



Athena Clerking & Governor Services Ltd

# Clerks/Governors Helpdesk

February 2016

## In this issue:

-  [N.G.A. School Website Information Update 08/01/2016](#)
-  [Time off work for public duties](#)
-  [Managing Tourettes Syndrome in school](#)

## 1. Information that must be on your school website updated 08/01/2016

### Key:

**Guidance relevant to Local Authority maintained schools**

**Guidance relevant to Academies**

There is certain information that schools must publish on their website.

### LA maintained schools must publish:

1. Contact details of the school including an address, phone number and a named person for enquiries.
2. Admissions arrangements and how/when to apply
3. Where to find the most recent Ofsted report
4. Information on where to find performance tables and the school's most recent key stage 2 or 4 results (whichever is applicable) under the headings specified:

For key stage 2:

- (a) "% achieving Level 4 or above in Reading, Writing and Maths";
- (b) "% making expected progress";
- (c) in relation to Reading and Writing, "% achieving Level 5 or above"; and
- (d) in relation to Maths, "% achieving Level 5 or above".

For key stage 4:

- (a) "% achieving 5 + A\* - C GCSEs (or equivalent) including English and Maths GCSEs";
- (b) "% achieving the English Baccalaureate"; and
- (c) "% of pupils making expected progress".

5. The following information about the school curriculum:

(a) in relation to each academic year, the content of the curriculum followed by the school for each subject and details as to how additional information relating to the curriculum may be obtained;

(b) in relation to key stage 1, the names of any phonics or reading schemes in operation;

(c) in relation to key stage 4:

- a list of the courses provided which lead to a GCSE qualification,
- a list of other courses offered at key stage 4 and the qualifications that may be acquired.

6. The behaviour policy

7. The report regarding special educational needs

8. The school's charging and remissions policy

9. A statement of the school's ethos and values

10. How much Pupil Premium the school receives, and how it will be spent this current year and in previous years, as well as the impact of the spending.

11. If a school is in receipt of the year 7 literacy and numeracy catch-up premium grant, details of how it will be spent and how the previous academic year's allocation was spent. Including details on the educational attainment of the pupils for who the grant was intended for.

12. In primary schools, the amount of PE and sports premium they have received, what it was spent on, and the impact it has made.

#### **Publication of governors' details - from 1 September 2015**

In the interests of transparency, governing bodies are now required to publish up-to-date details of their governance arrangements on the school website. The information will need to be in a readily accessible form - on a webpage and avoiding the need to download or open a separate document.

The published information should include:

The structure and remit of the governing body and any committees, and the full names of the chair of each; for each governor who has served at any point over the last 12 months.

1. their full names, date of appointment, term of office, date they stepped down (where applicable), who appointed them (in accordance with the governing body's instrument of government),

2. relevant business and pecuniary interests (as recorded in the register of interests) including: governance roles in other educational institutions; any material interests arising from relationships between governors or relationships between governors and school staff (including spouses, partners and close relatives);

3. their attendance record at governing body and committee meetings over the last academic year.

Governing bodies should also publish this information for associate members, making clear whether they have voting rights on any of the committees to which they have been appointed.

Governing bodies should make it clear in their code of conduct that this information will be published on their governors and any associate members. Any governor failing to provide information to enable the governing body to fulfil their responsibilities may be in breach of the code of conduct and as a result be bringing the governing body into disrepute. In such cases the governing body should consider suspending the governor.

**Academies, depending upon when they were established, may be required to publish the following on their website:**

- 1) The academy memorandum and articles of association, annual accounts, annual report, and funding agreement. Trusts must publish their annual accounts no later than the end of January following the financial year to which the accounts relate.
- 2) List of the directors of the academy trust
- 3) Admissions arrangements and how/when to apply
- 4) If applicable, the key stage two results including
  - a) The percentage of pupils achieving level four or above in English and maths
  - b) The percentage of pupils making expected progress
  - c) The percentage of pupils achieving level five or above in English
  - d) The percentage of pupils achieving level five or above in maths
- 5) If applicable, the key stage four results, including
  - a) The percentage of pupils achieving five or more A\* - C grades (or equivalent) including English and maths
  - b) The percentage of pupils achieving the English Baccalaureate
  - c) The percentage of pupils making expected progress
- 6) The amount of pupil premium received, what it was spent on last academy financial year as well as what it will be spent on this academy financial year
- 7) Information as to where and by what means the school's latest report by the Chief Inspector can be accessed
- 8) Information as to where and by what means the school performance tables can be accessed on the Department for Education's website
- 9) Content and the trusts approach to the curriculum GCSE and other key stage four qualification options
- 10) Names of any phonics reading schemes for key stage one
- 11) How further information on the curriculum can be obtained
- 12) The trust's admission arrangements and any oversubscription criteria
- 13) The policy on behaviour and exclusions
- 14) The school's complaints procedure
- 15) Any statement of ethos and aims

