

## Hertfordshire Governor

### e-newsletter for Governors and Clerks in Hertfordshire

**Issue 85 - Summer 2017**

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Available online at: <http://governor.hertscc.gov.uk>

### **Foreword**

#### **Welcome**

Dear governors

Another term comes to an end and like every other term we have no doubt it has been a busy one for you too. We in Governance Services have been active dealing with day to day telephone and email queries, governor training for whole governing boards, Chairs and Clerks.....and end of year finance!!

Over Easter we in Governance will be busy training in-house as a new recording system (Sunrise) is being introduced. It will be really beneficial to us as we record all incoming queries, which are analysed to help us identify key themes coming through and what we can do to address these and support governing boards. We have recently identified that inputting on Edubase (introduced through the DfE) was causing some confusion across schools and our helpdesk was receiving a high level of calls. In response we added an FAQ to our website to give a full definition of what is required, and by whom. Sunrise will allow us to do a breakdown of sections from status of caller (e.g. Chair of Governors/Clerk) to type of query (e.g. advice of parental complaint/guidance on policy content). Currently we input such information on a spreadsheet but the new system will be a definite improvement in saving time as certain information (e.g. school name and address, etc) will automatically upload and accessing specific reports will be easier than the current system.

Please note: Just in case you haven't picked up a change to our helpdesk email address the new address is [governance@hertsforlearning.co.uk](mailto:governance@hertsforlearning.co.uk) (was [hdc.governors@hertsforlearning.co.uk](mailto:hdc.governors@hertsforlearning.co.uk))

Finally, we are delighted to announce our 'new look' website following consultation with randomly selected governors and clerks last term. If you get 5 minutes over Easter take a look at [www.hertfordshire.gov.uk/governors](http://www.hertfordshire.gov.uk/governors)

In the meantime, thank you all for your hard work and have a well deserved break. We look forward to working with you next term.

Governance Services

### **News in brief**

#### **Prevent Duty alerts now available on HICS**

We are pleased to inform subscribers to Hertfordshire Internet Connectivity Service (HICS), your connectivity service, has an added layer of protection for its users. This comes at no additional cost and is included within your existing HICS subscription fee. Schools can now opt in to receive emailed alerts notifying them when local sessions have accessed websites with extremist related content, in

line with the Government's Prevent Strategy. The alert will be sent out within a few minutes to an email address of your choice. The event gets captured in real-time, then queued for screen-shot generation, and shortly afterwards the email is delivered to someone at your school to review and consider next steps. Remember to get your governors to add this to their monitoring schedule. They might ask 'How many alarms have we had since last we met? What did you do? What happened as a result?'

The list of words that generate these alarms are a closely guarded secret because if they are readily available this would clearly enable the system to be circumnavigated. The words are ever changing as HfL and HICS continually review and update the trigger words in the light of new information and safeguarding foci. It includes the names of people, concepts, ideas, places (such as routes used to travel to Syria) and also the media arms and publications that terrorist groups use.

The content on the webpages are scanned in real-time by the HICS filtering platform. It should be noted that only specific content types are scanned – particularly text-based content, which includes HTML, Javascript and Stylesheets – so images (jpeg and png files etc) are not scanned – nor are executables.

Please remember that you remain responsible for the safety of your pupils while they are on-line in school. These alarms do not replace other filtering systems you have in place. It is also worth remembering that you need to check for any patterns in the alarms. Where you are concerned, you should make a referral to Channel.

## **Improving governance**

This survey was commissioned by Her Majesty's Chief Inspector (HMCI) to investigate the challenges facing governing bodies in schools to look at governance arrangements. The report was published in December 2016.

The report is based on evidence gleaned from visits to improving primary, secondary and special schools, 24 in total, from around the country, some situated in the poorest areas. It also uses evidence from routine inspections and monitoring visits over the last year and from 2,632 responses to a call for evidence initiated by HMCI in November 2015.

The report identifies the barriers faced by governors in these schools and the actions taken to strengthen their professional skills and fulfil their roles as effective, strategic school leaders.

Key findings from visits:

- Many governors lack the expertise needed in an increasingly complex education system to hold school leaders to account.
- Governors need better access to highly skilled people who have the educational expertise to help them meet the increased demands of their role.
- Recruitment and retention of governors is a serious challenge, particularly in some of the poorest areas of the country.
- Clarity about lines of accountability, roles and responsibilities is an essential part of effective governance.
- Weak governance, including in some of the poorest areas of the country, is at risk of going undetected until the school is inspected by Ofsted.
- Paying the chairs of governing bodies can act as a means to achieving a professional and open relationship between governors and school leaders.
- Governors from within the community make an essential contribution, particularly in areas of deprivation.

