



Clerks' Monthly Briefing

September 2022



Strong teamwork between the headteacher, the chair of the governing body and the clerk is crucial to efficient working.

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The role of the clerk is pivotal to ensuring that statutory duties are met, meetings are well organised and governors receive the information they need in good time. Consequently, governors come to meetings well prepared and with pertinent questions ready so that they are able to provide constructive challenge.

Ofsted, Learning from the Best 2011.



Governor Support Service

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Agenda

➤ Welcome new clerks	➤ Information exchange
➤ Help us to help you	➤ Updates
➤ Clerking vacancies	➤ Your questions

Governor Support Service

We hold a database of maintained school and academy governing boards which helps us to help you. Such information is needed for governor recruitment purposes, in cases of urgency, safeguarding, Ofsted inspections, and schools where there is a cause for concern. All data is stored and accessed in accordance with the Data Protection Act and GDPR. The only piece of information we can give out publicly is the name of the Chair of the Governing Board, which is already in the public domain. We do not give out personal contact details or any other information.

With contact details changing each term, please let us have a complete list of all your GB membership including:

- Category of governor
- Contact phone numbers (mobile & home)
- Who is chair and vice chair
- Term of office
- Email address
- Details of any associate members of the board (inc. contact details and term of office)

Please send your Governing Board membership information to: office@governor.support

Instruments of Government (IOG)

Please send us a copy of any changes made to your IOG.

Get Information About Schools (GIAS)

Please make sure that you keep the DfE site updated with your governing board membership as well.

Your governing board minutes

Please send us a copy of your draft board and committee minutes once approved by your chair of governors and the final agreed minutes. Email: office@governor.support

Autumn Term 2022 Governor & Clerk Training Courses

Governor and Clerk Training Courses will be confirmed and advertised w/c 26th September 2022. Please can you remind your governors of the range of courses available, also that they feedback on the course(s) attended to the governing board and to update your training records. Your minutes need to show what learning was achieved and shared with all governors. Check the courses [here](#).

Autumn term agenda reminders

Items to consider

- ✓ Attendance, from September 2022. More [here](#).
- ✓ Exclusions
- ✓ What's published on school website-**new (academies and maintained schools)**
- ✓ School Uniform-**new (academies and maintained schools)**
- ✓ Budget implication of "[Parent Pledge](#)" next year
- ✓ Arrange headteacher appraisal meeting, book external adviser, ensure governors to be involved are trained.
- ✓ Senior Mental Health Lead Training
- ✓ NSPCC Safeguarding [Online course for governors](#)
- ✓ Review policies and update as necessary
- ✓ Child Protection Policy
- ✓ School Admission Appeals, from October 2022
- ✓ Election of chair and vice chair
- ✓ Review committees, membership and terms of reference
- ✓ Governors code of conduct
- ✓ Declarations of interests
- ✓ Procurement

Department for Education (DfE)

New Education Secretary

The Rt Hon Kit Malthouse MP

Kit Malthouse was appointed Secretary of State for Education on 6 September 2022.

Watch this space for further leadership changes at the DfE following the appointment of Liz Truss as the country's new Prime Minister!

The passage of the government's flagship schools bill has been delayed by the new government amid a review of current reforms.

The third reading of [the bill](#) in the House of Lords, which was due to take place next Wednesday 21st September, has now been postponed to a date "to be announced".

The new prime minister Liz Truss and her team are reviewing all current legislation, including the schools bill, following her election.

Energy price cap announced for schools

The government has announced that prices of gas and electricity will be capped for the public sector for six months from October.

A spokesperson for Downing Street admitted there could be a “delay of weeks”. It told reporters this week that payments would be backdated to October 1 if this was the case.

Procurement in schools and trusts

The process of identifying and purchasing the goods or services needed to meet the organisation’s objectives. Governing boards have strategic oversight of procurement, which includes approving certain purchases, ensuring that processes are followed and those conducting procurement tasks have the right skills and knowledge.

What maintained schools must publish online

New:

School uniforms - The guidance requires schools to publish their uniform policy on their website.

School opening hours - Schools should publish on their website their opening and closing times and the total time this amounts to in a typical week (for example 32.5 hours).

Exclusions

Updated Statutory Exclusions Guidance

The Government has published updated statutory exclusions guidance, with fixed term exclusions now officially referred to as suspensions. Whilst the updated guidance can be accessed in full [here](#), key points from the statutory guidance include:

- The updated guidance confirms that, following the responses it received, the Government would not be moving forward with its initial plans to prevent headteachers from cancelling exclusions or suspensions once they had begun. As a result of the concerns raised, including a lack of flexibility if additional information from the investigation came to light and the potential subsequent risk of unjust exclusions, a general increase in exclusions and pupils having unnecessary gaps on their education record, the Government did not move forward with this initial proposal.
- Where an exclusion is cancelled, then:
 - The parents, the Governing Board and the LA should all be notified without delay (disappointingly, “without delay” has not been clearly defined), and where relevant, the social worker and Virtual School Head (VSH);
 - Parents should be offered the opportunity to meet with the Head to discuss the specific circumstances which led to the exclusion being cancelled;
 - The pupil should be allowed back into school; and
 - **Once a term, the GB should receive data on the number of cancelled exclusions, including the circumstances and reasons for the cancellation.**

