

The Director of Children's Services Report to School Governing Boards Summer Term 2017

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Mark Palethorpe,
Interim Director of People and
Director of Children's Services

Dear Headteacher Colleagues and Governing Boards

I am delighted to have the opportunity as Interim Director of People and Director of Children's Services to introduce myself.

I am passionate about commissioning better outcomes that deliver real and sustainable solutions for residents, including our young people. I firmly believe that it is the quality of the relationship with all schools that is key to making things happen if we are to deliver real and meaningful change at scale and with pace. I see harnessing the talents of schools, young people and their parents, stakeholders, residents and elected members as essential in creating a modern and successful council. I believe that integrated working with a strong emphasis on prevention and early intervention will enable young people to achieve their aspirations. I have built up my skills and knowledge through a range of Local Authority (LA), voluntary and private sector roles. My career has taken me from Bath and North East Somerset, Wiltshire, Hampshire, Stoke-on-Trent, Cheshire West and Chester and now Cheshire East. I live locally in Cheshire East with my wife and 3 children managing the challenges work life balance brings.

You will be aware that concerns about officer conduct have been considered at a meeting of the Investigation and Disciplinary Committee on 10th and 11th April 2017. A decision has been taken to suspend the Chief Executive of Cheshire East Council whilst an independent investigation is undertaken. The Chair of the Investigation and Disciplinary Committee said:

"We would stress that suspension is a neutral act taken in the interests of both the Council and Chief Executive. It is important that this investigation is undertaken objectively and therefore it would be inappropriate to make any further comment at this stage."

As a consequence, Kath O'Dwyer is Interim Chief Executive, hence my interim position. This is really positive for schools, as Kath is an excellent advocate of education and values the contribution of schools, and I am looking forward to the opportunity to get to know schools across Cheshire East, supported by Jacky Forster, Director of Education and 14-19 Skills.

There has been a great deal happening over the last term, particularly around the Department for Education (DfE) Consultation on Fair Funding. The joint working and response of schools and the LA hit regular national headlines. It is important to maintain this pressure and profile until the outcome is announced. A petition signed by schools was sent to Nick Gibb MP, along with parent petitions and letters from Children. Councillor Rachel Bailey, leader of the Council, sent a covering letter. So, on reflection, Cheshire East was potentially the first authority to raise issues with the Minister at the meeting organised by Fiona Bruce MP and also the last response to hit the Minister's desk.

Since then, Will Bloor, the Head boy from Sandbach School, gave a speech to Cabinet on 11th April and a follow up letter along with a copy of his speech has been sent to Nick Gibb to ensure we keep a high profile. We have offered to support/advise on any modelling before final proposals are confirmed.

We had the Annual Governors' Conference at Tatton Park in March, which as usual was well attended, with a theme of emotional well-being. Some excellent examples of good practice were shared by schools, as well as an update on the Emotionally Healthy Schools strategic programme. Please provide any feedback on the theme for next year's conference to schoolgovernance@cheshireeast.gov.uk as it is important we meet your needs.

We have also seen positive outcome to school admissions for this September with 98% 1-3 preferences for both secondary and primary offers. We had a number of pressures, particularly around secondary offers, and I would like to thank those schools who worked with us or agreed to go over published admission number (PAN) to ensure offers could be made at schools within a reasonable travel distance.

As we enter the 2017 assessment/exam season, I wish you and your pupils well at all key stages. There has been significant work around the assessment and moderation of primary teacher assessment, with an approach jointly developed with eCAPH following a rigorous review. I appreciate there is still anxiety around KS2 teacher assessment of writing, but let us remember we have a high proportion of good and outstanding teachers who should, therefore, be confident in their judgements. Please do keep in contact with the team throughout the moderation process if you have any concerns. We will continue to work with primary schools next year to further improve confidence in the assessment systems.

On a final note, I would like to welcome some new Headteacher appointments in our schools:

Mr James Bancroft, Wistaston Church Lane

Mrs Caroline Beaumont, Parkroyal

Mark Bertinshaw, currently interim Headteacher at Pott Shrigley Church School

Miss Nicola Martin, Oakfield Lodge (previously acting)
Mrs Colette Mather, Ashdene (previously acting)
Mrs Susan Spence, Nantwich Primary Academy
Ms Steph Williams, Havannah (previously acting)

I hope you find working with Cheshire East and with our family of schools a positive experience.

Also, my thanks to those Headteachers retiring this summer for your contribution to the education of our children.

Mrs Julie Downing, Bollington Cross
Mrs Jenny Fitzhugh, Haslington
Mrs Susan Noyce, St Mary's, Middlewich
Mrs Carol Owens, Mobberley
Ms Celia Pickard, Hurdsfield

I hope you have enjoyed your time in Cheshire East and wish you well for the future.

I look forward to an opportunity to work with schools and hopefully to meet you all in the near future.

Mark Palethorpe
Interim Executive Director of People

If you have any concerns about a child contact the Cheshire East Consultation Service (ChECS)

on  0300 123 5012 (option 2)

 0300 123 5022 – Emergency Duty Team (Out of Hours)

 checs@cheshireeast.gov.uk

www.cheshireeast.gov.uk/checs

This includes a Search engine allowing quick access to information on any safeguarding issue from local and national sources.

Cheshire East Local Safeguarding Children Board has its own website at:

www.cheshireeastlscb.org.uk

Governing Boards are encouraged to consider making arrangements to email copies of the report to all their governors, to facilitate the discussion of relevant items at committee, or to enable them to be dealt with by the appropriate designated governor prior to the full Board of Governors meeting, particularly if the meeting is to be held later in the school term.

