentary on how well (or otherwise) governors are managing this process.

You can read the full 'Implementing your school's approach to pay' document [here](#)

### 3. A Sackable Offence?

In a story widely reported in the national press on 12<sup>th</sup> November, it was alleged that the Chair of Governors at Eskdale School in Whitby was asked to relinquish his post by headteacher Sue Whelan after he joined the UK Independence Party. It was said that she told the Chair, Scarborough Councillor Mike Ward, that UKIP's policies "were against the ethos of the school." Coun Ward responded by saying "I was astonished as politics had never played a part in my time as a Governor but after some soul searching over the weekend and not wishing to cause the school any further issues I tendered my resignation which she accepted."

Eskdale School is a middle school catering for pupils aged 11-14 and went from 'Outstanding' to 'Requires Improvement' following a Section 5 inspection in December 2013. The report stated that:

*"While governors are able to identify key strengths of the school, they do not always do enough to challenge leaders about the progress of key groups, particularly the most-able students. Likewise, they do not know enough about the difference that strategies aimed at improving the achievement of those supported by the pupil premium are having. This is because their understanding of information that shows students' achievements over time is not fully developed."*

The subsequent Ofsted Section 8 monitoring report issued in March said:

*"Actions taken since the section 5 inspection have strengthened governance. The governing body is better-equipped to hold the school's leaders to account for driving improvement. Scrutiny of minutes of meetings indicates that governors are asking challenging questions and that they are more au fait with the full extent of their roles and responsibilities."*

There are many inferences that can be drawn from all this but we are not in full possession of the facts and so cannot comment further on the relationship between the Head and the Chair or the governing body and the senior leadership team at this particular school. BUT - and it is a big but, there are clear protocols that must be observed before any governor can be removed. Firstly, governors are not employees of the school but are elected or co-opted to collectively have a detailed understanding of the way that the school operates, know how data about the school reflects its attainment and so provide a strategic overview for continued development and improvement. [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#) state that:

*"A clear understanding of, and distinction between, the role of the board and the headteacher is crucial to effective governance. The regulations make clear that the headteacher is responsible for the educational performance of the school and for the internal organisation, management and control of the school - which includes the performance management of staff. The board's role is to hold the headteacher to account for exercising their professional judgement in these matters and for the performance of all of their other duties. Having advised the board, the headteacher must comply with any reasonable direction given by it."*

In normal circumstances, this should happen as a matter of course because the headteacher usually serves as a governor and will have played a part in giving advice to the governing body in order to inform the making of those decisions. Occasionally though, the headteacher may not agree with decisions made but must carry out the required actions resulting from a majority decision even though they don't concur. In light of the recent 'Trojan Horse'

incidents, this may cause headteachers some concern but they cannot take any governor to task over the way they voted.

The Regulations also state that any governor or governors may propose the removal of a community, partnership, sponsor or appointed parent governor at a designated governing body meeting and must state their reasons for doing so. The governor it is proposed to remove must be given the right to reply. The resolution must be confirmed at a second meeting of the governing body held not less than fourteen days after the first meeting. Elected staff and parent governors cannot be removed from the governing body by fellow governors and only the LA can remove an LA governor in the case of maintained schools. Academies and free schools do not automatically appoint an LA representative. Any category of governor can be disqualified from holding, or continuing to hold, office for any of the following reasons:

- Failure to attend meetings (usually 3 successive full governing body meetings without good reason)
- Becoming subject to a bankruptcy restrictions order or having her/his estate sequestrated
- Becoming disqualified as a company director
- Becoming disqualified as a charity trustee
- Being in employment that is prohibited or restricted
- Having a criminal conviction

Nowhere in the Regulations is it stated that any governor can be asked to resign for religious or political affiliation nor for membership of any political party.

We recommend that all school governors should be subject to a DBS (CRB) check although this is not deemed to be mandatory for governors in maintained schools who will not be working directly with children. Academies are subject to different regulations on this and so it's worth checking to see what your legal obligations are. Find out [here](#)

On the face of things, it would appear that the headteacher at Eskdale School has acted outside her remit and had no right to seek the removal of Councillor Ward as Chair unless she and the governors went through the stages outlined above. It rather looks as though they did not. Read the story [here](#)

## 4. In My Opinion...

Following on from that story, in the last two issues of GATHERround we've looked at the consequences of the 'Trojan Horse' affair in Birmingham and how the Government, Ofsted and schools are in a spin about what to do regarding the question of ensuring that governors are even-handed in their decisions to ensure that children in their schools are not unduly influenced by particular politics or religion. The Eskdale School incident is a good example of a headteacher apparently over-reacting and allegedly removing the Chair of Governors because of his affiliation to a political party and concerns about the possible infiltration of UKIP. Vince Barrett looks at how the DfE and Ofsted appear to be dealing with all of this and adds opinions of his own.