In the interests of transparency, an academy trust must publish on its website up-to-date details of its governance arrangements in a **readily accessible format – this effectively means it should be on a webpage and avoids the need to download or open a separate document.** This must include:

1. the **structure and remit of the members**, board of trustees, its **committees** and local governing bodies, and the full names of the chair of each (where applicable)
2. for each **member** who has served at any point **over the past 12 months**, their full names, date of appointment, date they stepped down (where applicable), and relevant business and pecuniary interests including governance roles in other educational institutions
3. for **each trustee and local governor** who has served at any point over the past 12 months, their full **names**, date of appointment, **term of office**, date they stepped down (where applicable), who appointed them (in accordance with the trust's articles), and relevant business and pecuniary interests including **governance roles in other educational institutions**
4. for each trustee their **attendance records** at board and committee meetings over the last academic year
5. for each local governor their **attendance records** at local governing body meetings over the last academic year

Published: 25/01/2013, by Ellie Cotgrave

## 2. Time off work for public duties

Employees can get time off work for certain public duties as well as their normal [holiday entitlement](#). Employers can choose to pay them for this time, but they don't have to.

### Who qualifies for time off

[Employees](#) must be allowed to take time off for [jury service](#).

An employee can also get a 'reasonable' amount of time off if they're:

- a [magistrate](#) (also known as a justice of the peace)
- a local councillor
- a school governor
- a member of any statutory tribunal (eg an employment tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a health authority
- a member of a school council or board in Scotland
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
- a member of Scottish Water or a Water Customer Consultation Panel
- a [trade union](#) member (for trade union duties)

### Reasonable time off

The amount of time off should be agreed between the employee and employer beforehand, based on:

- how long the duties might take
- the amount of time the employee has already had off for public duties
- how the time off will affect the business

The employer can refuse a request for time off if they think it's unreasonable.

## Who doesn't qualify for time off

Staff can't ask for time off work for public duties if they're:

- agency workers
- members of the police service or armed forces
- employed on a fishing vessel or a gas or oil rig at sea
- merchant seamen
- civil servants, if their public duties are connected to political activities restricted under their terms of their employment

## Disputes about time off

Employees can [raise a grievance](#) if they feel that employers aren't allowing them to take enough time off for public duties.

## Time off and pay

Employers can choose to pay staff for time taken off, but they don't have to.

## Employees in the reserve forces

Employees in the Army Reserves or other reserve forces have certain protections under employment law if they're called up for service.

Employers of reservists also have particular rights and obligations in this situation - eg they may be able to claim financial assistance or apply for an exemption.

### 3. [Compulsory Disclosure & Barring Service \(DBS\) checks for Maintained School Governors](#)

The DfE has introduced a piece of legislation which means that in future, and with effect from April or September 2016, ALL governors will be required to have a DBS check. The legislation refers to these as criminal record checks. The new law (coming into force in March 2016) states:

#### **Amendment of the School Governance (Constitution) (England) Regulations 2012** (<http://www.legislation.gov.uk/ukxi/2016/204/regulation/2/made> )

2.—(1) The School Governance (Constitution) (England) Regulations 2012(1) are amended as follows.

(2) In regulation 5(1) (interpretation), in the appropriate place, insert—

“enhanced criminal record certificate” means an enhanced criminal record certificate issued under section 113B of the Police Act 1997, which includes, in such cases as are from time

to time prescribed under section 113BA(1) of that Act, suitability information relating to children, and any relevant up-date information (as defined in section 116A(8) of the Act) where such a certificate is subject to up-date arrangements;”.

(3) After regulation 16 (notification of appointments), insert—

### **Criminal record certificates**

16A.—(1) Where a governor has been elected or appointed **before 1st April 2016** and does not hold an enhanced criminal record certificate, the governing body must apply for such a certificate in respect of that governor **by 1st September 2016**.

(2) Where a governor is elected or appointed **on or after 1st April 2016** and does not hold an enhanced criminal record certificate, the governing body must apply for such a certificate in respect of that governor **within 21 days after his or her appointment or election**.”.