The full report includes recommendations and main findings and can be accessed at:

<https://www.gov.uk/government/publications/improving-governance>

## **School Attendance - updated guidance for all**

### School Attendance and Children at risk of missing education

The guidance on School Attendance and Children at Risk of Missing Education has recently been updated and a summary of the key points are as follows:

- Schools must record in the admission register a new address and/or school which a pupil is moving to and the date of this change;
- When a deletion is made from the admissions register, the school must provide the local authority with detailed information relating to that pupil, including the ground under which the pupil's name is to be deleted

- Schools must agree with the local authority, the regular interval that the school will inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 days or more
- Coding for off-site educational visits where the school is responsible for safeguarding and welfare as opposed to unsupervised educational activities

### **DfE Schools' guide to apprenticeship reforms (March 2017)**

The DfE have published guidance which is aimed at school leaders and governing bodies in all schools in England, and will be of use to local authorities and academy trusts too. The guidance can be accessed at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/598603/Schools\\_\\_guide\\_to\\_apprenticeship\\_reforms.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/598603/Schools__guide_to_apprenticeship_reforms.pdf)

In spring 2017, the way the government funds apprenticeships in England is changing. Some employers will be required to contribute to a new apprenticeship levy, and there will be changes to funding for apprenticeship training for all employers.

This guide provides information specific to schools on:

- what apprenticeships are
- how your school can use them
- how the apprenticeship levy and public sector target apply to schools

There are also links to further guidance and support.

### **Revised EYFS 2017 Statutory Framework**

On 3 March 2017, the Department for Education published a revised Early Years Foundation Stage (EYFS) statutory framework, which will come into force on 3 April 2017. This document sets out the key changes to the revised framework to support early years providers, a summarised version as follows:-

#### **1. Summary pages of the EYFS:**

The summary section of the EYFS includes a new paragraph to clarify which provisions in the EYFS document are requirements (provisions indicated by the word "must") and where providers must have regard to other provisions (provisions indicated by the word "should").

#### **2. Section 1 of the EYFS (learning and development):**

Footnote 5 (paragraph 1.1) has been amended to clarify the position for providers who exclusively offer 'out of school hours' care for children younger than those in the Reception class age range.

Paragraph 1.5 includes a new footnote with a link to the Chief Medical Office guidance on physical activity.

#### **3. Section 3 of the EYFS (safeguarding and welfare):**

Paragraph 3.7 ("child protection") includes references to new and updated government advice and guidance (e.g. Working Together to Safeguard Children 2015, and the Prevent Duty Guidance 2015), which has been published since the EYFS was last updated in 2014.

Paragraph 3.23 ("staff qualifications, training, support and skills") includes a new footnote setting out the literacy and numeracy qualification requirements for level 3 early years educator (EYE) staff. As set out in the government response to the L3 consultation, to count in the ratios at level 3, staff holding an EYE qualification must also have achieved a suitable level 2 qualification in English and maths.

Paragraph 3.25 ("staff qualifications, training, support and skills") includes a new Paediatric First Aid (PFA) requirement. As set out in the government's response to the PFA consultation, all newly qualified entrants to the early years workforce with full and relevant level 2 and/or level 3 qualifications must also have a PFA certificate before they can be included in the statutory staff:child ratios in early years settings. The full PFA and emergency PFA course content has been set out in Annex A of the EYFS.

Paragraph 3.37 ("ratios") includes a new footnote for schools that have provision run by the governing body (under section 27 of the Education Act 2002). This change was communicated to Ofsted and all local authorities in autumn 2015.

Paragraph 3.42 ("childminders") now includes a further example of when an exception to the usual ratios can be made (namely to maintain continuity of care).

Paragraph 3.45 ("medicines") has been amended to make it clearer that prescription medicines must not be administered unless they have been prescribed for a child by a doctor, dentist, nurse or pharmacist.

Paragraphs 3.10, 3.41, 3.63 and 3.77 include minor amendments as a result of section 76 of the Small Business, Enterprise and Employment Act 2015, which allows childminders and domestic childcare providers registered with Ofsted or a childminder agency to operate from suitable non-domestic premises for up to half their time (without registering separately). This measure came into effect on 1 January 2016.

### **Education Secretary sets out plans for relationships education in primary schools and relationships and sex education in secondary schools**

The government has tabled amendments (1 March 2017) to the Children and Social Work Bill which will make it a requirement that all secondary schools in England teach relationships and sex education (RSE).

The amendments also allow the government to make regulations requiring personal, social, health and economic education (PSHE) to be taught in all schools in England - primary and secondary, maintained and academy - in future.

Relationships education, RSE, and PSHE are designed to ensure pupils are taught the knowledge and life skills they will need to stay safe and develop healthy and supportive relationships, particularly dealing with the challenges of growing up in an online world.