The Government's response to radicalisation in schools has been to state that all schools should be teaching 'broadly British values' without telling any of us what this actually means. Is it about playing cricket on the village green, enjoying a Sunday roast with Yorkshire pudding or having a nice cup of tea? Or is it about developing attributes of compassion,

understanding, tolerance and democracy? If it's about the latter, then these are surely desired international human qualities and not uniquely British. Bridlington School governor Gordon Gresham presented his very articulate views of British values in November's GATHERround and a range of education commentators have also expressed their thoughts. Ofsted inspections now feature their interpretation of 'Britishness' in the curriculum. Here's an example of this in action.

During November, the national press carried the story of Middle Rasen Primary School in Lincolnshire which had just had an Ofsted inspection. 'School slammed for being too English' and 'Rural school denied top grade by Ofsted because it's not diverse enough' screamed the headlines. I decided to look a little more closely into this story and all was not quite how the press reported it. Middle Rasen Primary School was judged as 'Requires Improvement' in December 2012 and in that report, five things were listed that the school needed to work on in order to improve. These were: inconsistent progress in maths; teachers not always providing pupils with enough practical opportunities to learn about number; insufficient emphasis on the importance of spelling and presentation; limited opportunities for pupils to practise their mathematical skills in other subjects; leadership, including the governing body, not ensuring that pupils made consistently good progress. Fair enough. Plenty to work on there which the school clearly did. The November 2014 inspection judged the school as 'Good' in all categories but said it wasn't yet outstanding because pupils are given work which is too easy or too hard; there are insufficient opportunities for teachers to improve their skills by observing best practice in the school and elsewhere and, most crucially, pupils' cultural development is limited by a lack of first-hand experience of the diverse make-up of modern British society. This does not bear out the hysteria of media reporters who had formed their own judgement that the school would have been awarded 'outstanding' had it not been for the latter statement alone. Of course all schools should be encouraging children to learn about the broad spectrum of cultures and faiths that make up British society today but bearing in mind that Market Rasen is a small town in rural Lincolnshire with a non-white population of just 3%, the 'first-hand experience' bit presents something of a challenge. Presumably this 'cultural development' limitation was just as much of an issue in 2012 as in 2014 and yet it did not get a single mention in the 2012 report. Is this another example of constantly-moving Ofsted goalposts?

So what's to be done? It's certainly true that the UK population is made up of people from a huge range of cultures but how much time should schools spend in teaching children about them? Indian feasts such as Diwali (23<sup>rd</sup> October), the Jewish festival of Hanukkah (8 days in December) and the Hindu Krishna Janmashtami (17<sup>th</sup> August) may, amongst others, be recognised as a part of the RE curriculum but what about all the other cultures that make up our society? How about the Chinese Qingming Festival (5<sup>th</sup> April), Poland's Constitution Day (May 3<sup>rd</sup>), Lithuania's Day of Re-establishment (16<sup>th</sup> February)? Or these: France's Bastille Day (14<sup>th</sup> July); Germany's Day of Unity (3<sup>rd</sup> October) or the USA's Thanksgiving (last Thursday in November)? One cultural date we do appear to have adopted is America's Black Friday but I don't think we should be encouraging schoolchildren to participate in that one! Seriously though, there are many important international historical and cultural events celebrated by people living here in the UK but, I suspect, largely neglected by schools. It is of course impossible to address all resident cultures and none of us know where this generation of children may eventually live or work. My point is this. It is surely much easier for schools to provide first-hand experience of the make-up of modern British society if they are located in places where there is a diverse population with many cultures living and working together and yet Ofsted does not appear to acknowledge this. Some schools have set up links with

schools in other parts of the UK or in other countries to address the diversity issue which is a good thing but can these links be described as ‘first-hand’?

We have many rural primary schools spread throughout the East Riding which must be in a similar position to Middle Rasen. How are you addressing diversity? Are you keeping calm and carrying on, or have you got in place activities and projects that will impress or have impressed Ofsted inspectors? Please let us know if you have.

