



Governor Support Service

Newsletter Summer Term 2024

An overview of key issues for Governing Boards and their clerks to consider and review over the Summer Term One.

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DfE:

Employment Law Change: Flexible Working in schools

The DfE have updated [non-statutory guidance](#) for employers and staff who want to make arrangements for flexible working. This is to reflect legislative changes effective from 6 April 2024.

Additional [guidance](#) has been updated to help schools implement flexible working including a toolkit of resources, webinar training and support from flexible working ambassador multi-academy trusts and schools.

Changes to employees' rights regarding flexible working were implemented on 6th April 2024 with the enactment of the Employment Relations (Flexible Working) Act 2023. These changes aim to revolutionise access to flexible working, including establishing it as a right from day one of employment.

The new flexible working act reflects a significant shift towards better accessibility to flexible working arrangements. However, there appears to be a notable lack of awareness among employees regarding their newly granted rights.

Employment law changes summary

Formal Flexible Working requests:

- Employees will be able to make up to two requests in a 12-month period.
- Managers will (legally) need to meet with employees before refusing or only partly accepting a request.
- Employees will no longer have to explain how their request can be accommodated by the service.
- The length of time for dealing with flexible working requests will change to two months in total (instead of three months).

Carer's Leave:

- Statutory unpaid carer's leave of up to one week (e.g. 5 days) will be available to all employees if they request it from day one of employment.
- Employees will need to declare that they meet the criteria defined by the legislation for being a carer and sign a declaration form to request the leave.

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Paternity Leave:

- Employees will be able to take this leave in two separate blocks over a 52-week period (instead of within 56 days).

- *Any leave should be updated to reflect the above changes*

Enhanced protections from redundancy for pregnant staff/staff returning from maternity/shared parental/adoption leave:

- Enhanced protections mean that staff will have the right to priority for redeployment to suitable alternative employment in a redundancy process.
- Enhanced protections against redundancy will be in place for staff (from 6 April) who notify management of their pregnancy until 18 months after their child's birth.
- Protections will also impact staff who return from shared parental leave and adoption leave and will also be for 18 months from birth or adoption placement.

The below documents should be updated to reflect these changes:

- Restructuring and reorganisation procedure
- Restructuring and reorganisation management guidance
- Redeployment Policy
- Templates for consultations will also need to be updated.

In most cases, requests will be dealt with by the headteacher/CEO or the employees line manager in accordance with the relevant policy. Governors/trustees may be involved in procedures when the headteacher/CEO has submitted a request or if there is an appeal.

[Flexible working toolkit](#)

[Example flexible working policy](#)

[Timewise-Implementing effective flexible working practices in schools: For governors and trustees](#)

Governing boards to note

Data protection in schools 2024

The Department for Education has recently updated its [guidance](#) on dealing with Subject Access Requests, providing invaluable insights for those working within the education sector who are tasked with responding to such requests.

A Subject Access Request (SAR) is a crucial aspect of information rights, granting individuals the opportunity to access a copy of the personal data held by a school about themselves or someone for whom they have parental responsibility.

For professionals in the education sector, navigating SARs can be complex, but the updated guidance from the DfE aims to streamline the process and ensure compliance with data protection regulations.

One of the key strategies outlined in the guidance is the importance of maintaining robust record-keeping practices, including clearly defined retention periods for personal data. By

establishing and adhering to these practices, schools can efficiently manage SARs and ensure that they are able to locate and provide the requested information in a timely manner.

Furthermore, the guidance emphasises the significance of proactively informing parents and carers about the personal data they already have access to. By promoting transparency and awareness surrounding data handling practices, schools can empower individuals to exercise their information rights more effectively.

Crucially, the updated guidance emphasises the necessity of keeping meticulous records of how SARs are handled. By maintaining accurate documentation of the steps taken to process each request, educational professionals can demonstrate compliance with data protection regulations and mitigate the risk of potential issues arising in the future.

Governing boards to note

Navigating Leasing Practices: DfE Guidance

The DfE has recently released [guidance](#) on leasing activities for maintained schools, with a focus on the International Financial Reporting Standard (IFRS 16 leases), which took effect on 1st April 2024.

This guidance aims to provide maintained schools with comprehensive information on leasing practices, ensuring compliance with the latest financial reporting standards. With the implementation of IFRS 16 leases, significant changes are introduced in how leasing activities are accounted for and reported.