1. School Governance and Liaison Update

Mike Harris, School Governance and Liaison Manager
School Governance and Liaison Team ☎ 0300 123 5036
✉ schoolgovernance@cheshireeast.gov.uk
www.cheshireeast.gov.uk/governors

1) Cheshire East Annual Governors' Conference supported by Cheshire East Association of Governing Bodies (CEAGB).

Successful Schools – 'it's not all about English and Maths'

The Annual Governors' Conference took place on Friday 10 March at Tatton Park, Knutsford, and was attended by both Governors and Headteachers. The agenda included a range of knowledgeable and inspirational speakers who covered the theme 'it's not all about English and Maths', focussing on the importance of non-academic aspects of school learning, such as activity and exercise, self awareness and wellbeing. Our external presenters included a former Olympic Gold Medalist and an expert in resilience and self esteem along with some mini sessions hosted by staff members and pupils from three primary schools in Cheshire East.

The feedback from the conference has been very positive and speaker presentations and photographs from the day are available on the [School Governance webpage](#). Please take some time to review the [photographs](#) taken at the conference.

The conference also supported World Down Syndrome Day – which went on to raise over £4000 across the borough schools. Here are some of the [fun moments](#) that we had in the Council buildings.

2) Summer Term Training Programme

The training programme for Cheshire East is available on the [School Governance webpage](#). Governors are asked to complete the [online booking form](#) to attend any of the training courses.

3) Chairs' email accounts

All Chairs of Governors have the opportunity to access an email account which some sections within the Council use for school-related communication. Chairs need to undertake regular housekeeping (i.e. filing or deleting messages) to ensure that the inbox has room to accommodate incoming emails. If your Governing Board is having problems with access to this service, or if you need your password resetting, please have your school contact your IT technical support team. (Some schools may have their own technical support team on site).

New users should contact their IT technical support team who will advise on the procedure for set up as a user and completion of on-line acceptable use form.

The Schools' Finance Team will **only** use official Council email addresses for sending through budgetary information etc with the appropriate encryption in place given confidentiality and data protection requirements. Therefore, it is very important that Chairs ensure they have access to that account and monitor it.

4) The right people around the table: how to recruit and retain School Governors and Trustees

A new recruitment guide has been published for the Inspiring Governance Service. "The right people around the table" is a practical guide designed to help school governors and trustees plan and carry out recruitment and induction. The guide highlights good practice for induction, training and succession.

The guide is designed to complement [Inspiring Governance](#) which is a free online recruitment service connecting volunteers interested in serving as governors and trustees with schools that are looking for new recruits. Inspiring Governance is funded by the Department for Education and run by the charity Education and Employers in partnership with the National Governors' Association.

Schools may wish to access the website www.inspiringgovernance.org when appointing new governors and trustees.

5) Succession Breeds Success – How to grow leaders in your Governing Board

Succession planning in a Governing Board is important, as in any organisation, for the stability and progress of the enterprise. This revised and updated edition of the National Coordinators of Governor Services (NCOGS) document [Succession Breeds Success](#) is aimed at assisting governors in managing this process in a positive and constructive way so that governance and the leadership of the Governing Board are strong and effective in holding the school to account. It may be used in whole or part by governors and others, on the understanding NCOGS is acknowledged as the source.

NCOGS exists to support Governor Services in LAs in England, and governance professionals working in and in partnership with LAs, with a view to promoting high-quality governance in schools. The Cheshire East Governance Service plays an active part in NCOGS, and is committed to using the opportunity to bring you the local and national updates and wisdom from the governor services community.

6) Clerking Competency Framework published

In January 2017, the DfE published the Competency Framework for Governance and an updated version of the Governance Handbook. The Clerking Competency Framework was still in the consultation period at that time, but has now been published. All three

documents, described by the DfE as [Guidance on the roles and duties of Governing Boards](#) and advice on the skills, knowledge and behaviours' they need to be effective" are all available on the link above.

7) Consultation on Changes to Maintained Schools Regulations

The DfE has had overwhelming support for the proposal that Governing Boards of maintained schools should have the power to remove elected (i.e. staff/parent) governors where there are serious or repeated conduct issues. It has now laid before parliament amended regulations that will create this power from September 2017. The amending regulations also make some technical changes which will come into force in May 2017.

The [Explanatory Memorandum](#) contains more details of the amendments.

8) Consultation on Primary Assessment and The Rochford Review

The Department for Education has launched a public consultation exercise about the [future of the primary assessment system in England](#).

Details are included in a [statement made to Parliament](#) by the Secretary of State for Education, Justine Greening, on 30th March 2017.

The consultation sets out wide-ranging proposals for improving the primary assessment system with the stated aim of establishing "a stable, trusted assessment system that support all children to fulfil their potential, whatever their background". These include consideration of the best starting point from which to measure pupils' progress, how to ensure the assessment system is proportionate, and how to improve statutory end of key stage teacher assessments.

A parallel consultation is asking for views on the [recommendations of the independent Rochford Review](#). The recommendations focus on the future of statutory assessment arrangements for pupils working below the standard of national curriculum tests at the end of key stages 1 and 2.

All those with an interest in primary education are encouraged to engage with these consultation exercises and to share their opinions and insights. The consultation is open until 22 June 2017.

As with all government consultations, whilst we may collaborate on the thinking around our responses, individual responses, rather than joint ones, have the greatest impact.

9) Guidance on Nominating Governors for National Honours

[Guidance is available](#) for nominations of Governors from across Cheshire East.