- The original consultation also proposed a new three-day deadline for heads to notify parents about pupil suspensions/exclusions. Under the previous guidance, heads were required to inform parents “without delay.” Some respondents said this notification period was too long, and that parents needed to know “immediately,” as “not knowing the child’s whereabouts may lead to safeguarding concerns.” Other respondents, mostly school leaders and teachers, felt three days “may not be sufficient time to conduct thorough investigations to inform decision making, particularly regarding permanent exclusions.” As a result, this proposal has not been progressed. Thus, when heads suspend or permanently exclude a pupil they must, without delay, notify parents. Furthermore, legislative changes mean that if a pupil has a social worker, or is looked-after, the head must now, also without delay after their decision, notify the social worker and/or VSH, as applicable.
- When heads suspend or permanently exclude a pupil, they must also notify the Local Authority, without delay. Legislative changes mean that this must be done regardless of the length of the suspension.
- Given the increased role of a social worker and VSH in pupil suspensions/exclusions, guidance has been incorporated on the role they can play during Governor Hearings and IRP meetings.
- Guidance has been provided on
 - managed moves, what they are and how they should be used by the school; and
 - the use of off-site direction as a short-term measure which can be used as part of a school’s behaviour management strategy.
- Further guidance has been provided on the practice of involving pupils so that any excluded pupil is enabled and encouraged to participate at all stages of the suspension or permanent exclusion process, considering their age and ability to understand.
- **There is also guidance for Boards on the effective review of exclusions/suspensions data, namely:**
 - The level of pupil moves, and the characteristics of pupils being excluded to ensure the sanction is only used, when necessary, as a last resort.
 - Those pupils on roll but attending education off-site, including the cost implications of off-site education, whether the placement is achieving its objectives and that the pupils involved are benefitting from this specific placement.
- **The Board should also consider:**
 - The effectiveness and consistency in implementing the school’s behaviour policy;
 - Instances where pupils receive repeat sanctions; and
 - The interventions in place to support pupils at risk of a suspension or permanent exclusion.
- **The decision-making power of Governing Boards has also been amended so that:**
 - In the event of a pupil being suspended for more than 5 but less than 16 school days in any one term, and where the parents have not made representations to the Board, the Board

is still able to convene and consider the reinstatement of the pupil. Previously, this power could only be exercised in the event of parental representations being made.

- Where a suspension does not bring the pupil's total number of days to more than five school days in any one term, and where parental representations have not been received, the Board can still consider reinstatement on their own accord. Again, this is a departure from the previous statutory guidance.
- The Government has strengthened a section in the new statutory guidance on the removal of pupils from lessons, previously known as isolation, to include an expectation that schools "routinely collect data on removal and regularly monitor this to identify patterns of use and evaluate its effectiveness." The Government's original consultation had only proposed wording that stated schools "may wish to collect data."

Exclusions Data

The end of July saw the DfE release exclusions statistics for 2020-21, the latest academic year for which data is available. This data includes the first half of the Spring term 2020-21 where covid restrictions meant that only key worker and vulnerable children were physically attending school, with others being educated remotely. Whilst suspensions and permanent exclusions were possible throughout the full academic year, given the covid context, comparisons to previous years should be treated with caution.

It should also be noted that prior to 2020-21, a single reason could be recorded for each suspension and permanent exclusion. From 2020-21 onwards, up to three reasons can now be recorded with no prioritisation required. Furthermore, new reasons for why the sanction had been issued were provided, including: use or threat of use of an offensive weapon or prohibited item; abuse against sexual orientation and gender identity; abuse relating to disability; and inappropriate use of social media or online technology.

Key statistics from the data release include:

- There were 3,900 permanent exclusions in 2020-21 compared to 5,100 in 2019-20. This was also c.half the number of permanent exclusions in the last full academic year before the pandemic (7,900 in 2018-19). This equates to a permanent exclusions rate of 0.05 or the equivalent of 5 permanent exclusions for every 10,000 pupils.
- There were 352,500 suspensions in 2020-21, an increase from the previous year, when 310,700 suspensions occurred, but lower than pre-pandemic levels (438,300 in 2018-19). This gives a suspensions rate of 4.25, the equivalent of 425 suspensions per 10,000 pupils.
- The most common reason recorded for a PEX was persistent disruptive behaviour (39%), physical assault against a pupil followed by physical assault against an adult.
- The increase in suspensions in 2020-21 is driven by an increase in suspensions in secondary pupils as suspensions:
 - increased for secondary pupils by 17%, from 253,300 to 296,200;
 - decreased for primary pupils by 2%, from 47,300 to 46,200; and