Maintained schools are urged to familiarise themselves with the guidance provided by the DfE to ensure accurate and compliant financial management. By understanding the implications of IFRS 16 leases and adhering to the guidance, maintained schools can navigate leasing activities effectively while upholding transparency and accountability in their financial reporting.

It is crucial for school administrators and finance personnel to review this guidance thoroughly and implement necessary changes to their leasing practices in alignment with the requirements set by the DfE. *Governors and trustees should ensure their senior leadership team understand the protocol around leasing.*

The Secretary of State for Education has granted consent for borrowing comprised in a lease entered into by or for one or more maintained schools where the lease is of a description specified in the Schedule to this general consent. [Link](#) to list of lease items included.

Guidance: Monitoring School Attendance

The DfE has published a [guide](#) aimed at schools, academy trusts, and local authorities utilising the "Monitor Your School Attendance" tool. This guidance provides comprehensive instructions on leveraging the tool to effectively monitor attendance and absence data within educational settings.

Accessible through [the View Your Education Data \(VYED\) service](#), the monitor your school attendance tool offers valuable insights into attendance patterns and trends. Key functionalities include the ability to access secure attendance reports for the entire school, individual pupils, or specific pupil characteristic groups. Users can also compare their school's attendance performance within the local authority and benchmark against national attendance and performance metrics.

The user guide outlines step-by-step instructions for utilising the tool, including how to view attendance reports, analyse data, and download attendance data for further analysis. It emphasises the importance of having access to the tool, which requires schools to already share their daily attendance data with the DfE.

In March, the DfE published updated [Working together to improve school attendance guidance](#) that will become mandatory from September. Changes include expectations for supporting pupils with mental health or physical ill health, increased fine rates, absence thresholds at which penalties must be considered, and requirements to share daily data.

Governing boards and clerks to note pages 5-12 which show the areas of responsibility and reporting regarding all categories of pupil absence that boards need to be aware.

Keeping Children Safe in Education - Consultation

The DfE are seeking your views on the following:

- the role of designated safeguarding leads
- child safeguarding information
- safer staff recruitment
- filtering and monitoring
- supporting children following reports of sexual violence and harassment
- protecting children in boarding and residential special schools
- quality assuring safeguarding
- children bringing their own devices to schools
- artificial intelligence

Consultation closes on 20th June 2024

Governing boards to consider and submit their views.

Guidance: Improving workload and wellbeing for school staff

The DfE has unveiled a suite of [resources](#) aimed at enhancing staff wellbeing and alleviating workload pressures within schools. These resources provide tools to support school leaders in promoting a healthy and sustainable work environment for their staff.

Developed by school leaders for school leaders, these free resources are designed to

complement existing initiatives and can be easily tailored to suit the specific needs and circumstances of individual schools. With a focus on practicality and adaptability, these resources empower school leaders to take proactive measures to improve staff wellbeing and reduce workload burdens.

The DfE's initiative underscores the importance of prioritising staff wellbeing as a cornerstone of effective school management.

School leaders are encouraged to explore these resources and incorporate them into their existing strategies for staff wellbeing and workload management. By leveraging these resources, schools can take meaningful steps towards creating a culture of wellness and empowerment, ensuring that staff members feel valued, supported, and able to thrive in their roles.

[The Education Staff Wellbeing Charter](#)

Governing boards should discuss and seek assurance of the staff wellbeing strategy.

New PE Guidance Strengthens Equal Access to Sport in Schools

The Department for Education, has announced the release of new [guidance](#) aimed at enhancing physical education in schools. Published on 23rd March 2024, this guidance aims to foster high-quality PE and school sport, laying the groundwork for active and healthy lifestyles among children.

With a summer of sport on the horizon in 2024, including the Olympics, Paralympics, and Euro 2024 football tournament. By providing schools with the tools and support necessary to deliver a minimum of two hours of PE per week and ensure equal access to sport for all pupils.

This initiative builds upon the government's commitment outlined in the updated [School Sport and Activity Action Plan](#),

[Model Pupil Premium template](#)

Governing boards and clerks to note that whilst leaders are responsible for drafting the PE and sport premium report, our advice is for boards to review it ahead of publication and ensure it is published prior to 31st July 2024

DfE Governance Guides

Published in March 2024 these replace the October 2020 Governance Handbook. There are separate guidance documents for [Maintained Schools](#) and [Academies](#).