10) Supreme Court ruling on term-time holiday and the issue of Fixed Penalty Notices (FPN)

The Supreme Court has ruled against a father who mounted a legal challenge to a fine over a term-time holiday. The case was brought by the Isle of Wight Council following a High Court ruling in favour of the parent last year. The case had the potential to put a halt upon the Local Authority (LA) issue of FPNs, for this reason the use of FPNs was halted by Cheshire East Council in Summer 2016. The case hinged on the interpretation of 'regular attendance' and whereas previous judgements had found in the parents' favour, the Supreme Court ruled that it was for the school to decide the interpretation of "regular attendance". Currently the LA is reviewing the Code of Conduct and it will be issued to schools as soon as possible along with advice on the LA position with regard to the issue of FPNs in the future.

11) Equality and Human Rights Commission publishes report on disability inequality in Great Britain

The [report](#) looks at six core areas of life: education; work; standard of living; health and care; justice and detention; participation and identity. It highlights areas where there has been progress and where improvements still need to be made.

In relation to education, the report looks at attainment for children and young people, exclusions from schools, bullying in schools, young people not in education, employment or training (NEETs) and also educational qualifications for adults.

The report highlights that in 2014/15 the overall proportion of children with Special Education Needs and Disability (SEND) in England who achieved at least five A*-C GCSEs, including English and mathematics, was 20%, whereas this was 64.2% for non-disabled children. In 2014/15, pupils with identified SEND accounted for just over half of all permanent exclusions and fixed-period exclusions.

As no government department collects regular data on bullying, the report cited various studies that support the view that bullying amongst pupils with SEND is higher than those without. In 2015/16, the proportion of disabled 16-18-year-olds who were NEET (13.2%) was higher than for non-disabled 16-18-year-olds who were NEET (5.8%). Finally, in 2015/16, the proportion of disabled people with no qualifications was higher (17.4%) compared with that of non-disabled people (6.3%).

Governing Boards should be looking at Headteacher reports and data with a view to ensure that pupils with SEND are receiving the support they need and, where appropriate, are receiving all the opportunities available to pupils without SEND so that the achievement gap between SEND and other pupils is constantly narrowing.

12) Publication of independent review on behaviour management in schools

Tom Bennett, a behaviour expert, has produced an independent review on behaviour management in schools entitled [‘Creating a culture: How schools can optimise behaviour’](#). The report draws on the typical factors used by schools to establish effective behaviour systems, stressing the importance of accountability and the key role governors play in supporting an effective school culture.

The review made the following six recommendations for school leaders:

- designing the culture which is supportive of good conduct;
- creating a vision of the school culture which is commonly understood;
- making behaviour a whole school focus;
- developing social norms which encourage good behaviour;
- communicating that culture to the school by explaining and promoting its shared values ensuring that all staff are well-supported to perform their roles;
- sharing good practice with other schools.

The Government welcomed the review in a letter from Secretary of State for Education, Justine Greening. The letter confirmed that the government would be taking a number of measures to give school leaders the knowledge and skills they need to deal with bad behaviour.

The National Governors Association (NGA) has produced a set of questions for Governing Boards to ask specifically on [behaviour in schools](#) – these can be accessed in the NGA Guidance Centre for those schools who purchase the Governor, Support, Training and Development offer through ChESS. They come with a ‘health warning’ i.e. they are not a ‘test’ for school leaders, they are to help governors ask relevant questions at appropriate times in governor meetings.

13) Clerks Top Tips - Best Practice

Cheshire East has a team of experienced and professional Clerks who work with academies, free and maintained schools, primary, secondary and special schools. All Clerks have either completed or are currently studying for the ‘National College for Teaching and Learning (NCTL) Accreditation in Clerking’. Here are their top ten tips for Governing Boards in the style of the new Competency Framework for Governance.

1. **Everyone on the Board** - Be aware of the support organisations available to provide support and guidance e.g. Cheshire East Governance Liaison Service, National Governors Association (NGA), Modern Governor, Inspiring Governance etc.
2. **Everyone on the Board** – Don’t leave succession planning to the last minute and ask your Clerk for assistance! (see item 5, in this section of Director’s Report);

3. **Everyone on the Board** – Know your School, i.e. School Development Plan (SDP) and your Self Evaluation; have a governor's development plan that runs alongside the SDP;
4. **The Chair** - Try an agenda setting meeting between the Chair, Headteacher and Clerk to prepare for the year ahead. Ask your Clerk for more details;
5. **The Chair** - It's the role of the Chair of Governors to finalise the agenda on behalf of the Governing Board, ensuring the agenda focuses on strategic matters is key to a successful meeting. Following the agenda and keeping to time helps everyone;
6. **Everyone on the Board** - Get paperwork to your Clerk in plenty of time so that it can be issued within the timescales set out within your Articles of Association (1 or 2 weeks) or your constitution (1 week for maintained schools). This includes Records of Visits (RoV), Headteacher Reports, minutes of committee meetings;
7. **Everyone on the Board** - Read the documentation and come prepared with your questions. Your Headteacher/Principal may appreciate notice of the questions to enable them to have the information that you require;
8. **The Chair (and Headteacher)** – proof read the first draft of meeting minutes and the Action Log for accuracy and presentation and approve as soon as possible so that the Clerk can share them with the rest of the governors and they can be published on the school website (if it is the Governing Board's policy to publish draft minutes);
9. **Everyone on the Board** - The more you tell us and involve us the more we can help with future planning , advise on governor responsibilities, follow up on queries etc;
10. **Everyone on the Board** - Have a good understanding of the role of the clerk in supporting the efficient functioning of the Governing Board and "have regard to advice from the clerk as to the nature of the governing body's functions".
[\(The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013\)](#)

14) Important changes to critical incident first response contact numbers

Schools, academies and children's centres are asked to please note the changes to Critical Incident first response contact numbers available on the following [Cheshire East internet page](#).