Currently only pupils attending local-authority run secondary schools - which represent around a third of secondary schools - are guaranteed to be offered current sex and relationships education, and PSHE is only mandatory at independent schools. Neither are currently required to be taught in academies.

The government is proposing the introduction of the new subject of 'relationships education' in primary school and renaming the secondary school subject 'relationships and sex education', to emphasise the central importance of healthy relationships. The focus in primary school will be on building healthy relationships and staying safe. As children get older, it is important that they start to develop their understanding of healthy adult relationships in more depth, with sex education delivered in that context.

The statutory guidance for RSE, introduced in 2000, has become increasingly outdated and does not address risks to children which have grown in prevalence in recent years, including online pornography, sexting and staying safe online. Action by the Government to address this is underway with the introduction of a new internet safety green paper later this year. The paper will set out a series of steps to make the internet a safer place for young people.

This will be complemented by a comprehensive programme of engagement by the Department for Education (DfE) with stakeholders to set out suitable, age-appropriate content on RSE which focuses on mental wellbeing, consent, resilience, age-appropriate relationships and sex education, and keeping safe online. Regulations and statutory guidance will then be subject to full public consultation later this year, and we expect to see children and young people being taught this new curriculum in schools as soon as September 2019.

Schools will have flexibility over how they deliver these subjects, so they can develop an integrated approach that is sensitive to the needs of the local community; and, in the case of faith schools, in accordance with their faith.

### **Consultation on School Exclusion**

A proposal to revise the guidance on school exclusions is out for consultation. The closing date is Tuesday, 25th April 2017 so if you would like to take part go to the link below and have your say:

<https://consult.education.gov.uk/school-absence-and-exclusions-team/statutory-exclusion-guidance/>

## **For Chairs**

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### **Chairs' Summer term networks**

Venues and times: 6.15 p.m. for networking and refreshments. Session starts at 6.45 p.m. – 8.45 p.m.

12<sup>th</sup> June 2017 - Barnwell School, Stevenage;

29<sup>th</sup> June 2017 – Holiday Inn, Hemel Hempstead

## Agenda

Health & Safety update - James Ottery,

and

30 hours free Childcare update – Melanie McQueen

ending with update from Governance Officer

The networks are **free** for up to **2 governors** from schools who subscribe to the Chairs Service. To book:

[www.hertsdirect.org/governors](http://www.hertsdirect.org/governors)

These networks are recommended for Chairs, Vice Chairs and Chairs of Committees particularly. Those attending should feed back to their governing body. When you receive this briefing, you may like to forward it on to your Vice Chair and Chairs of Committees and also your Headteacher. If you have any queries about the Networks or topics you would like discussed, please contact  
kathy.dunnett@hertsforlearning.co.uk

### **Chairs' Training opportunities**

For all Chairs – new, experienced, Chairs of Governors, Vice Chairs and Chairs of Committees (and Aspiring!)

**Becoming an Effective Chair:** Saturday, 14 October 2017, Holiday Inn, Hemel Hempstead (Bookings go live soon)

**Chairs Advanced Training:** This training has been designed and updated to accommodate the *fast moving MAT agenda*, to try and ensure that ALL of our chairs (Members, Board Chairs, Local GB Chairs, Vice Chair and Chairs of Committees) have the knowledge and skills to lead the team (Team GB); now and in the future. Identifying, analysing and reporting; Leadership; Dealing with Difficult People & Courageous Conversations; Reflective Practice; Coaching & Mentoring; Mediation; Investigations; Change Management.

Courses are run in pairs and ideally taken together. The third pair are now available:

**Coaching & Mentoring:** Ware Priory, Thursday 4 May 6.30- 9.00pm (click on following link to book)

[http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template\\_001.cfm?  
pageID=28&template=courseDetails&courseID=ADVC3](http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template_001.cfm?pageID=28&template=courseDetails&courseID=ADVC3)

**Mediation:** Holiday Inn Hemel Hempstead, Thursday 25 May 6.30 -9.00pm (click on following link to book)

[http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template\\_001.cfm?  
pageID=28&template=courseDetails&courseID=ADVC3A](http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template_001.cfm?pageID=28&template=courseDetails&courseID=ADVC3A)

Save the date for your diary: **Westminster Education Forum Style Briefing (agenda to be confirmed)**

Westminster Forum Projects (WFP) has its origins in the UK national Parliament, but its work now extends to policy decided in UK devolved Parliaments and Assemblies, the Oireachtas, and the European Commission and Parliament. The aim of all conferences is to provide policymakers with context for arriving at whatever decisions they see fit, and for all delegates to have the opportunity to lobby, learn, exchange views and network. The forums organise senior-level conferences on a wide range of public policy areas.