The new guides do not include any new governance expectations.

The new guides are shorter than the last handbook.

Please make sure that induction material you share with new governing board members is updated.

OFSTED

"Big Listen" initiative

The review is expected to conclude by autumn 2024, aligning with Ofsted's broader response to the "Big Listen" initiative.

Have your say [here](#) as the consultation closes on 31st May 2024

Ofsted Implements Key Changes to Complaints Process and Inspection Policies

Ofsted has introduced significant alterations to its [complaints procedure for schools](#), following consultations conducted last year.

The watchdog has also expanded its policy on pausing inspections under exceptional circumstances, now encompassing all childcare, educational, and social care inspections and regulatory visits, extending beyond just schools.

Schools have the option to request a review of their inspection, including inspector conduct and judgements, by formally submitting a complaint upon receiving their draught report.

Additionally, schools concerned that their complaint was mishandled can now escalate directly to the Independent Complaints Adjudication Service for Ofsted, following the removal of the internal review process. These changes were announced in November 2023 after a consultation process.

Ofsted Updates Deferral Policy

Ofsted has updated its [policy](#) on deferring, pausing, and gathering additional evidence during inspections and visits. This policy outlines the criteria and processes inspectors follow to decide whether to proceed with scheduled inspections, pause ongoing ones, or gather more evidence when necessary. The aim is to ensure that inspections serve the best interests of children and learners, acknowledging that exceptional circumstances may require adjustments to the planned schedule. The update, effective from 5 April 2024, consolidates previous policies into a single comprehensive framework. Summary of changes found [here](#).

[Inspecting schools: guide for maintained and academy schools](#)

This guide gives a summary of what schools should expect and what they need to do as part of an Ofsted inspection.

ESFA Updates

School resource management self-assessment checklist

This self-assessment checklist helps academy trusts check they are managing resources effectively and identify any adjustments they need to make.

All academy trusts which have an open academy on 31 December 2023 must complete and submit a 2023 to 2024 self-assessment checklist.

Find out more [here](#).

News in Brief

New Funding for Childcare

As of April 1st, working parents of 2-year-olds will have access to 15 hours per week of [government-funded childcare](#), representing a significant step towards easing the financial burden on families.

By September 2025, the comprehensive rollout will be completed, affording working parents access to 30 hours of childcare from the conclusion of maternity leave until their child begins school.

NEU Delays Strike Ballot Pending Teachers' Pay Offer

The National Education Union has decided to wait for the teachers' pay offer for September before considering a formal strikes ballot. The amended motion instructs the union to present the pay and funding offer to members in a snap poll, and if rejected, to move to a formal ballot. This means any potential vote is likely to be deferred to the autumn term.

Government Axes Governor Recruitment Scheme Amid Record Vacancies

The government has terminated a governor recruitment scheme, despite increasing vacancies, prompting criticism from education leaders.

Despite evidence of a six-year high in vacant posts, the government will cease funding for Inspiring Governance in September, leaving boards to fend for themselves.

Associate members of a governing board

The governing board should set the term of an associate member when they are appointed. The term can be between one and four years although an associate member can be removed

at any time by the governing board. Please can you share this information with us for our records. **Clerks to note**

Governor Training and Development Programme (All courses are online)

Clerks monthly briefing meeting	Wednesday 15 th May 2024	10.00am-11.00am
Clerks monthly briefing meeting	Tuesday 18 th June 2024	10.00am-11.00am
New Governor Induction Course Part 1	Wednesday 8 th May 2024	6.30pm-8.00pm
New Governor Induction Course Part 2	Wednesday 15 th May 2024	6.30pm-8.00pm
New Governor Induction Course Part 3	Wednesday 22 nd May 2024	6.30pm-8.00pm
Wellness-Sexual Orientation & Gender Identity: Inclusive working practice	Wednesday 8 th May 2024	6.00pm-7.30pm
Delivery of provision for learners with SEND	Thursday 16 th May 2024	6.00pm-8.00pm
Understanding the curriculum	Thursday 5 th June 2024	6.30pm-8.00pm
What are the right questions to ask in your meetings?	Thursday 13 th June 2024	6.30pm-8.00pm
Headteacher Performance Management	Wednesday 19 th June 2024	6.30pm-8.00pm

Book a place by following this [link](#)

Contact us:

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