These contact details are also available on the [Critical Incident Response Team Centranet page](#) along with additional information to support managing a critical incident. *This site can only be accessed via the Council's network.*

For further information:

Contact: Mike Harris / Cherrie Creager;

michael.harris@cheshireeast.gov.uk / cherrie.creager@cheshireeast.gov.uk

Recommendations for governors . . .

- Review the Summer term training programme for information / attendance;
- We have provided links to recently published guidance/reviews/consultations of relevance and interest to governors; following these links will enable you to access a deeper understanding of the topics/issues concerned;
- In light of the publication of the Clerks' Competency Framework, consider whether your clerk's job description (JD) needs to be updated in line with the new guidance (note for Boards who buy into the Cheshire East clerking service; Cheshire East clerks JD meets the guidance);
- Consider whether any of our clerks' best practice tips could be adopted to improve the efficient operation of the Governing Board.

2. September 2017 Applications for Reception and Year 7 Transfer

Gemma Hambrook, Head of Service: Education Participation and Pupil Support

✉ gemma.hambrook@cheshireeast.gov.uk ☎ 01606 271780

The Local Authority has a responsibility to coordinate applications for Reception and Year 7 transfer for September entry to school. Applications are received by the Local Authority (LA) and each one is checked prior to criteria being set. Schools which are their own admission authority assign the relevant criteria to each application to prioritise these, but once that is completed, the LA takes over to allocate and offer places to parents. This includes administration of waiting lists until the end of December.

Outcomes for applications – the total number of applications received, with numbers for Cheshire East residents and the relevant breakdown of the offers, as compared to 2016 can be seen in the tables below. Those Cheshire East children not offered a preference, due to their preference school(s) being oversubscribed, have been offered the nearest school with a vacancy (Placed by LA) in line with the Local Authority Coordinated Scheme 2017-18.

Secondary outcomes

Admission Date	Total Applications	Total Home Resident Applicants	First Preference Offers	Second Preference Offers	Third Preference Offers	Placed by LA (home residents only)	Total Offers Cheshire Residents	Non Cheshire School Offers to Home Residents
2016	4903	3772	3574	120	17	61	3772	184
		76.93%	94.75%	3.18%	0.45%	1.62%	100.00%	4.88%
2017	4866	3878	3635	144	11	88	3878	174
		79.70%	93.73%	3.71%	0.28%	2.27%	100.00%	4.59%

Cheshire East was able to offer 93.73% of applicants their first preference and a total of 97.72% one of their three preferences. Due to the pressure on the number of places available for local children a decision was taken to request admission to some schools above the published admission number (PAN) to accommodate children in their local school, as far as possible. In deciding where to agree further admissions, consideration was given to the availability of places in other local schools within a reasonable distance. In areas where no other reasonable alternative could be offered, agreement was reached with the individual schools to admit additional local children under these exceptional circumstances. This has not resulted in an increase in the PAN of these schools. There is additional information on the [School Admissions webpage](#) - September 2017 allocations.

Primary outcomes

Admission Date	Total Applications	Total Home Resident Applicants	First Preference Offers	Second Preference Offers	Third Preference Offers	Placed by LA (home residents only)	Total Offers Cheshire Residents	Non Cheshire School Offers to Home Residents
2016	4401	4151	3675	278	72	126	4151	81
		94.32%	88.53%	6.70%	1.73%	3.04%	100.00%	1.95%
2017	4017	3797	3500	181	38	78	3797	75
		94.53%	92.18%	4.77%	1.00%	2.05%	100.00%	1.97%

The number of applications from Cheshire East residents has fallen for 2017. However, it is pleasing that the authority has been able to offer 97.95% of applicants one of their preferences. At the request of several schools, admission over PAN was agreed. Again this does not increase the PAN for the school, but will just be for that year group. Information on this will be available on the [School Admissions webpage](#) - September 2017 Allocations.

'In Year' applications

In Year applications are those made during the school year into any year group other than the normal point of entry to school. Cheshire East admissions team processes many 'In Year applications'. These are generally where families are moving into

Cheshire East or are moving from one part of the authority's area to another. Occasionally there are other reasons for applications to move school, and these families are encouraged to discuss the proposed transfer with the current school.

The total number of applications received up to 27 March 2017, to transfer in the academic year 2016-17 is 2,150. At this point 12 months ago, there had been 2,143. The total number of 'In Year' applications received by the end of the academic year 2015-16 had been 2,720.

For further information:

Contact: Gemma Hambrook; gemma.hambrook@cheshireeast.gov.uk

Recommendations for governors . . .

- For information.

3. Schools' Catering – Business Improvement Review

Jo Cooper, Service Manager: Catering

✉ joanne.cooper@cheshireeast.gov.uk ☎ 01606 271565

There has been significant ongoing work involving the School Catering Service and the Business Improvement process ('lean system review') which led to a pilot project with the overarching focus of increasing school meal uptake in those schools identified by Public Health as having a higher prevalence of obesity and lower uptake of Universal Infant Free School Meals (UIFSM).