## 5. School websites

We at GATHER regularly visit school websites to find contact information or check the correct spelling of governors’ names. We can say with some authority that most sites are superb and full of current information about the school with input from teachers, pupils and governors. Some are, quite frankly, awful with reports of events that took place in 2012 and no reference to governance at all. Did you know that all schools are required by law to publish specified information? Here’s what should appear on your website:

1. The name, postal address and telephone number of the school, and the name of a person to whom enquiries should be addressed.
2. The admission arrangements for the school including any arrangements for selection, any oversubscription criteria and an explanation of the process of applying for a school place.
3. Information as to how parents may access the school’s most recent Ofsted inspection report.
4. The school’s most recent results. For KS2 this must include % achieving Level 4 or above in English and maths; % progressing by 2 or more levels in English and maths over KS1 and KS2; % achieving Level 5 or above in English and maths.

For KS4 this must include % achieving 5+ A\*-C GCSEs (or equivalent) including English and maths; % achieving the English Baccalaureate and % of pupils making at least the minimum expected levels of progress from the end of KS2 to the end of KS4.

5. A link to the School Performance Tables published on the DfE’s website.
6. Information about the school curriculum: In relation to each academic year, the content of the curriculum followed by the school for each subject and details as to how additional information relating to the curriculum may be obtained. For KS1, the names of any phonics or reading schemes in operation; for KS4, a list of the courses provided which lead to a GCSE qualification and a list of other courses offered at KS4 and the qualifications that may be acquired.
7. The school’s behaviour policy.
8. A report on the provision for pupils with Special Educational Needs.
9. The amount of the school’s allocation from the Pupil Premium grant in respect of the current academic year and details of how it is intended that the allocation is spent; details of how the previous academic year’s allocation was spent and the effect of this expenditure on the educational attainment of those pupils at the school in respect of whom grant funding was allocated.

10. For secondary schools in receipt of Year 7 Catch-up Funding: how this allocation is being spent and how it has made a difference to the attainment of pupils who attract the funding.
11. For primary schools in receipt of PE and Sport Premium Funding: how this allocation is being spent and how it has made a difference to the sport participation of pupils who attract the funding.
12. The school's charging and remissions policy determined under section 457 of EA 1996.
13. A statement of the school's ethos and values.

So there it is. Many schools include much more than this and celebrate their pupils' many achievements and successes but the problem that we've have had is principally with the navigation of sites. All this information is probably there but we can't always find it! The biggest black mark must go to those schools who do not even acknowledge that they have a governing body, let alone tell us who they are. Do you know what's on your school's website? Have a look. Ofsted most certainly will.

## 6. Ask GATHER

We occasionally receive queries from governors about how they should deal with particular sets of circumstances in carrying out their role. In this new section that we will publish from time to time, we will respond to some of the situations that have been presented to us with a suggested course of action. We are hoping that you, our members, will post situations such as these on our online Forum so that everyone can pass on their knowledge and experience of school governance. Here are the first three:

*"I have just become a parent governor at my son's primary school and I hoped that I would be able to become involved in the school. Now I'm not so sure. At my first governing body meeting, I could barely understand a word that was being said!"*

You aren't the first new governor to feel this way; it takes a little while to adjust to the strange initials and acronyms that are used in education. If your fellow governors seem to be communicating in a code that you don't understand, please don't be afraid to ask for explanations. Others may be secretly glad you did! To help you with this, ask your headteacher for a copy of the GATHER Guide for Governors which contains a Jargon Buster explaining widely-used educational abbreviations.

*"I'm in my second year as a governor and I'm getting really fed up that the things I'm interested in putting right, such as lunchtime supervision (which I don't think is very good) and bullying; these are rarely discussed in full governing body meetings and when they are, very little time is given to them. We spend far too much time discussing things like strategies, policies and the budget for my liking. How can I get the important issues on the agenda?"*

Being a member of a governing body can feel frustrating at times but you need to bear in mind that its role is to oversee the business of the school and not to be involved in its day-to-day management; that is the role of the senior leadership team. However, there are several things you can do as a governor to bring issues that affect the whole school to the attention of the governing body. The first thing to do is visit the school, to research those things that are concerning you and to gather evidence to support or contest your views. If, for instance, you are looking

at bullying, there is likely to be a committee such as the Attendance and Behaviour Committee that will have bullying within its remit. Ask if you can join this committee as it is through this that a full discussion will take place and any agreed concerns will be fed back to the full governing body via an agenda item on the topic. You also need to remember that governing bodies have a strategic responsibility for the smooth running of the school and so consideration of policies and the way the budget is spent will always be important items on full governing body agendas.