- decreased for special school pupils by 1%, from 10,200 to 10,000.
- As with PEX, the most common reason for issuing a suspension was persistent disruptive behaviour which accounted for 42% of all suspensions issued in 2020-21.
- The PEX and suspension rates generally increase with age and are highest at age 14. This follows similar trends seen in recent years.
- Boys continue to have more than three times the number of permanent exclusions, with almost 3,000 exclusions, at a rate of 0.07, compared to almost 1,000 for girls (0.02).
- Boys also account for more than twice the number of suspensions for girls, at 248,000 compared to 105,000. This equates to a suspension rate of 5.86 for boys relative to 2.58 for girls.
- The PEX rate for pupils eligible for FSM is 0.12, around four times higher than for those not eligible, at 0.03.
- The suspension rate is also higher at 9.68 for pupils eligible for FSM, compared to 2.82 for those not eligible.
- The PEX rate for pupils with an education, health, and care (EHC) plan is 0.08, 0.15 for pupils with SEN with no EHC plan (SEN support), compared to 0.03 for those without SEN.
- The suspension rate is also higher at 12.98 for pupils with an EHC plan, 11.86 for pupils with SEN support, compared to 2.80 for those without SEN.
- Gypsy/Roma pupils continue to have the highest PEX (0.18) and suspension rates (15.00). Pupils of mixed White and Black Caribbean ethnicity have the second highest PEX rate (0.12). Pupils from Traveller or Irish Heritage ethnic groups have the second highest rate of suspension (11.22).
- 59% of exclusions were upheld by an Independent Review Panel, a small increase from 55% in 2019-20.

The full data release can be accessed [here](#)

[Exam Results for 2022](#)

A' Levels: Key Headlines

- The proportion of A* and A grades has dropped this year, as expected, compared to 2021 when teacher-assessed grades were used, from 44.3% to 35.9%. However, this still exceeds the 25.2% who achieved top grades in 2019.
- 82.1% of entrants achieved grade C and above, compared to 88.2% in 2021 and 75.5% in 2019.
- The number of A-level students who achieved 3 A* grades remain high at 8,570, albeit down a third from 2021 (12,865). That said, this level is still higher than the 2,785 entrants who achieved 3 A* in 2019.
- London saw the sharpest rise in top grades since 2019, rising 12.1 percentage points from 26.9 to 39%. This compares to the north-east which saw only a 7.8 pp increase from 23.0 to 30.8%.
- Ofqual's data highlights that private school pupils saw the biggest drop in top grades following the reintroduction of summer exams. Despite this, the proportion of top grades awarded was once again the highest in private schools. This year, 58% of grades issued to private school pupils were

As or above, down from 70.4% last year but up from 44.7% in 2019. In comparison, the proportion of top grades was 50.4% in grammar schools, 35% in academies, 31.9% in sixth form colleges and 30.7% cent in comprehensive schools.

GCSEs: Key Headlines

- 75.3% of GCSE grades were at grade 4 or above, up from 69.9% in 2019 when formal exams last took place but down from 79.1% in 2021.
- The grade 5 pass rate has dropped from 62.8% in 2021, when teacher assessed grades were awarded, to 60.3%. However, this is still higher than 2019 when this was 53.5%.
- The proportion of top grades (7 to 9, which is equivalent to A/A**) also increased to 27.0%, up 5.2 percentage points from 2019 but 3 percentage points down from last year.
- Meanwhile, the top grade 9 dropped from 7.7% last year to 6.8%, although this was higher than the 4.7% awarded in 2019.
- In English, 77.2% achieved a grade 4 or above, a 6.7ppt increase on 2019 but 3.7ppt lower than in 2021.
- In maths, 75.1% achieved a grade 4 or above, a 3.7ppt increase on 2019 but 2.7ppt lower than 2021.
- This year, 2,193 students achieved all grade 9s. This is a significant 40% drop from last year. In 2019, only 837 achieved all grade 9s, marking a 162% rise compared to this year. Over two-thirds (67%) of these students were girls.
- The attainment gap between the north-east and London has widened slightly for grade 7s and above. The gap was 9.3 percentage points in 2019, 10pp in 2021 and this year it has crept up to 10.2 pp difference.
- The proportion of top grades this year in London was 32.6% compared to 22.4% in the north-east. This compares to 34.5% and 24.5% in the capital and the north-east respectively last year.
- Overall outcomes at all key GCSE grades are higher for girls than boys, continuing the trend seen in recent years.
- This year, top grades for girls were 30% compared to 22.6% for boys. At grade 4, this was 76.7% for girls compared to 69.8% for boys. This means the outcomes gap between boys and girls at grade 7 have narrowed by 1.6 percentage points since last year.
- Private schools have seen the percentage of top grades drop from 61.2% to 53%, an 8.2 percentage point gap since 2021. This compares to a 2.4 pp drop for academies over a similar period. Grades at grammar schools held up much better, with a minimal drop.

Key Stage 1 and 2 Results

Key Stage 2 SAT **results** for the 2021-22 academic year show a fall in attainment from pre-Covid results. Overall, the proportion of pupils meeting the expected standard in all three areas of reading, writing and maths at age 11 was 59% in 2021-22, below the 2019 figure of 65%. Among all subjects, the largest fall in attainment was in writing by 9 percentage points, followed by maths, grammar,

punctuation, spelling and science.

These results are seen as further evidence of the impact that Covid has had on learning and attainment and shows a widened gap to bridge in the Government's ambition for 90% of primary school children to achieve the expected combined standard in Key Stage 2 reading, writing and maths by 2030 as set out in its March 2022 Schools White Paper.