<http://www.westminsterforumprojects.co.uk/conferences/westminster-education-forum>

The **Chairs' Service** will be attempting to replicate the 'snappy' agenda of the Westminster Education Style Forum on the **19<sup>th</sup> July** 5.30 – 8.30 p.m. with up to 6 speakers. **Further information will be available soon.**

### **Minimum standards for 16-18 year olds: important information for governors of schools with sixth forms**

On 22 March 2017, the Department for Education released information clarifying how it would apply **minimum standards to 16-18 education providers**. Schools or colleges will be defined as "underperforming" if they achieve a "value added score... below the threshold set by the department" and if their "value added score is statistically significantly below the national average". For 2015-16 results, the value added threshold for academic qualifications is -0.50 and the threshold for applied general qualifications is -0.75. The guidance states that "for academic qualifications, we expect that over 90% of eligible providers will score between minus 0.50 and plus 0.30; and for applied general qualifications, over 90% of eligible providers are expected to score between minus 0.70 and plus 0.90". This guidance also clarifies how the minimum standard will be calculate for "**Tech level qualifications**". The government will compare students taking these awards with their peers nationally to "determine if the student achieved better or worse than the national average for the subject". For Tech subjects, the minimum standard will be "set at minus 0.9 of a grade".

**Governors and trustees** should be aware of the minimum standards when discussing the value added scores for their 16-18 provision with their executive leaders.

## **Free sanitary products for female students in receipt of free school meals**

Education Secretary, Justine Greening, has told Members of Parliament that she will consider the issue of providing free sanitary products for children receiving free school meals. During Monday's Education Questions in the House of Commons, Greg Mulholland, MP for Leeds North West, drew the response from the Education Secretary when he highlighted the issue of girls not attending school because they could not afford sanitary products.

A [change.org petition](#), launched only a week ago, is calling for schools across the UK to give pupils free sanitary products and has already attracted well over 49,000 signatures. The charity Freedom4Girls provides sanitary products for women in Kenya and, after being contacted by a school in Leeds concerned about the **attendance** of teenage girls, is now doing the same in West Yorkshire.

Often through the use of Pupil Premium funding, schools already take many practical steps to support disadvantaged students who face barriers to learning because of factors associated with poverty. The provision of sanitary products in school may sit well with examples of Pupil Premium spend such as the purchase of bus passes, providing breakfast and buying clothes and shoes.

## **DfE consultation on guidance for agreeing loans for local-authority-maintained schools.**

The DfE are seeking views on changes to the guidance for agreeing loans for local-authority-maintained schools.

Consultation closes at 5.00pm on 21st April 2017 - to have your say click on the link below or copy and paste the link into the search engine to access:

<https://consult.education.gov.uk/academies-and-maintained-schools/change-to-criteria-for-agreeing-loan-schemes/>

## **DfE Independent Report: Behaviour in schools**

Tom Bennett's independent review on behaviour in schools and the government's response - [New report with practical advice for teachers on pupil behaviour](#).

As part of the evidence for this report the DfE has published the [School behaviour management case studies report](#). Also in relation to this report Schools Week is reporting: [Bennett behaviour review - the 5 policy recommendations](#)

## **News from ABA School and College Network, Anti-Bullying Alliance**

This bulletin aims to give you information and tools from the anti-bullying world. Please do forward it on to anyone you think would find it useful. We are delighted that almost 600 young people filled in our Anti-Bullying Week 2017 survey. We are currently working with young people on our theme ideas and will be launching the theme in mid-May along with a film competition and our Power for Good teacher award. Watch this space! Finally in the world of ABA, we are launching our free All Together programme on 24th April. Schools across England will be offered the chance to become an All Together school and we will support them with tools and resources to support them to make whole-school change. You can find out more and register your interest in the programme via [www.anti-bullyingalliance.org.uk/alltogether](http://www.anti-bullyingalliance.org.uk/alltogether)

## **GCSE 9 to 1 grading update**

This week it was announced in a letter from the Education Secretary to the Education Select Committee Chair that there has been a further revision to the new GCSE system. The letter confirms that a grade 4 in the newly reformed GSCE system (with grading set between 1-9, with 9 being the highest level of achievement) will now be considered a "standard pass" and a grade 5 a "strong pass". Under the previously announced reforms a 'good pass' (previously set at C grade) was proposed as a grade 5, whereas the historic C grade would have come in at the grade 4 level, showing a distinct shift towards a tougher grading systems.