*“Our Chair of Governors has been in the post for twenty years, has been on the interview panel for the appointment of the last three headteachers and has served for longer than most of the school’s staff. At our last Ofsted, we got a ‘good’ rating and our Chair seems to think that’s all down to him! I’m sure there may be better ways of doing some things but the Chair always seems to have the last word on everything and has been known to overrule the headteacher! He constantly reminds us that his decisions must be right because we are a ‘good’ school.”*

Oh dear! The main role of any governing body is to come to considered and democratic decisions on any actions to be taken. The situation you describe is not uncommon and sometimes arises because the Chair is re-elected every four years almost as an automatic right and/or because no-one else puts themselves forward. This is not good for any school as new blood and new ideas are essential in continuing to move the school forward. Your school is to be congratulated on achieving a ‘good’ rating but this is more likely to be down to consistently good quality teaching and effective day-to-day management of the school rather than the ministrations of the Chair of Governors alone. The NGA cites two four-year terms as being the maximum for any Chair and so we recommend that, as a governing body, you plan for succession well in advance of the end of the current Chair’s four-year term by identifying people who are willing to stand when the time comes. Don’t be put off by worrying about losing the ‘good’ status; with a new Chair, your school might achieve ‘outstanding’!

Do you have any concerns about being a governor that you would like us to advise on? E-mail them to us and we will publish them anonymously as those above. You may be surprised that a concern you have in your school is likely to be common to many others. Alternatively, post them on the Forum and then you will get the combined wisdom of many governors.

## 7. Ofsted Annual Report

Sir Michael Wilshaw, Chief Inspector of Schools released Ofsted’s annual report on 10<sup>th</sup> December. In his report launch speech in London, he was particularly critical of the number of secondary schools nationally that are not building on the good work done by primaries. He said:

*“In too many cases, pupils are leaving their primary schools with good literacy and numeracy skills ... But the culture they encounter at too many secondary schools often demotivates and discourages them.”*

If this wasn’t bad enough, the East Riding was mentioned in the speech as having fewer than 50% of its secondaries rated as ‘good’ or ‘outstanding’, ranking the authority as 141<sup>st</sup> of 150 local authorities. Hull fared better with 55% of its secondaries rated as ‘good’ or ‘outstanding’ making it 127<sup>th</sup> in the list of authorities. Nick Hudson, Ofsted regional director

for Yorkshire and the Humber responded by saying that the responsibility for making improvements lies firmly with school governors and leaders, the local authority and academy trusts:

*“Characteristics of this process are that they spot issues early and take robust action to improve,”* he said.

We must acknowledge that, as a region, we can do better than this and as governors must be proactive in making sure that our schools have workable development plans in place, know what actions are being taken and how effective they are in making improvements. This is the only way that we will help to ensure that the vision expressed by Mike Furbank, East Riding’s head of Children and Young People, Education and Schools is achieved. He said:

*“Our school leaders are really aware of this agenda and continue to lead exciting, vibrant schools where children thrive and are safe. This will pay off in inspection outcomes and, crucially, sustained excellent results in examinations and tests which are really important to parents and their children’s future.”*

Let’s hope so! In the meantime, are you aware of your school’s plans for future improvement?

Read the Ofsted annual report [here](#) and a transcript of Sir Michael’s speech [here](#)

## 8. Annual Governors’ Conference 2015

It will soon be time for the seventh GATHER/Local Authorities’ Governors’ conference which is on **Saturday 14th March 2015** once again at Bishop Burton College. The title of the conference is ‘What Really Matters in Your School?’ and the focus will be upon the responsibilities that governing bodies have in identifying relevant strategic targets for continuous school improvement. The keynote speaker is Sir John Holman, Professor in the Chemistry Department at the University of York and adviser in Education at the Wellcome Trust and the Gatsby Foundation. We heard Sir John address the NGA national conference in York last year and he shared with us some of his vast experience in the world of education. We look forward to hearing his views on current issues of concern to us all as governors. There will also be a range of workshops addressing governance topics and a school will be providing a showcase of its work.

We are operating a dual charging system this year. The conference fee will remain at £50.00 per delegate for GATHER member schools but we are charging non-member schools £65.00 per delegate. This is to ensure that we cover our costs and recoup some of our expenditure on the ‘free’ seminar that we provided for all governors back in October. Yet another benefit of GATHER membership! Final arrangements for the conference are still being made but the full programme and details of how to apply for places will be sent to all schools via email towards the end of January.

## 9. And finally...

The online governors’ forum on our website has been up and running for quite a while and we have registered over twenty governors who can now access the forum and post questions or views. We are quite surprised that to date we have not had a single posting from governors other than those serving on GATHER’s Council. We are beginning to wonder whether there is a problem with accessing the site so please let us know if you have registered but have encountered any problems in posting comments.