Research from the FFT education data lab projects similar findings at Key Stage 1 whereby fewer pupils have reached expected standards this year, particularly in writing. The official KS1 results, including the Phonics Check and the Multiplication Assessment, will be published in October and November 2022.

Scrapping of Key Stage 1 SATs

The Government has confirmed that Key Stage 1 SATs will be scrapped from 2023-24. However, a full suite of primary assessments will go ahead in the current academic year because the current year 2 cohort did not sit a reception baseline test due to Covid. The suite of assessments includes the baseline test, phonics screening check and times tables test as well as Key Stage 1 and 2 assessments.

However, the Standards and Testing Agency (STA) said it would not run a science sampling exercise at Key Stage 2 in 2022-23 due to ministers deciding not to undertake any further science sampling tests. Schools will still need to submit teacher assessment data for science at both Key Stage 1 and 2 this year.

Pupil Searches

Guidance updated following the Child Q case, states that schools must "assess and balance" the risk of potential strip searches to pupils' wellbeing before calling the police. The DfE has updated its **guidance on searching, screening and confiscation** after the incident in which a 15-year-old black girl was strip-searched by Metropolitan Police officers called to a Hackney secondary school.

A Local Child Safeguarding Practice Review of the incident earlier this year told the DfE to urgently revise its guidance after concluding that school staff should have "been more challenging to the police" and had "insufficient focus" on safeguarding needs. The review also found racism "was likely to have been an influencing factor" when deciding to undertake a strip search.

While strip searches on school premises can only be carried out by police officers, the updated guidance tells school staff they must "retain a duty of care" for pupils involved and "should advocate for pupil wellbeing at all times". Staff are also advised to "assess and balance" the risk of a potential strip search on a pupil's mental and physical wellbeing and the risk of not recovering a suspected item before calling police to a school. Staff should also ensure other "appropriate, less invasive approaches" have been exhausted before introducing the potential for a strip search through police involvement when a child is suspected of possessing a prohibited item.

The guidance also sets out that where “reasonably possible,” staff should inform a parent of the pupil in advance of the search and should always inform them once a strip search has taken place.

In the case of Child Q, her mother was not informed in advance or following the search, with the girl informing her after returning home.

The advice, which came into force on 1st September 2022, also stipulates that at least two other people, one of whom must be an appropriate adult, must be present for a strip search involving exposure of intimate body parts except in cases where there is risk of serious harm to the pupil or others. In the case of Child Q, there was no appropriate adult in attendance, with teachers remaining outside the room, while Child Q, who was menstruating at the time, was strip searched by two female police officers in her school’s medical room.

Staff are also advised that pupils should be given appropriate support following a strip search, even if a suspected item is found. “If an item is found, this may be a police matter, but should always be accompanied by a safeguarding process handled by the school which gives attention to the pupil’s wellbeing and involves relevant staff, such as the designated safeguarding lead (or deputy).”

Pupil Funding

The Government has announced schools will get a 1.9% increase in per-pupil funding next year, despite official predictions inflation will hit double digits this autumn. The Government’s national funding formula will only offer a minimum “floor” increase of 0.5% per pupil for Local Authority school budgets, down from 2% last year, **provisional funding documents** say. This means that councils will be allocated at least £4,405 per primary pupil, and at least £5,715 per secondary pupil. They will also see their central education services funding frozen at £292M, with councils only promised they will not lose more than 2.5%.

Meanwhile budgets for free school meals will rise just 2.1%, or £10 a head to £480 for the next academic year.

The funding announcements come despite soaring prices, with the commonly used consumer price index (CPI) measure of inflation reaching 9.1% in May 2022. The Bank of England has already said that it expected rising food, oil, and other prices to push inflation close to double digits in September and top 11% in October.

The Institute for Fiscal Studies had **already warned before recent price hikes that core spending per pupil** in 2024 would be the same in real terms as 2010, a squeeze “without precedent in post-war UK history”. Unions have accused the Government of “returning to the bad days of austerity” and noted some schools face even lower rises, while school caterers warn free school meals cash will not cover soaring costs. Unions argue that the settlement “does not remotely take into account” soaring energy bills, Covid supply cover and the staff pay increases and that “It is increasingly inevitable that many will have to make further cutbacks to provision.”

The Government has rebutted this, arguing that the £1.5Bn increase in core schools funding came on top of a £4Bn rise in 2022-23 and included an overall 6.3% increase in high needs funding. Within the national funding formula, core factors such as basic per pupil funding and the lump sum all schools receive will rise by 2.4% but disadvantaged pupil funding will rise by 4.3%. Inner London's will rise the least, up by 1%. The Government did concede that schools could receive less than minimum per pupil funding levels "in some cases;" the 0.5% increase in per-pupil funding is what councils receive and they are not obliged to pass this on to their maintained schools. Furthermore, academy trusts still had "flexibilities" over what cash they passed onto schools versus what was invested into their central services.

Pay Rises for School Teachers

Following their original proposal of a 3% rise, with bigger increases for new teachers to meet their pledge for £30K starting salaries, ministers have now increased their pay offer for senior teachers to 5% from September 2022. This is in response to demands from the School Teachers' Review Body. The independent STRB also wants a bigger remit going forward to investigate whether the whole pay system works, saying "material change" is needed to address long-standing recruitment and retention woes.

