



Department for Schools and Colleges

Go-Governance - a newsletter for Governors and Clerks

Issue 23 - July 2021

Introduction

Welcome to the final edition of *Go-Governance* for this school year. I am sure that dealing with all of problems provided by the coronavirus virus, have made it an extremely challenging year for all our governing bodies. We are, of course, always grateful for the voluntary service provided by our governors, but this year we are even more appreciative of all your hard work and what you have done to help keep our schools open and a safe place for the children and staff - THANK YOU! We sincerely hope that the easing of the Covid19 restrictions, enables you to have a very well-deserved break this summer.

1) - National Leaders of Governance

The National Governance Association (NGA) is delivering the reformed National Leaders of Governance (NLG) support programme. NLGs will provide Department for Education (DfE) funded, targeted support to those schools and trusts with governance challenges. NLGs will provide governance expertise, external reviews of governance and bespoke support.

If you are a governor of five years' experience and a track record of improving governance, the new National Leader of Governance (NLG) role may be for you. A rate per assignment of £500 a day will be paid and full training and ongoing professional development provided. Visit the NGA website for full details:

[https://www.nga.org.uk/About-Us/NLG.aspx?utm_source=JARVIS&utm_campaign=ed96defbe7-EMAIL_CAMPAIGN_2021_07_02_09_39&utm_medium=email&utm_term=0 af e2f6e1a8-ed96defbe7-48863173](https://www.nga.org.uk/About-Us/NLG.aspx?utm_source=JARVIS&utm_campaign=ed96defbe7-EMAIL_CAMPAIGN_2021_07_02_09_39&utm_medium=email&utm_term=0_af e2f6e1a8-ed96defbe7-48863173)

The deadline for applications is Thursday 29 July at 9:00am.

2) – Parental Complaints Policy – please check your Policy

I am sure that all our schools will have a Complaints Procedure/Policy in place for when a parent lodges a complaint against the school, including an appeals procedure for when parents wish to challenge a decision. Following a recent difficulty with one school's policy, we are asking all schools to check and, if necessary, amend their Complaints Policy, to ensure that it does **not** include reference to the complaint or appeal being considered by the Diocese. Whilst we may sometimes be able to provide advice on process or seek to assist in finding independent panellists, it is not appropriate for the Diocese to be actively be involved in a parental complaint or an appeal. We would also advise that if you have not already done so, you have reciprocal arrangements for panellists in place with other governing bodies within your school partnership group, to support you should it be needed.

3) 2021-22 In-Year applications

i) As most of you will know, common admission arrangements were determined for nearly all our primary schools for 2021-22. In addition to adopting standardised oversubscription criteria, one of the biggest changes of the common arrangements is that for 2021-22, nearly all primary schools will be responsible for undertaking the full process for In-Year applications i.e. they will no longer be coordinated by the Local Authority (as they currently are for many schools) and parents will apply directly to the school using its own In-Year application form. This new process will require changes to the working procedures for many of our primary schools, who will need to make preparations for these new arrangements to help avoid any issues occurring in September.

ii) By unrelated coincidence, the new School Admissions Code, requires schools to set out on their websites, how In-Year applications will be dealt with. This is a legal requirement and must be complied with by 31 October 2021 at the latest

(and by 31 August in all subsequent years). To comply with this mandatory requirement, schools may like to consider using the following suggested text (that tallies with the common admission arrangements and also with the new requirement for applications to be responded to within 15 school days) on their websites:

In-Year Applications 2021-22

An application can be made for a place for a child at any time outside the usual admission round. An application should be made to the school by completing the in-year admissions application form [insert a link to your In-Year application form] and returning it to [insert name and email and postal address] along with, where appropriate, any supporting evidence.

All applications will be considered by the governing body and a place offered if one is available.

Where there are places available but there are more applications than places, the published oversubscription criteria, as set out in the admission arrangements for 2021-22, will be applied. [insert a link to the 2021-22 admission arrangements here]. Parents are advised to read the admission arrangements carefully before making their application.

If your application is unsuccessful, you will be given the opportunity to join a waiting list and you have the right to appeal to an independent appeal panel.

You will be advised of the outcome of your application in writing as soon as possible. Whilst applicants must be informed of the outcome of their application within 15 school days of receipt, the aim will be to notify applicants of the outcome of their application within 10 school days of receipt.

If you have any questions in relation to in-year admissions, please contact [insert details].

*NB There are a few primary and secondary schools whose 2021-22 admissions policy requires them to be part of the LA Coordinated In-Year Scheme. They should therefore **not** use the above text but will need to produce their own*

statement to indicate how In-Year applications will be dealt with. Please contact me if you have queries concerning this.

iii) Paragraph 1.4 of the new School Admissions Code confirms that the Published Admission Number (PAN) does not apply to year groups which are not the normal years of entry, so it only applies to Reception, Year 7 and Year 12. Schools are permitted to admit over the original PAN set for any given year group. The revised wording in Paragraph 1.4 makes it clear that governors are not able to refuse in-year admission on the grounds that they have reached PAN, but they may refuse admission where the admission of another child "would prejudice the provision of efficient education or efficient use of resources."