## **4. Publishing Equality Objectives**

The Equality Act 2010 introduced the requirement for schools to publish equality objectives at least every four years, and to report annually on the progress against these objectives. The first objectives should have been published by 6 April 2012, meaning the latest date for publishing the second set is 6 April 2016. Governing Boards therefore need to ensure they are meeting statutory requirements. Need help and advice on interpreting the requirement for schools? We can offer support for governing boards just contact [Avril.monger@athenaclerking.co.uk](mailto:Avril.monger@athenaclerking.co.uk) and let her have your requirements.

<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

## **5. Female Genital Mutilation (FGM) Reporting Duty**

In October 2015 schools were given a new duty to report cases of FGM of pupils to the police. The requirement applies to “known” cases, which are defined by the Home Office as “those where either a girl informs the person that an act of FGM – however described – has been carried out on her, or where the person observes physical signs on a girl appearing to show that an act of FGM has been carried out and the person has no reason to believe that the act was, or was part of, a [legitimate] surgical operation”. The Home Office advice is that failure to report a known case could be a reason for dismissal of a teacher. The law only applies to known cases. Suspicions that a girl has been subjected to FGM should be dealt with under the school’s safeguarding policy and procedures.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/469448/FGM-Mandatory-Reporting-procedural-info-FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/469448/FGM-Mandatory-Reporting-procedural-info-FINAL.pdf)

## **6. New Inspection Framework for SEND**

The Government has recently announced that each local authority will be subject to a new inspection by Ofsted and the Care Quality Commission which will evaluate how effectively it meets its responsibilities for disabled children and those who have a special educational needs. Each LA will need to undertake self-evaluation of its procedures.

<https://www.gov.uk/government/consultations/local-area-send-consultation>

## 7. [Healthy Eating – School Food Plan](#)

Ofsted's new Common Inspection Framework includes a judgement on personal development, behaviour and welfare. As part of reaching this judgement, inspectors will look at how schools are successfully supporting pupils to gain "knowledge of how to keep themselves healthy" and "make informed choices about healthy eating, and fitness" throughout their entire inspection. Governors should therefore look at the School Food Plan's practical guidance to help them adopt a whole school approach to health and wellbeing. This includes guidance for governors which we will send out with future agendas this term.

<http://whatworkswell.schoolfoodplan.com/articles/>

## 8. [What is Progress 8?](#)

Progress 8 is a new secondary accountability measure aimed at measuring the progress of pupils across a selected set of 8 subjects. It is a type of value added measure, meaning that pupils' results are compared to the actual achievements of other pupils with the same prior attainment. It has been introduced alongside another new accountability measure; Attainment 8.

The Progress 8 measure will be introduced for all schools in 2016. From this point, the floor standard will be based solely on schools' exam results on the Progress 8 measure. The Progress 8 score and the Attainment 8 score will be published in performance tables from late 2016/early 2017.

The Progress 8 measure will be the **only** measure used for floor standards. A school will fall below the new floor standard if their Progress 8 score is below -0.5. This score would indicate that the average achievement of a school's pupils is **half a grade worse per subject** than the national average of other pupils with the same prior attainment. Governors should note that if schools fall below this floor standard, this will trigger an Ofsted inspection. The government's guidance can be accessed using the link below.

[file:///C:/Users/Lisa/Documents/Athena/Progress-8-school-performance-measure%20\(1\).pdf](file:///C:/Users/Lisa/Documents/Athena/Progress-8-school-performance-measure%20(1).pdf)

## 9. [How Does Your School Manage Tourettes Syndrome??](#)

### Managing TS in school

It is a misconception that children with Tourettes Syndrome are easy to spot. Children with TS may cope with a minefield of issues every day at school - sometimes so successfully that no one is aware of the problems. They may become expert at disguising tics; eye tics are concealed by looking around the room; vocal tics by coughing or laughing; jerking tics by moving or 'messaging about'. However, such success comes at a cost. Controlling tics requires a huge amount of concentration and energy. The child may be labeled disruptive or inattentive. TS pupils often find writing difficult; the fine motor control and concentration needed for neat penmanship are not always possible and this can often mask a higher ability. A number of techniques in the classroom and beyond may help.