[www.gov.uk/government/collections/gcses-9-to-1-requirements-and-guidance#history](http://www.gov.uk/government/collections/gcses-9-to-1-requirements-and-guidance#history)

## **Flexible working**

An increasing number of teachers want to be able to work flexibly on return from maternity leave, but in schools there are just 26.4% of female teachers working part-time, compared to 42% of women in the workforce nationally. The Government has released new guidance to help schools and employers how best to encourage, support and enable flexible working. You can find the guidance here:

[www.gov.uk/government/publications/flexibleworking-in-schools](http://www.gov.uk/government/publications/flexibleworking-in-schools)

## **New Government Guidance Staffing and employment advice for schools**

The government has released new guidance to help employers in all schools with staffing and employment issues, and to inform their decision making. It advises on matters contained within the School Staffing (England) Regulations 2009 and on wider staffing and employment issues. It draws attention to relevant legislation and sources of up-to-date guidance and advice that employers need to consider around the following:

- Appointing staff
- Transfer of undertakings (Protection of Employment) (TUPE)
- Safeguarding and appointment checks
- Staff management

You can find the new guidance here:

<https://www.gov.uk/government/publications/staffing-and-employment-advice-for-schools>

## Clerks in Herts

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### Spring Term Clerks' Network

Clerks welcomed two speakers to the spring term clerk's networks:

Melany McQueen gave an update on Early Years developments including **30 hours free Childcare** giving a detailed and informative overview on the scheme and how it will affect our governing bodies/boards.

The second half of the network was led by Chris Brown, Senior HR advisor who provided an informative break down of the **apprenticeship levy** and what our governing bodies/boards should be aware of.

Handouts from the networks were emailed to all clerks of schools subscribing to the Governance clerking service.

### Closure of RAISE Online - The new service

Please see the DfE update below with regards to the closure of RAISE online and arrangements going forward;

'We have worked with users to ensure the service will be easier to navigate and use, whilst retaining familiar tools such as filters. Access will be granted through 'Secure Access', in line with other DfE services.'

We are also introducing new commercial arrangements to make the data that sits behind RAISEonline available to accredited suppliers who satisfy our strict security and usage criteria. This will enable the market to develop innovative services which schools can choose to procure should they wish, in a similar way that many do now.

### What's next?

As the new service is DfE led, the Ofsted Helpdesk will close on 31/03/17. We are working with Ofsted to ensure as smooth a transition as possible for users.

When the new service is available we will contact you again with the link to the new site as well as information regarding your Secure Access log-in. We will also be providing a couple of short videos to get users familiar with the new service.

In the meantime, watch out for updates on the [RAISEonline Latest News page](#).

Following the initial release we will continue to improve the service based on user feedback, analytics and on-going user research. We will be keen to seek your feedback either through formal testing or through user surveys, which will be built into the new service. As part of those ongoing improvements we are very focussed on ensuring RAISEonline data is available earlier, as we know that's a key area schools want to see addressed.'

**Ben Fuller, Lead Adviser for Assessment** has also provided a response to the question: **Should my governors still attend Herts for Learning Data training?**

**Response:** RAISEonline is being replaced. In the future, the DfE intend to produce their own in-house report for schools (instead of contracting this out to a third party, as has been the case with RAISEonline). At this stage we do not know the details of what their in-house report will look like and I doubt that we will by May 3<sup>rd</sup>. However, my view is that what they produce is likely to be similar in many ways to the current RAISE report (but probably more succinct). After all, the current report has been designed to show what DfE want it to show, so one might assume that they will still want to focus on the same key indicators. But this is purely my supposition.

The DfE also plans to open out the analysis of school data to the open market, so that different companies (such as Fischer Family Trust, for example) can develop services that schools could buy into. There will therefore be a range of different data formats available that school leaders could potentially be sharing with governors in the future.

A key part of the training course is encouraging governors to focus on the sorts of probing questions that they might ask about the data – this element of the training will still be relevant, even if the format of the data tables changes in future.

So, to summarise, at this stage there are a lot of unknowns regarding presentation of data, but I would expect the key principles to remain.

If you wish to reschedule the planned training, perhaps to the autumn term, we will be quite happy to rearrange.'

### **Changes affecting workers engaged through other companies or agencies**

If your schools or academies use consultants to provide services within the education setting you should make your governing bodies/boards aware of the changes outlined below, the useful summary and FAQs have been produced by HR Services;

'The Government has confirmed that it will be reforming the rules on how public bodies pay workers who provide their services through their own company.

To date, individuals providing services to schools through their own company have been responsible for ensuring they pay the correct tax to HMRC.

From 6<sup>th</sup> April 2017, it will be the responsibility of public bodies (including schools, academies and multi academy trusts) to ensure individuals providing services through their own company are paying the correct tax. These changes will not apply to the private sector.