Procurement of Electronic Kitchen Management System – Cypad by Cheshire East Catering

Cheshire East Catering has successfully procured an electronic kitchen management system to be used in all schools where they deliver the catering service. The system, which is cloud based, will hold all of the paper forms the Catering staff complete daily and the management team will have access to the "live" information on a desktop application. This system will bring the service fully in line with the Council's digital agenda and should improve the billing process with schools and suppliers. Currently, we are conducting a trial in ten schools and will then roll it out to all schools once we are confident with the process.

For further information:

Contact: Jo Cooper; joanne.cooper@cheshireeast.gov.uk

Website: <http://freshcateringservices.co.uk>

Recommendations for governors . . .

- Promote the UIFSM offer to parents and carers and better supervision at lunchtimes to improve social and life skills;
- Promote breakfast clubs and uptake to improve outcomes for children.

4. Asbestos Management in Schools 2017/18

Denise Griffiths, Facilities Manager

✉ property@cheshireeast.gov.uk ☎ 01270 686888

All maintained schools built prior to the year 2000, and which hold an asbestos register, MUST comply with Regulation 4 (Duty to Manage) of the Control of Asbestos Regulations.

During the school year 2017/18 all maintained schools will be required to purchase an asbestos management survey, in accordance with the latest Health and Safety Executive Guide HSG264. This will be the only asbestos option available for maintained schools under the 2017/18 ChESS HUB for Facilities Management Services.

The new asbestos management survey will ensure that schools have been surveyed to the latest standard and reporting procedures; provide duty holders and responsible persons with asbestos survey information based on best industry practice and ensure that all subsequent annual asbestos re-inspections are founded on the most accurate information.

It is important to note that the need to purchase a new asbestos management survey is only required for the school year 2017/18. Once this has taken place schools will revert to purchasing the annual "asbestos management and re-inspection" item under the ChESS HUB.

The Council, as the Corporate Duty Holder for Community and Voluntary Controlled schools, will assess the levels of statutory compliance across all disciplines during site visits, or through completion of school self-assessment forms. All school self-assessment forms must be signed by both the Headteacher and the Chair of Governors.

Schools converting to Academy in 2017/18 school year

Schools changing status within the ChESS HUB year and which have already been surveyed under Health and Safety Guidance 264 will continue to comply with Regulation 4 (Duty to Manage) of the Control of Asbestos Regulations following conversion without the need to carry out any further surveys. In previous years converting schools have been advised to undertake a "Duty Holder Conversion" to ensure the new duty holder after conversion is fully conversant with the regulations.

Academy and Church Aided Schools

The Director of Education strongly advises other non maintained schools to ensure that any asbestos registers for their properties have been compiled under the new regulations. These schools can comply with the new regulations by means of the ChESS HUB option "Duty Holder Conversion". Charges for this option are included in the Facilities Management section of the ChESS HUB.

For further information:

Contact: Facilities Management Helpdesk; property@cheshireeast.gov.uk

Recommendations for governors . . .

- Governing Boards at all maintained schools are recommended to take up the ChESS HUB 2017/18 option for Asbestos Management Surveys;
- Non-maintained schools are recommended to ensure that their Asbestos Management Surveys have been compiled under the new regulations and if necessary consider the Duty Holder Conversion option under Chess HUB 2017/18.

5. Home to School Travel Surveys – 24th April until 31st May 2017

Barbara Dale, Service Manager: School Organisation and Admissions

✉ barbara.dale@cheshireeast.gov.uk ☎ 01270 686392

Children and Families Services is in the process of producing a Sustainable Modes of Travel Strategy, which will promote suitable alternative travel to school and ensure compliance with statutory duties under the Education Act 1996.

To inform this process, we will be conducting surveys with schools to gather information about their school travel plans and with parents, children and young people about their modes of travel and routes to school. National research shows that developing more sustainable alternatives to the use of the single occupancy car for home to school transport provides benefits to the environment and to children's well-

being, including improved fitness, road safety skills and an increased sense of independence.

Your participation in this process will help to shape the strategy. The surveys, which will take about 10 minutes to complete, are available from 24th April with a 31st May completion deadline and can easily be accessed on the [Cheshire East website](#).

The surveys are set out below:

Survey	To be completed by...
School Travel Plans	Cheshire East primary and secondary schools
Primary schools - Modes of Travel/Safer Routes	Primary school parents
Secondary schools - Modes of Travel/Safer Routes	Secondary school parents and students

For further information:

Contact: Barbara Dale; barbara.dale@cheshireeast.gov.uk

Recommendations for governors . . .

- Note deadline of 31st May;
- Encourage promotion survey participation with parents and students.

6. Schools' Audit Programme 2016/17

Kate Ramczyk, Senior Auditor

✉ kate.ramczyk@cheshireeast.gov.uk ☎ 01625 383851

Summary of Audit findings – Performance Related Pay arrangements review

The Department for Education (DfE) requires Local Authority (LA) Section 151 Officers to sign off an annual assurance statement confirming:

- The number of Schools Financial Value Standard (SFVS) self-assessment returns received and;
- There is an appropriate audit programme in place to provide adequate assurance over the standard of financial management, and the regularity and propriety of spending in schools.

To satisfy this requirement, Internal Audit developed a programme of work to be undertaken during 2016/17:

- A thematic review of imprest and purchase card arrangements at 11 primary schools;
- A review on the effectiveness of performance related pay arrangements at 4 secondary schools.

This summary focuses purely on the results from the performance related pay arrangements review (the findings from the review of imprest and purchase cards arrangements has been reported on previously). The audit work concluded that performance related pay arrangements in schools are satisfactory, however, a number of common issues were identified, which are detailed in [Appendix A](#).

For further information:

Contact: Kate Ramczyk; kate.ramczyk@cheshireeast.gov.uk

Recommendations for governors . . .