However, schools will have to take the financial hit for the bigger pay rises. Details from the 32nd STRB **report** suggest the extra pay increase will cost around £300M more than envisaged which means that next year's pay rises will now cost £1.3Bn – accounting for nearly two-thirds of the extra school budget cash promised by the Government. The Institute for Fiscal Studies has said the 5% rise for most teachers would "likely amount to a real-terms cut of 3% in 2022 and a total real-terms cut of nearly 12% since 2010". Schools are also not expected to receive extra cash to cover the increased rises, with the Government pointing to its existing funding settlement, which **will see per-pupil funding rise by just 1.9 per cent next year.**

The pay settlement also comes at the end of term, *after* many schools and trusts have set their budgets for the next year.

Some of the issues raised in the STRB's report include:

- Most of the extra Government funding will now be used to fund pay rises
- DfE analysis shows core funding to mainstream schools will rise by 6.8% in 2022-23, under its pledge to return education funding to 2010 levels. At the same time, underlying costs, such as the Health and Social Care Levy, are expected to increase by 1.8%. This means that schools had scope to raise their spending, on average, by 5% cent, or £2.1Bn, before they faced a "net pressure". The new pay rises will now cost schools nearly £1.3Bn next year alone; this is also before considering any rise in support staff pay, which is set separately, and any other increasing costs such as soaring energy bills.

The DfE's original proposal, which would have averaged out at a 3.9% teacher pay rise in the upcoming academic year, would have cost around £980M. Interestingly, the DfE told the STRB that its original proposal "reflected an appropriate balancing of these factors and that any award above this level would not be responsible".

- Ministers ignore calls to lock-in £30K starting salary promise

As well as a 5% pay rise for senior teachers, the STRB was also keen to pen in a further 3% rise in 2023-24, arguing that a multi-year deal better supported long-term planning. The STRB stated that locking in a two-year settlement was "explicitly to exclude the possibility of any uncertainty of achieving the £30,000 starting salary". The STRB said a "limited-scope review mechanism" could be used to reassess the pay for senior staff should the economic plight worsen.

Keeping Children Safe in Education

KCSiE 2022 has now been published by the DfE although this statutory guidance will only come into effect from 1st September 2022. Annex F of the guidance highlights the substantive changes that have been introduced for 2022.

A key change for 2022 relates to training expectations for Governors. Paragraph 81 of the 2022 guidance states that Governing Boards should (albeit not a must) ensure that all Trustees and Governors receive appropriate safeguarding and child protection (including online) training at the point of induction. This training should equip them with the knowledge to provide *strategic* challenge to test and assure themselves that the safeguarding policies and procedures in place in schools are effective and support the delivery of a robust whole school approach to safeguarding. This training should be regularly updated. Whilst not specified in the guidance, it is recommended that training should be undertaken annually with any important updates also shared throughout the year. The emphasis on strategic highlights that training for Governing Boards should be different to the operational safeguarding training delivered to staff, although that is not to say that Governors should no longer be attending staff safeguarding training. KCSiE 2022 can be accessed [here](#)

How robust is your cyber security?

A **schools week investigation** has found that 177 data breaches across 135 academy trusts, including cyber-attacks, were reported in 2018-19, leading to the loss of important personal data stored on their systems.

The investigation follows the publication of **data** by the DfE in March, sampling all school types including free schools, LA maintained schools and special schools. The DfE's findings highlighted that secondary schools and further education colleges were the most likely to identify breaches.

With schools and trusts increasingly reliant on digital technology, coupled with the growing threat of

cyber-attacks on the education sector, having proportionate controls in place to safeguard against cyber-attacks is important.

As a reminder, the National Cyber Security Centre and the London Grid for Learning have launched the cyber security schools audit 2022 to help assess the risk to schools considering the increasing number of cyber-attacks and the rapid expansion of school IT networks to cope with the demand for remote learning during the pandemic.

The audit can be accessed via <https://national.lgfl.net/services/security/securityaudit>

School Governance IT System - GovernorHub

GovernorHub training for clerks and governance professionals

Get your clerks, governance professionals and admins up to speed on GovernorHub this September with our free webinar on **Friday 30 September from 10-11.30am**.

Hannah Goode, Head of Support, will explain how admins can administer their board's GovernorHub page and answer any questions along the way.

We will be inviting all board admins to join but please feel free to promote this yourselves as part of your offer to schools.

Share this sign up link: <https://webinars.governorhub.com/training-september-2022>

Working together to improve school attendance, from September 2022

Improving school attendance begins at board level, therefore all academy trust boards, and governing bodies of maintained schools should take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with school leaders to set whole school attendance cultures. This should include:

- Setting high expectations of all leaders, staff, pupils, and parents.
- Recognising that attendance improvement does not happen in isolation and therefore ensuring it is prioritised in wider improvement strategies, such as raising attainment, behaviour, special educational needs and disabilities, wellbeing, and safeguarding. This may include having a link governor or trustee that focusses on attendance.
- highlight the importance of school attendance;
- summarise the roles and responsibilities of parents, schools, Academy Trusts, maintained school Governing Boards and Local Authorities;
- summarise the support that should be provided to families, including for pupils who are persistently or severely absent or at risk of becoming so;
- provide details of the legal interventions available to schools and Local Authorities where support does not work, is not engaged with or is not appropriate; and

- provide details of what schools are required to record in both their attendance and admission registers.