*All schools, academies and Multi academy trusts will be required to assess such workers using a new test, the Employment Status Service which is being developed by HMRC. The test has not yet been released by HMRC and we will inform schools as soon as we receive further news. The test will require schools to answer a number of questions about the worker's role, prior to their engagement.*

*Depending on the results of the test, in certain cases the school will be required to make deductions for tax and National Insurance from the worker's invoice, before paying the remaining balance. The school will also need to pay employer National Insurance if the worker is covered by the new regulations.*

*These changes will apply to any current or future workers' payments from April 2017. It will be the responsibility of the school engaging the worker to carry out the assessment using Employment Status Service test prior to engagement (or to check the status of existing workers if already employed), and ensure the correct processes are followed to set up and pay them.*

*Workers employed directly by companies or agencies which are not their own are not included within these regulations as they are taxed directly by the company/agency by whom they are employed.*

**A list of Frequently Asked Questions and contacts for further support and advice are included below.**

Full details of the changes can be found on the Government's website at: <https://www.gov.uk/guidance/off-payroll-working-in-the-public-sector-reform-of-intermediaries-legislation>

#### **Frequently Asked Questions**

**What is the intermediaries' legislation?** The intermediaries' legislation (commonly known as IR35) was introduced in 2000 to ensure that individuals who work off-payroll through their own company, and who would have been taxed as employees had they been engaged directly, pay employment taxes on their income.

**Why is the legislation being changed?** The government is concerned about widespread non-compliance with IR35, and is acting to protect Pay As You Earn (PAYE) / National Insurance Contributions (NIC) revenues. In the Chancellor's Autumn Statement (November 2016) it was confirmed that from 6 April 2017 public sector bodies (which include schools, academies and multi academy trusts) will have a duty to ensure that people working for them through intermediaries are paying the right tax and complying with IR35.

**When will the reforms be introduced?** The proposed reforms state that the new rules are expected to be applied from 6 April 2017, even if the engagement and/or work started before that date.

**Which workers will be affected by the reforms?** Workers who provide their services to your school through an intermediary, which can be the worker's own limited company, such as a personal service company (PSC), a partnership of which the worker is a partner, or another individual.

**What is a personal service company (PSC)?** This is the catch-all phrase used by HMRC to describe a limited company that typically has a sole director, the contractor, who owns most or all of the shares and who delivers professional services to end user clients (i.e. the school), either directly or via an agency.

**How will the reforms affect schools?** Public bodies including schools, academies and multi academy trusts will be affected when they engage a worker via an intermediary, for example a PSC, third partner agency or partnership. In cases where the rules apply, schools will have statutory responsibility for deduction and payment of tax/employee National Insurance Contributions (NIC's) and for payment of employer's NIC.

**What happens if a worker is employed through an agency?** The school will need to carry out an assessment to determine whether the rules apply (see Q8 below) and then inform the agency whether the contract falls within the new rules. The agency will then be responsible for applying the new rules and making the appropriate deductions.

**How will Schools determine whether the rules apply?** A digital tool, known as the Employment Status Service (ESS) will be provided by HMRC. We expect that this is what schools will need to use to determine the status of a worker. Where the worker is engaged via an agency, the school must inform the agency whether the contracts falls within the new rules.

**What will happen if the new rules apply?** The school will need to deduct tax and NIC through payroll from the amount remaining after VAT is deducted. Tax, employee and employer NICs will be paid to HMRC by the school's payroll provider through Real Time Information (RTI). If your school uses the Serco payroll service, you will be able to ask Serco to set up the worker on a payroll to ensure the right deductions are made.

**Will the worker still be able to charge 5% for notional expenses?** No, this will no longer be allowed in the public sector.

**Will the changes affect the Construction Industry Scheme?** Yes, the new rules take precedence over the Construction Industry Scheme (CIS) rules. So, if the new rules apply, then CIS will not apply. To find out more about CIS go to the [www.gov.uk](http://www.gov.uk) website.

**What will happen to existing contracts?** Schools will need to vary the contractual terms and conditions of any existing contracts that fall within the new rules; this can be done via a variation to the existing contract you have with the worker. If you do not have an existing contract, or need advice in varying existing contacts, the HR Services team at HfL can provide you with guidance.

**What information will workers need to supply if subject to the new rules?** Where the new rules apply, the worker will be required to provide confirmation of their identity together with their NI Number and P45. If no P45 is provided the basic rate tax code will apply. As the test by HMRC is not yet available, confirmation of additional information required will be confirmed as soon as this is known.

**Why do workers need to supply their National Insurance number?** If the new rules apply, tax, employee and employer NICs will be paid to HMRC by the school's payroll provider through Real Time Information (RTI) for which a national Insurance number is essential.