- Review the common findings detailed in Appendix A;
- Review school policies, procedures and processes in light of reported findings;
- Where appropriate, ensure steps are taken to improve controls and the consistency of the application of controls;
- Review SFVS in light of the issues raised in this report and update accordingly.

7. IR35 (Intermediaries Legislation) Tax Changes for Agency Workers and Contractors from 6th April 2017

David Worrall, Senior HR Officer

✉ david.worrall@cheshireeast.gov.uk ☎ 01270 686302

From 6th April 2017, public sector bodies are responsible for determining whether any work being carried out by agency workers and contractors falls within the IR35 legislation. Generally, this means that anyone who is performing “a job” is considered as a “disguised employee”, and should therefore pay Income Tax and NI under PAYE rules. Where this is the case, whoever makes the payment to the worker needs to make these deductions.

HMRC has issued a [tool](#) to assist in making these assessments. Our advice is that this should be completed by the school (not the individual) and a hard copy should be printed, signed, and retained, in case of future challenge.

If HMRC subsequently decides that the role has been incorrectly classified, it is the public body (not the individual) that will have to make good the underpaid tax to HMRC (plus any potential penalties and/or fines).

If any worker disagrees with the assessment, they will need to appeal to HMRC.

Where the engagements are through an agency or other intermediary, the school's responsibility is to notify the intermediary within 30 days of the start of the assignment whether or not the work falls within the IR35 regulations.

If the school engages any individuals directly, the school will be responsible for deducting Tax and NI from the payment and for paying this over to HMRC, together with Employers' NIC.

Failure to make these deductions will mean that the school will be liable for back taxes as well as any fines and penalties that HMRC may impose.

Personal Service Company (PSC)

A Personal Service Company is a limited company that belongs to the individual. Typically they are the sole director and own all of the shares or there may be a second director, usually a family member, who has a minor shareholding.

For further information:

Contact: David Worrall, david.worrall@cheshireeast.gov.uk

Recommendations for governors . . .

- It is recommended that all schools review their arrangements with contractors and, where possible, only engage with PSCs that fall within scope of IR35 through an agency or other third party. This will remove the administrative burden of dealing with these payments and deductions;
- Incorporate review of school's IR35 arrangements into current governor monitoring arrangements for contractual agreements e.g. responsibility for review is delegated to Resources/Finance/Leadership and Management committee or remains with FGB (full governing board).

Further information is available at:

<https://www.gov.uk/guidance/off-payroll-working-in-the-public-sector-reform-of-intermediaries-legislation>

<https://www.gov.uk/guidance/check-employment-status-for-tax>

8. Model HR Policies and Procedures

Craig Hughes, HR Business Partner, Education Consultancy Services

✉ craig.hughes@cheshireeast.gov.uk ☎ 01270 686307

This is a reminder that the following model policies and procedures were updated earlier on in the academic year, and are available for schools and academies that buy back Education HR Consultancy to download from the Education HR intranet site:

- Equality and Diversity in Employment Policy;
- Revised Disciplinary Procedure;
- Revised Redundancy Policy;
- Pensions Discretions Policy; and
- Model Trade Union Recognition & Collective Agreement for Multi-Academy Trusts (MATs).

We have also revised the guidance on restructures. There are no significant changes to the guidelines; the guidance has simply been streamlined to give further clarity in terms of the consultation process.

If any school or academy (who buy back the services from Education HR Consultancy), have problems in accessing the model policies and procedures via the intranet, please contact Craig Hughes (details below).

For further information:

Contact: Craig Hughes, craig.hughes@cheshireeast.gov.uk

Recommendations for governors . . .

- Governing Boards are to make the relevant choices in the model policies and procedures where there is discretion, and consider this with school/academy staff prior to adoption.

9. Apprenticeship Levy

Abigail Rushton, Senior Manager: Workforce Development

✉ abigail.rushton@cheshireeast.gov.uk ☎ 01270 686583

What is the apprenticeship levy?

The government's apprenticeship reforms came into effect earlier this month, with the introduction of a 'levy' for all employers with a pay bill over £3million and a target for public sector organisations to have 2.3% of their workforce to be made up of apprentices.

Based on a pay bill, including our maintained schools and our Alternative Service Delivery Vehicles (ASDVs), Cheshire East Council's total levy liability is calculated to be in the region of £770,000 per year. In terms of schools, it includes the pay bills of our maintained schools, but not the pay bills of any academies, Multi Academy Trusts (MAT) or foundation schools.

Cheshire East Council will receive this levy funding into its Apprenticeship Service digital account each month to fund English apprenticeship training and assessment. This funding cannot be used to fund the salary costs of apprentices, only the training costs of an apprenticeship with an approved training provider and assessment organisation. Cheshire East Council will have one Apprenticeship Service digital account to manage its levy funds across ASDVs and maintained schools.

It is important to note though that these funds can be used to train existing members of staff as long as the training will allow them to acquire substantive new skills and Cheshire East Council is keen to maximise the opportunity that this presents.

Schools that have contributed to the council's levy payment will be able to access this funding through the Workforce Development Team at Cheshire East Council and all schools will be able to access additional support services through the Workforce Development Team too.

For further information:

Contact: Abigail Rushton; abigail.rushton@cheshireeast.gov.uk

Recommendations for governors . . .

- To note the briefing.