As well as the guidance, the DfE has published a summary table of responsibilities for school attendance which can be accessed [here](#)

School admission appeals code, from 1st October 2022

Statutory guidance on how schools should organise and run their pupil admission appeals.

- Any person who has not attended training required by the admission authority arranging the appeal panel
- Panel members and clerks must not take part in hearings until they have received appropriate training
- It is the responsibility of the clerk to ensure that all panel members have received any training necessary to enable them to fulfil their role.
- Admission authorities must publish their appeals timetable on their website by 28 February each year
- Admission authorities may decide for appeal hearings to be held in person or remotely by video conference or a mixture of the two (“hybrid”11). Appeal hearings held entirely by telephone are permitted only where video conferencing cannot be used for reasons relating to connectivity or accessibility and if the appellant and presenting officer both agree.

Draft copy to be introduced from 1st October 2022, voluntary aided and academies to note.

Admission appeals lodged on or before 30 September 2022 must follow the current appeals code [2012](#).

Performance Management

ASCL and NAHT, along with the NGA, have published joint advice on using data from 2022 assessments and examinations for performance management reviews or decisions about pay progression. Given the significant impact of the pandemic, the advice cautions that “data produced from the results may tell users more about the impact of the pandemic than the performance of the school.”

Find out more [here](#).

Asbestos Management in Schools

The Health and Safety Executive will inspect schools across England to assess how school leaders are managing the risks from asbestos. From September 2022, **HSE** inspections of primary and secondary schools will look at how leaders are meeting their “duty to manage” the harmful building material. A 2018 DfE survey estimated that asbestos is present on more than eight in 10 school sites. The (dated)

survey **also found that almost a fifth of schools were not managing asbestos in line with government guidance.**

HSE inspectors will contact schools to arrange suitable dates and times for inspections. They will also need to speak to someone “with knowledge of how asbestos is managed by the school.” Inspectors may also need to see documents such as asbestos registers and management plans.

To prepare, the HSE said schools “may wish to review their current arrangements and check that they are meeting their duties.” The rules require schools to take “reasonable steps” to find out if there is asbestos on their premises, as well as the amount, where it is and the condition it is in.

Schools must also presume materials contain asbestos unless there is “strong evidence that they do not” and must assess the risk of anyone being exposed to fibres from the materials identified.

Schools must also prepare an asbestos management plan that sets out in detail how the risks from these materials will be managed, take “necessary steps” to put the plan into action, and periodically review and monitor the plan.

Ofsted

Inspection Handbooks

Ofsted has reviewed and updated its [inspection framework](#) and [school inspection handbooks](#) to take account of the pandemic, curriculum transition arrangements and general understanding of inspections. The changes, which will take effect from September 2022, include:

Curriculum grace period ends

When it introduced the Education Inspection Framework in September 2019, Ofsted understood that it had introduced some new ideas about how Ofsted would evaluate a curriculum and that some leaders would want to change their approach as a result. Ofsted wanted to give school leaders time to do this, and thus transitional arrangements were implemented. Ofsted wanted to acknowledge that planning a curriculum needed thought, so any school or college that was still in the process of updating its curriculum could still receive a good grade, provided that other aspects were good.

The transition arrangements were originally due to last until September 2020 but were extended, because of Covid, with the end of the grace period pushed back from September 2021 to this spring and then again to September 2022. Ofsted has now confirmed that the grace period will end in September 2022 and, as a result, has removed the transition arrangements from its inspection handbooks.

But a new grade descriptor to prevent a curriculum “cliff edge”

A new grade descriptor has been embedded into the Quality of Education judgement to recognise that amendments to elements of the curriculum will be ongoing to suit the needs of pupils following the pandemic. Ofsted said that it was “not introducing a ‘cliff edge’ for a judgement of good” and

recognised “that you are likely to always be revising elements of your curriculum.” The change “does not mean that schools will now be expected to meet every single handbook criterion to remain good.”

This has been further emphasised by a July 2022 [blog](#) by Ofsted’s National Director of Education, Chris Russell, who wrote that “we do not expect curriculum to be perfect or a ‘finished article’. Indeed, the best curriculum thinking is always evolving to meet changing circumstances. Inspection supports this approach to continuous improvement.”

Chris Russell also stated that in terms of the Quality of Education judgement, an outcome of good reflects those leaders have an accurate understanding of the curriculum that they offer, its strengths and weaknesses, and that there is clear evidence that the approaches they are taking to address any issues or challenges are leading to tangible improvements. Inspectors will want to be reassured those leaders can transfer the successful work underway in one area of the curriculum to other, less-developed aspects.