**What should I do if Serco is not our payroll provider?** Where your payroll provision is not via Serco you will need to liaise with your payroll provider to establish the process they intend to put in place to manage these changes in legislation.

**Who do I contact for further support and advice?** You can contact:

- The **HR Services team** at Herts for Learning (if you have a contract with HfL HR Services):  
HRServices@hertsforlearning.co.uk
- If you are a Community or Voluntary Controlled school, you can also contact the **Herts County Council Project Team** at:  
IR3535@hertfordshire.gov.uk
- **Serco** (if Serco provide your payroll service); tel: 01992 556 500

### **Keeping children safe in education and Ofsted's role**

In schools, at present there are currently some misconceptions around the inspection processes in terms of safeguarding and what is required by Ofsted.

From September 2015 Ofsted have been taking a consistent approach to inspecting safeguarding across all education provisions. The Department for Education (DfE) sets the statutory safeguarding guidance that schools and other settings must adhere to and it is Ofsted's role to inspect against these standards.

It is the DfE's statutory guidance that schools need to refer to. On inspection if a school is found not to meet the statutory guidance then it will be judged as ineffective leading them to an overall inadequate judgement.

On inspecting a school inspectors will be looking for a wide range of available evidence to help support their outcome around the effectiveness of safeguarding in schools, the main things being:

- the quality of work that the school does with the local authority and other agencies, for example, in making referrals and supporting children who have a multi-agency plan in place
- safeguarding should be an important part of everyday life and leaders, governors and managers should ensure they are creating a positive culture and ethos around this
- correct recruitment checks have been carried out for staff, volunteers and governors
- safeguarding policies and procedures are applied and in place and when needed, how well they are applied
- staff have a good understanding of safeguarding risks to children, and evidence that staff know the correct procedure if a child is a risk
- feedback from children about how safe they feel and how they are supported to understand safeguarding risks

Ofsted Inspectors do not:

- make their judgements lightly, there will not usually be one small safeguarding issue which will deem a school ineffective, unless it is a very serious breach of the statutory requirements which may put a child at risk
- have a template or safeguarding checklist that schools are expected to comply with
- have particular expectations on how a school should manage issues to do with site security, although risks should be properly considered and managed
- promote particular products or safeguarding methods. The way each school approaches safeguarding will be determined by the school, according to local circumstances

**Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children.**

The Governance team are currently piloting the '**Role of the Safeguarding link governor**' training course and further dates are being planned for the autumn term and will be circulated once confirmed so please make your safeguarding link governor aware.

### **Clerks Training opportunities**

#### **Summer Term Networks**

These termly seminars provide an opportunity for clerks to get together to discuss issues and share good practice.

- Monday 26<sup>th</sup> June 2017 10-12 at Watford, Mercure
- Thursday 29<sup>th</sup> June 2017 6-8pm at Waltham Cross, Theobalds Park, Cheshunt

**Tutor:** Hollie Common

**Cost:** HfL Clerks - No charge; Subscribers to Clerks' Training and Support Service - No charge; Non-subscribing schools - £60.00 per delegate

#### **Being an Effective Clerk**

This course is aimed at potential and new clerks.

- Friday 30<sup>th</sup> June 2017 09:30-3:30pm at Hemel Hempstead, Holiday Inn (**lunch is included so please confirm if any food allergies apply when booking**)

**Outcome:** By the end of the course participants will have a better understanding of the main functions of the clerk to the governing body.

#### **Outline:**

- The role and duties of the Clerk to the Governors;
- The role and work of the governing body;
- Producing minutes, agendas and calling notices;
- The work of committees;

**Tutor:** Cathy Irons/Hollie Common

**Cost:** Subscribers to Clerks' Training and Support Service - No charge; Non-subscribing schools: £120.00 per delegate

**Cancellation off this event requires 5 clear working days' notice; less than 5 working days' notice a fee of £30.00 (subscribers to Clerks Training & Support) or £50.00 (non-subscribers to Clerks' Training & Support) is charged to your setting.**

### **Clerks Complaints Training**

Providing effective clerking during a complaints hearing is paramount, with a particular emphasis on confidentiality and sensitivity.

- 26th April 2017 at Barnwell Upper School, Stevenage from 6.00pm to 8.00pm. Course code CCM7 applies

This course will provide an insight into the process of a complaint hearing in relation to the clerking role to assist you in the event of a request to clerk such a hearing.

**Tutor:** Cathy Irons and Hollie Common

**Cost:** Free to HfL clerks; Subscribers to the Clerking Service - £20.00 per delegate; Non-Subscribers to the Clerking Service - £60.00 per delegate

To book onto any training courses please email [governance@hertsforlearning.co.uk](mailto:governance@hertsforlearning.co.uk) or phone 01438 843082. Alternatively you can book online [www.hertsdirect.org/governors](http://www.hertsdirect.org/governors) and will need to input your name, school and course code, and please remember, you must book your place, otherwise you are not entitled to attend.