Governors should therefore always consider if they are prepared to offer a place to any In-Year application, even if the original PAN figure has been reached (although we would generally expect governors to 'go over number' only in exceptional circumstances) and primary schools must of course, consider the requirements of Infant Class Size legislation.

In order to comply with the legislation and avoid challenge, schools should ensure that when refusing a place, the letter of refusal states that admission would "prejudice the provision ofetc", not simply that the refusal is on the grounds of reaching a PAN figure.

iv) I wrote to all Chairs & Heads in May to advise you of the need to vary your admission arrangements for both 2021-22 and 2022-23 to include provision for children who appear to have been adopted from state care outside of England, pending a new School Admissions Code being approved by Parliament. As confirmed in my email of 14 July, the new Code has now been passed by Parliament and therefore if you have not already done so, could you please make the necessary changes to your arrangements as a matter of urgency, in order to be compliant by 31 August.

v) To help admission authorities determine if a child does appear to have been adopted from state care outside of England, the DfE has issued a new guidance document <https://schools.cliftondiocese.com/wp-content/uploads/2021/07/DfE-guidance-on-IAPLAC-July-2021.pdf> that governors need to be conversant with.

The new Code also includes updated requirements for schools on Fair Access Protocols (FAP) and the DfE have also issued a new FAP guidance document <https://schools.cliftondiocese.com/wp-content/uploads/2021/07/DFE-GUIDANCE-ON-FAP-July-2021.pdf> that again, governors will need to be conversant with.

The DfE has produced a 'Frequently Asked Questions' paper <https://schools.cliftondiocese.com/wp-content/uploads/2021/07/FAQ-IAPLAC-and-FAP.pdf> that covers both children who appear to have been adopted from state care outside of England and the new FAP requirements.

For a copy of the new Code (dated September 2021) please visit: <https://schools.cliftondiocese.com/wp-content/uploads/2021/07/New-Code.pdf>

4) End of one year - start of a new one

The end of a school year and the start of new one, often sees changes occurring to personnel on governing bodies. Could I please just remind clerks of the following points, in readiness of the new school year:

- i) Please inform me as soon as you are aware of any Foundation Governor who is not standing for another term of office or is just standing down at the end of the year, so that I can ensure our records are up to date.
- ii) It is not compulsory for the appointment of the Chair to be considered every year at a **VA school** (unless otherwise stated within a governing body's own arrangements), although it is good practice and many schools do so. The Chair does **not** have to be a Foundation Governor. However, as stated in their constitutional documents, **academies** must at their first meeting of the year, elect a Chair and Vice-Chair and these must be a Foundation Governor (unless exceptionally agreed otherwise by the academy Members).
- iii) Where there is a change of the Chair of Governors, please inform me of the new Chair and their school email address, so I can update our contacts list.
- iv) At your first meeting of the new year, it is appropriate for all governors of any category to sign a 'Code of Conduct' which sets out the purpose of their governing body and describes the appropriate relationship between individual governors, the whole governing body and the leadership team of the school. This is in order to protect all members and mitigate against any possible difficulties

that could occur within governing bodies. Schools should use the Code of Conduct provided by the Catholic Education Service as it provides protection specifically for Catholic schools and is available at:

<http://catholiceducation.org.uk/guidance-for-schools/governance/item/1003629-codes-of-conduct-for-governors-and-directors>

v) Whilst Clerks will be keeping a record of training undertaken by governors during the school year, please note that it is no longer necessary to forward a record to the Diocese, unless requested to do so. Thank you for doing this up to now.

5) - Academies Trust Handbook

The Education & Skills Funding Agency have published a new Trust Handbook (also known as the Academies financial handbook) and it is available via

https://schools.cliftondiocese.com/wp-content/uploads/2021/07/Academy_trust_handbook_2021.pdf for all governors at academies, especially for those with responsibility for finance.

Prayer to St. Mary Magdalen (feast day Thursday 22 July)

Saint Mary Magdalene,
woman of many sins, who by conversion
became the beloved of Jesus,
thank you for your witness
that Jesus forgives
through the miracle of love.

You, who already possess eternal happiness
in His glorious presence,
please intercede for me, so that some day
I may share in the same everlasting joy.

Amen.



Next Issue

The next issue of *Go-Governance* will be in the autumn term - please just let me know if you would like anything included in it. May I once again thank you for all you have done for the children and staff at our schools and wish a very happy, relaxing summer break and retirement for those governors who leave us at the end of this academic year.

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