Time to move on from temporary Covid measures

Ofsted acknowledged that Covid continues to have an impact on early years settings and schools and is likely to affect how they make decisions for some time. That said, education providers were “moving on from an emergency response to the pandemic and returning to more usual ways of working.” As a result, Ofsted believes that now is the right time to move beyond the temporary measures that were placed in the Ofsted handbooks as a response to Covid. To reflect this, paragraphs about temporary Covid measures have now been incorporated into the main sections of each handbook, making it “clear that inspectors will continue to take account of issues that providers may be facing.” An example given is a “clear expectation that conversations between leaders and the lead inspector will continue to include a discussion on the impact of COVID-19. This ensures that our inspections continue to be informed by the different contexts in which you work and the range of challenges that you may still face.”

New names for Section 5 and 8 Inspections

Full section 5 inspections will now be referred to as “graded inspections”, while shorter section 8 inspections of ‘good’ and ‘outstanding’ schools will now be called “ungraded inspections”.

“Monitoring inspections” of ‘inadequate’ schools or those with two consecutive ‘requires improvement’ grades will keep their name, while Ofsted will continue to conduct “urgent inspections” of schools triggered by specific concerns.

Ofsted has stated that the purpose of each inspection type and how they are carried out “remains unchanged”. The change in name is simply aimed at promoting a better understanding of the types of inspection Ofsted conducts and why, especially among parents.

Ofsted Research

New research into ‘stuck’ schools has found that a “vicious cycle” exists where poor Ofsted outcomes lead to increased teacher turnover, a more deprived pupil intake and further adverse Ofsted findings.

The report, focusing on schools that have received poor Ofsted grades since 2005, was published by the Education Policy Institute (EPI) and UCL Institute of Education. It explores whether adverse Ofsted outcomes made future poor judgements more or less likely and considered interventions which could break the cycle. In both primary and secondary schools, a change in headteacher was found to have a negative impact on the likelihood of improvement, while joining a multi academy trust (MAT) was found to have a positive effect on “stuck” secondary schools, but no impact on similarly stuck primary schools.

Supporting schools not making the necessary improvements

Earlier this year the Government proposed to make all schools with two consecutive Ofsted judgments of below ‘Good’ eligible for intervention. The Government has now published **the findings** that came through prominently in the responses to this specific consultation. Key findings include:

- most respondents are supportive of the idea that schools not making necessary improvements should be better supported to do so;
- a school’s specific context needs to be considered before any intervention decisions are made;
- two consecutive below Good judgements are not the correct measure – some schools need more time to be turned around than others; and
- a school that is on an upward trajectory and making improvements, but with two Ofsted judgements of less than Good, should not be in scope, especially if there is confidence that the right leadership is in place.

The Education Secretary’s right to intervene in schools is set out in the Coasting Regulations (England) which became law at the end of June and came into effect on the 1st September 2022. The new powers may mean that eligible schools are matched with a strong multi-academy trust to support their improvement although the Government was keen to stress that this would not always be the case. The updated September 2022 Schools Causing Concern guidance can be found **here**

School Inspections-a guide for parents

The leaflet gives information on why, how long and when Ofsted inspects, and how parents and carers can share their views.

Academy and ESFA updates

What academies, free schools must or should publish online

New:

School uniforms - The guidance requires schools to publish their uniform policy on their website.

School opening hours - Schools should publish on their website their opening and closing times and the total time this amounts to in a typical week (for example 32.5 hours).

ESFA Updates-September 7th 2022

Information: academy finance professionals Power Hour on cyber security

Join the next ESFA Power Hour webinar on Thursday 22 September from 3pm to 4pm to find out more about how your academy can meet the required cyber security standards.

During this webinar you will learn:

- how to understand the risks and how cyber security standards help
- how to communicate and manage associated risks
- the design principles, content, and synergy with other regulatory frameworks: NCSC's Cyber Essentials, RPA, GDPR, KCSIE, DfE financial guidance
- about the available support and advice plus future developments.

Action: is your governance information up to date?

As the new academic year starts, have you welcomed new members or trustees to your board?

Do you have a new chair of trustees, chief financial officer, or accounting officer?

The Academy Trust Handbook states trusts must notify DfE of changes to their governance information within 14 calendar days of the change, through the governance section of the [Get information about schools](#) (GIAS) register, accessed via [DfE Sign-in](#).

This requirement includes providing direct contact details for all governance roles.

New chairs of trustees may also need to complete a [suitability check](#).

Information: statutory guidance on the cost of school uniforms

In November 2021, the Department for Education published statutory guidance for schools to ensure the cost of school uniforms is reasonable and secures the best value for money. Governing boards should now be compliant with much of the guidance – and fully compliant by Summer 2023. Here are some key actions schools should already have taken:

- reviewed their uniform policy against the expectations in the statutory guidance (for example removing unnecessary branded items)
- engaged with parents and pupils when developing/reviewing their policy
- published their uniform policy on the school website
- ensured second hand uniforms are available
- considered any procurement needed to comply with the contract and uniform supplier requirements within the guidance (for example for any branded items) so that school uniforms are ready by summer 2023

All schools should be fully compliant with the guidance by summer 2023.

For more information, please see the [department's education hub](#).