### **Welcome to new clerks**

We are delighted to welcome 2 more new HfL clerks to our expanding team.....welcome to Sarah Phillipson and Richard Loader.

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## **Governor Training**

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### **Summer term training opportunities**

The half-termly training opportunities are sent to all governors via email. If you don't receive this email please let us know by contacting us with your name and setting at [governance@hertsforlearning.co.uk](mailto:governance@hertsforlearning.co.uk)

The list of courses and online booking system can be accessed at the following link:

[http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template\\_001.cfm?pageID=28&template=courseListing](http://booking.hertsforlearning.co.uk/actweb/WDC/sseo/template_001.cfm?pageID=28&template=courseListing)

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## **Hertfordshire Association of School Governors**

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### **Executive Committee - are you interested in joining**

Dear Chair of Governors

I am writing on behalf of the Executive Committee of the Hertfordshire Association of School Governors (HASG).

We are an independent organisation that supports and informs School Governors in Herts and are affiliated to the NGA (National Governors Association).

Over the last few months we have had several changes to our Executive Committee which has resulted in our needing to add new members. We would very much welcome any HASG subscribing governor who would like to be involved with School Governance at a county level to consider joining our Executive Committee.

You can find much more information about us on our website [www.hertsgovernors.org](http://www.hertsgovernors.org).

If you are interested in helping to make Governance in Herts even better contact me or our Administration Officer, Claire Lanni at [admin@hertsgovernors.org](mailto:admin@hertsgovernors.org)

Thank you for your interest.

Yours faithfully

Robert Smith

Secretary, HASG ([secretary@hertsgovernors.org](mailto:secretary@hertsgovernors.org))

## **HASG 2017 nomination**

HASG is now publicising that the nominations are open for 2017 Awards, and we have posted an article on the HASG website.

**[Outstanding Governor Awards 2017 Nominations Open - Hertfordshire School Governors](#)**

<http://www.hertsgovernors.org/2017/02/outstanding-governor-awards-2017-nominations-open/>

## **Headteacher and Governor summer briefing**

The HASG is sponsoring the combined Heads and Chairs briefings and pleased to confirm the summer session will be held at The Beales Hotel in Hatfield - details as follows:

Wednesday 21<sup>st</sup> June 2017 - 6.00pm – 8.00pm with refreshments from 5.30pm (free to attend)

We look forward to seeing you there.

## **HASG partnership with HfL Annual Governors' Conference**

At the AGM In November 2016 the Executive Committee proposed and gained approval for an increase in the HASG Annual Subscription cost. The increase was to bring in additional funding which will help towards the continued support and running of the Annual Governors' Conference.

If you would like to see the AGM minutes, these can be viewed by clicking on the link below:

<http://www.hertsgovernors.org/2016/12/minutes-agm-19th-november-2016/>

The next HASG AGM will take place during this year's Annual Conference - 11th November 2017.

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## **PGR News and Views**

### **Newly elected Parent Governor Representatives (PGR)**

Following parent governors in Hertfordshire being invited to stand for one of the 4 vacancies in the North, West, South and East of Hertfordshire representing parents on the Overview & Scrutiny Committee, we are pleased to report we received 2 nominations, one for the West and one for the South of the county.

Full details of the successful candidates will be published on our website w/c 24th April 2017 - go to the 'News' tab at [www.hertfordshire.gov.uk/governors](http://www.hertfordshire.gov.uk/governors) for details

There were no nominations for the North or East of the county. A second opportunity for parent governors in those areas of the county to stand for election will be sent out within 6 months (no later than October 2017).

## **Herts for Learning**

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### **Herts for Learning Ltd and Herts for Learning Multi Academy Trust**

The Herts for Learning Multi Academy Trust was founded by Herts for Learning Ltd in 2016 in response to requests from Hertfordshire schools. HfL Ltd is therefore the founding organisation, however the two organisations are now completely separate legal entities. In the early stages of the MAT, HfL Ltd staff are helping to set up the Trust.

You can access the HfL Ltd website at <http://www.hertsforlearning.co.uk/>

If you would like to know more about the MAT take a look at the website where there is a lot of information about the including a comprehensive list of FAQs: [www.hflmat.co.uk](http://www.hflmat.co.uk)

If you would like to speak to a representative of the Trust, again please email details to [info@hflmat.co.uk](mailto:info@hflmat.co.uk) in the first instance.

View this eMagazine online at:

<http://governor.hertscc.gov.uk>