10. Virtual School for Cared for Children

Nicola Axford, Virtual School Headteacher, Cheshire East Council

✉ nicola.axford@cheshireeast.gov.uk ☎ 01606 271951

During the Spring term there has been focus on deepening the understanding, and increasing the capacity, of schools regarding attachment disorders which can lead to children under-achieving in school and displaying social and emotional difficulties. As a follow on from the autumn conferences, schools were invited to training sessions on emotion coaching and resilience building and were also offered the opportunity to set up some action research in school to put this new knowledge into place and monitor the impact on these vulnerable groups. Twelve schools have taken up this challenge and have been given a grant to support this. The findings will be shared at a meeting in autumn.

As Personal Education Plans (PEPs) are now required to be reviewed each term, the measure of children having a current PEP has been amended from 'PEP within the last six months' to 'PEP within the term'. Thanks are extended to the vast majority of schools who have risen to this challenge and returned the PEP within the term. The allocation of the Pupil Premium to the PEP has been strengthened so that schools can request funding with the returned PEP to provide specific interventions or support. Evaluation of impact will be required before further funding is allocated which will help to ensure that funds are used to maximum effect.

The summer Designated Teacher's Network meeting will be on Friday 30th June 2017 for all Designated Teachers. This will include updates on PEPs and Pupil Premium, Self Assessment for schools on how well they support cared for children and ideas on new ways to support children with emotional needs. There is no cost to attend but places must be booked by email to deborah.bradbury@Cheshireeast.gov.uk

For further information:

Contact: Nicola Axford; nicola.axford@cheshireeast.gov.uk

Recommendations for governors . . .

- To enquire whether school has taken up the opportunity for attachment training and to participate in action research;
- To ask Designated Teachers to report on the completion and return of PEPs and the use of Pupil Premium Plus and to include this in the annual report on the progress and achievement of vulnerable groups, including cared for children;
- To support all Designated Teachers to attend the network event on Friday 30th June 2017.

11. Local Safeguarding Children Board (LSCB) Safeguarding (Section 157/175) Audit

Local Safeguarding Children Board

✉ LSCBEast@cheshireeast.gov.uk ☎ 01606 271603

All educational establishments have a legal responsibility to safeguard and promote the welfare of children and young people.

- *Section 157 of the Education Act 2002 requires proprietors of independent schools (including academies, free schools and city technology colleges) to have arrangements to safeguard and promote the welfare of children.*
- *Section 175 of the Education Act 2002 requires governing boards of maintained schools and further education colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.*
- *The Non-Maintained Special Schools Regulations 1999 require governing boards of non-maintained special schools to make arrangements to safeguard and promote the welfare of children.*

One of Cheshire East's Local Safeguarding Children's Board's statutory functions is to:

"Monitor and evaluate the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children and advising them on ways to improve" (Working Together to Safeguard Children 2015).

One of the methods by which this task is undertaken is by asking schools to self-evaluate under an agreed framework of benchmarks and then share the results with the Board – commonly known as the "Section 157/175 Audit".

It is suggested that the Designated Safeguarding Lead and the Headteacher/Principal/Manager/Proprietor should work together to complete the audit and compile an action plan. It is recommended that the Designated Safeguarding Governor or Chair of the Governing Board/committee also contributes to this.

[The 157/175 Audit](#) is online. Here are some key points to note:

- Last year schools, colleges and settings were emailed a unique identifier so that they could access their audit and add information. This identifier remains the same;
- There are instructions at the start of the audit which should be read and followed carefully when completing/updating the audit;
- The audit is always live so can be accessed and updated at any time;

- Responses can be exported and printed at any time;
- No other educational setting will be able to see/access your school's information.

On the 11th July each year, every school will be expected to have all their information completely up to date; on that date the responses will be analysed by the LSCB and will subsequently be collated and reported upon.

Information about this request for information has been provided at Designated Safeguarding Leads meetings, included in the school bulletin and emailed to all schools.

For further information:

Contact: Local Safeguarding Children Board; LSCBEast@cheshireeast.gov.uk

Recommendations for governors . . .

- Ensure that your school has completed all questions within the safeguarding audit before 11th July 2017;
- Discuss the responses and ensure that the responses feed into the school's action plan.

12. Child Sexual Exploitation (CSE): definition and guide for practitioners

Safeguarding Children in Education Settings (SCiES) Team
✉ SCiESTeamEast@cheshireeast.gov.uk ☎ 01606 275039

In February 2017 the Department for Education published two documents to support practitioners with their understanding of, and response to, [Child Sexual Exploitation](#). This includes a definition of Child Sexual Exploitation.

For further information:

Contact: Safeguarding Children in Education Settings (SCiES) Team;
SCiESTeamEast@cheshireeast.gov.uk

Recommendations for governors . . .

- Ensure that your school "Child Protection and Safeguarding policy" document is updated to include the new definition and reference the documents;
- Ensure you understand the new definition;
- Confirm with the Headteacher that staff have been made aware of the definition and documents;
- Consider what you can do to support the Headteacher and staff in communicating information about CSE to parents.

13. Operation Encompass

Safeguarding Children in Education Settings (SCiES) Team

✉ SCiESTeamEast@cheshireeast.gov.uk ☎ 01606 275039

Operation Encompass is the initiative where Police review all violent or abusive incidents that would indicate domestic abuse.

Where there are incidents where children are living at the home and aged between 4 and 18 years old, the school that the child or young person attends will be contacted and information will be passed to the "Key Adult" in the school, this is usually the Designated Safeguarding Lead (DSL).

The purpose is to safeguard and support children and young people who have been involved in a domestic abuse incident. Following such an incident, children will often arrive at school distressed, upset and unprepared. Operation Encompass aims to ensure that appropriate school staff are made aware early enough to support children and young people in a way that means they feel safe and included. Support offered to the child or young person, can be silent or overt support.