Academy Trust Handbook 2022

This was published towards the end of August, almost two months after the Handbook is normally updated by the DfE. Despite the delayed publication, the Handbook is to be implemented from the 1st of September 2022 onwards. The limited implementation time reflects the minimal changes that have been incorporated into the 2022 update, which are primarily for clarification purposes and include:

- Confirming that the Budget Forecast Return Outturn (an annual requirement until the 2020/2021 financial year) will not be required moving forward and that only one combined Budget Forecast Return will need to be submitted by Trusts each July.
- Clarifying that prior approval of staff severance payments only applies to 'special' (non-statutory/non-contractual) payments.
- Confirming that Trusts will be able to enter into indemnities which occur in the normal course of business without the need for ESFA approval. The ESFA has highlighted that further guidance on this specific issue will follow.

The updated Handbook can be accessed [here](#)

Regulatory Review of Academy Trust Standards

The summer term saw the DfE launch a review of how it works with academy trusts. The review is intended to ensure that an effective system of regulation and accountability exists for a trust-led school system. The review will conclude by the end of 2022 and is intended to provide clarity on how the powers in the Schools Bill will be specifically applied. The review will be chaired by the Schools Minister, Baroness Barran, and be directly informed by an Expert Advisory Group which includes Ofsted's Chief Inspector, Amanda Spielman, Confederation of School Trusts Chief Executive, Leora Cruddas and LSE Professor of Political Science and Public Policy, Martin Lodge.

The review will specifically:

- Look at how to retain and maximise academy trusts' innovation, and reduce regulatory burdens, by producing clear standards that are transparently enforced.
- Look at improving how intervention works against the new standards, by producing proportionate thresholds for the use of new powers in the Schools Bill for intervention in academy trusts and focusing government action on preventing failure before it occurs.
- Consider how to commission new academy trusts and the expansion of existing trusts, helping make sure there are no 'cold spots' in the country where a school does not have an option to join a strong trust that is a good fit for its needs.

The review will also build on the definition of a strong trust set out in the Schools White Paper; this was initially defined as providing a high quality and inclusive education across their schools, improving their schools' standards, maintaining their schools' strong local identities, developing their workforce, and displaying strong financial management.

The review is expected to engage throughout with parliamentarians, representatives from unions including ASCL and NAHT, and other interested parties via working groups, visits, and workshops to test and iterate proposals. It will consider what change might be needed immediately, in the medium-term and long-term, reflecting the DfE's stated commitment that in the first instance, the Schools Bill will not seek to materially change existing academy trust standards and that any future changes will be informed by the findings of the review or further engagement with the sector.

Personnel Changes

Following restructuring plans, the current system of Regional School Commissioners will be replaced by a new "Regions Group," which will oversee the Government's school policy. This Regions Group will be led by John Edward, in the newly designated role of Director-General.

As a result of the creation of a specific London region, the Director-General will oversee nine Regional Directors rather than the current eight RSCs, bringing the DfE's operations in line with other departments and agencies.

School development plan - discussion item

Pupil Projections

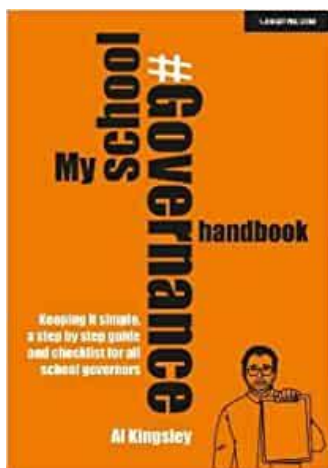
Pupil numbers in England's schools are predicted to shrink by 12% over the next 10 years after the government revised down its predictions in the face of "notably lower birth projections". **New statistics** published by the DfE show the Government is expecting the state school population to shrink by almost one million children, from 7,859,000 this year to 6,915,000 by 2032. More specifically, the data predicts that the state primary population will shrink by 16.6% over the next 10 years, from 4,571,211 to 3,810,464. Whilst the state secondary population is expected to rise initially from

3,125,863 this year to 3,230,015 in 2024, it is projected to fall steadily to 2,950,857 in 2032, 5.6% lower than it was this year.

The fall is much larger than was predicted last year. In 2021, the Government said it expected to have 7,269,000 pupils in the system by 2032, meaning its prediction has been revised down by almost 5% in just one year.

The change points to an uncertain future for the schools' community, as a population bulge caused by the 2000s baby boom moves out of the education system and lower birth rates in more recent years begin to have an impact. *Schools Week* **revealed earlier this year** that the number of surplus primary school places is set to soar by up to 140% in some areas of England. The shrinking population also raises the prospect of school closures over the next decade.

New! A handy guide to school governance



Keeping it simple, a step-by-step guide and checklist for all school governors.

The author is Al Kingsley - an experienced multi-academy trust chair - and his book, [‘My School Governance Handbook’](#) is out on 10 October.

And finally

Find out what school governors and trustees do and the key role they play in helping schools to succeed. This [short video](#) gives you all the essential information about this voluntary role. Most people over 18 years old are eligible to govern so, if you are interested in education and making a difference, watch the video to find out more.

Next Clerks briefing meeting - Date for your diary

Wednesday 19th October 2022 at 10.00am Please book a place [here](#)