In the last twelve months, Cheshire East has received the greatest number of Operation Encompass calls across the Force area compared to the other Local Authorities.

Schools are now requested to respond to a survey per call. Improvements to the content of the survey have been made, such as a revision of questions to facilitate the analysis of the school survey responses and the provision of drop down options for data quality improvements and to reduce the burden of time taken to populate the survey returns. The information from the surveys provides the Police with the evidence to secure funding for next year – they are therefore promoting the need for DSLs to use it or lose it!

[DSLs have been reminded to complete the survey once they have had the Operation Encompass call.](#)

Operation Encompass is an invaluable resource providing schools with the information to support children following a domestic incident.

For further information:

Contact: Safeguarding Children in Education Settings (SCiES) Team;

SCIESTeamEast@cheshireeast.gov.uk

Recommendations for governors . . .

- Discuss Operation Encompass with the Headteacher e.g. How many calls has your school received? How useful was the Operation Encompass call? What did the school do in response to the call? How is the school logging the calls and follow up actions?
- Check to ensure that the school has been completing the short survey after each call;
- Please be aware that, as governors, you should not be made aware of which families have been flagged up through Operation Encompass; this information is confidential;
- Some schools will never receive an Operation Encompass call so do not be surprised if the Headteacher reports there have been no calls.

14. Safeguarding Records

Safeguarding Children in Education Settings (SCiES) Team

✉ SCIESTeamEast@cheshireeast.gov.uk ☎ 01606 275039

The Information and Records Management Society (IRMS) have reviewed their [Information Management Toolkit for schools](#)

Of note with regards to Safeguarding is the guidance on retention of safeguarding records which states that:

“This review took place as the Independent Inquiry on Child Sexual Abuse was beginning. In light of this, it is recommended that all records relating to child abuse are retained until the Inquiry is completed. This section will then be reviewed again to take into account any recommendations the Inquiry might make concerning record retention.”

Primary schools should continue to transfer safeguarding records separate from the child's education record to the next school or secondary school. The SCiES transfer of records template, or an equivalent, should be used. This can be found on the [SCiES webpage](#). A record of this should be kept at the sending school as evidence of this transfer.

Secondary schools and sixth form/ further education colleges who would normally destroy the safeguarding records on the young person's 25th birthday should ensure they are retaining these records until further guidance is issued.

For further information:

Contact: Safeguarding Children in Education Settings (SCiES) Team;
SCiESTeamEast@cheshireeast.gov.uk

Recommendations for governors . . .

- Check the school is aware of and following the IRMS guidance;
- Ensure there is a policy for the retention of records which includes "Child Protection and Safeguarding" files;
- For primary schools, check that they are transferring records as per Cheshire East guidance;
- For secondary schools and colleges, check that records are being retained until further guidance is issued.

15. School Trips in light of the London terrorist attacks

Jan Turley, Strategic Lead for Learning Outside the Classroom and Educational School Visits

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Two Cheshire East schools were in London on the day of the recent terrorist attack. Fortunately, they were not in the vicinity of the event and trip leaders coped admirably with the situation. [EVOLVE*](#) and other communication systems worked and council staff members were in contact with the schools.

A review meeting has been held to consider any learning that can be gained from the event in order to ensure that our systems and procedures are as efficient as they can be. Critical incidents (while on a school trip) guidelines will be circulated to schools and which include emergency contact numbers.

Officers continue to support schools on a day to day basis, relying on the [Foreign and Commonwealth Office \(FCO\)](#), Police advice and guidance from the Outdoor Education Advisors Panel (OEAP).

This is obviously a difficult time for school Headteachers who face the quandary of deciding to carry on regardless or to abandon plans for future school trips to locations that might be perceived to carry additional risk.

(*EVOLVE is the online system that Cheshire East has adopted to approve school trips.)

For further information:

Contact: Jan Turley; jan.turley@cheshireeast.gov.uk

Recommendations for governors . . .

- Governors are advised to familiarise themselves with their school's educational visit programme and check appropriate risk assessments have been carried out;
- Any trip leaders currently planning school trips for the Summer term should be confident that any travel insurance will cover them for acts of political unrest;
- Governors should ensure that their school critical incident policy includes advice in the eventuality of such an incident taking place while on a school trip.

16. Failure to set a Balanced Budget

Steve Reading, Principal Accountant, Children and Schools

✉ steve.reading@cheshireeast.gov.uk ☎ 01270 686055

For 2017/18 the Council has reviewed the process for schools setting a [deficit budget](#). The process is being changed and renamed with the Chair of Governors needing to submit a “**Notification of failure to set a balanced budget**” return. A revised form will be issued in the next couple of weeks.

The deadline of **30th June** will continue to apply for submission of these returns. That date aligns with the deadline for submitting three year budget plans.

The form will be revised and checks made on schools that set balanced budgets which were not delivered.

Schools will then be invited to meet with the Director of Education, HR and Finance to discuss the deficit budget and recovery plan.

If necessary, a Notice of Concern will be issued at the meeting. Schools will be required to buy back finance support and be subject to greater levels of monitoring.

A follow up meeting will be held in January to assess progress and the next stages.

The Council will consider removing a delegated budget if necessary.

For further information:

Contact: Steve Reading; steve.reading@cheshireeast.gov.uk

Recommendations for governors . . .

- Governors need to note the revised process for deficit budgets including the additional scrutiny that will be applied during the year;
- Governors and Headteachers should work with their Finance staff and / or the Schools' Finance Team and HR to consider all the options to set a balanced budget.