### Engage the peer group

Children with TS are an easy target for bullies. If possible, and only with the child's consent, a whole-school awareness of TS can minimise potential for bullying. This also lessens pressure on the child to explain or disguise tics, which may be helpful in itself. The playground is another area that can cause problems. This is a time when tics may be released and other children can often be unkind. 'Circle time' or PHSE provides a chance to allow both the child with TS and other pupils to discuss problems related to TS. It may be helpful if the child can identify an adult at school

whom they can trust and build a relationship with. Maintain open channels of communication between the child, the school and the family so that any incidents of bullying can be dealt with quickly and efficiently.

### **Allow the pupil to release tics**

Children with TS should be allowed to leave the classroom, assembly etc as necessary. A room for the child to go to release tics can also help reduce bullying, as this gives the child the opportunity to tic in private and then return to their classmates. They can, for example, be given a small laminated card to be used as a pass out of class when situations become stressful. Sitting near an exit means they can leave with minimal disturbance

### **Seating**

The seating within a classroom can reduce bullying; at the back near a door is one place that appears to work. This way, the child is not being watched by everyone, and can leave the classroom if necessary.

### **Reducing stressful situations**

Any situation that is very quiet, for example assembly, may cause extra stress. Reading aloud can also be a source of embarrassment when vocal tics are bad. Excusing a child from such activities can help reduce anxiety. Moving to a new school can also be a very stressful time. Preliminary visits before starting can help a child cope with the transition.

### **Self-esteem**

The attention that tics can attract, along with the feeling of being different from your peers, can often result in low self-esteem for children with TS. Rewarding pupils with praise for good work, good behaviour or overcoming personal challenges can be an effective way to motivate children and give them a sense of achievement.

### **Writing**

Work can be recorded in different ways; eg with a teaching assistant to scribe; by laptop; recording ideas on audio, as mind maps or pictorially; or paired work, where a partner can be the scribe. Providing copies of written lesson notes or homework tasks can also be helpful

### **Setting work**

Children with TS often have difficulty with concentration. Smaller chunks of work are more likely to be completed than long tasks. Children who have obsessions about completing work neatly or correctly may benefit from a gentle warning when the class is coming to the end of a session.

### **Exams**

During tests and exams, it is advisable to allow the pupil to work in a separate room so tics can be let out. Oral tests or allowing a child to use a computer to type answers can be useful for those with handwriting difficulties.

### **Informing all staff**

It is vital that every member of staff in contact with the child, not just the form teacher and SENCO, understands what to expect and the strategies being used. Regular staffroom updates are very important, especially if there is a turnover of staff. Members of staff should know that any changes in behaviour (eg frequent ticing then none) may be a sign that something is amiss. It could be that the child is going through a period where the tics are not troublesome or the child may be hiding their tics.

### **Communication between home and school**

Sometimes a child with TS who is not disruptive at school does not appear to have special needs. However, at home in a safe and secure environment, problems are really expressed. Close communication between parents and school is vital. In the home, children with TS have space to tic, with no judgement placed on their actions or vocalisations. If a child has suppressed all day at school, they can now release their tics. The outburst of tics is likely to be long, with rapid movements and many vocalisations, possibly culminating in a rage attack. A child who is placid at school can devastate the family home, breaking furniture, self-harming and hurting others. Communication with parents or carers is crucial for balance and continuity between school and home. If something has been noticed at school such as no

tics, new tics, or an incidence of bullying, parents or carers should be informed. This helps to minimise home problems. Parents or carers should have a named person at school to call if the child is having difficulties at home. Knowing that their school and home talk to each other on a regular basis may help the child to manage symptoms better across both settings.

## **Challenging behaviours**

**Some symptoms of TS can be particularly challenging for teaching staff.**

### **Coprolalia**

This is the term used for involuntary obscene or unacceptable language. It can be difficult to distinguish between involuntary swearing caused by TS and voluntary swearing. Coprolalia may also involve personally offensive or racist remarks. It is often helpful to see how the child reacts to the outburst. Do they show remorse or embarrassment? If the swearing is a tic, it is not appropriate to discipline a child, nor is it helpful to ask them to stop. It is important for a teacher to ensure that the class understands why the child with TS is not being punished for swearing and that it would not be acceptable for anyone else to swear. Very loud tics can be disruptive in a classroom environment. If a child is experiencing this type of tic, they may prefer to go to a place outside of the classroom to release tics.

### **Rage attacks**

These can be frightening and destructive violent outbursts, often without provocation, or disproportionate to the trigger. Once begun, a rage attack has to be left to run its course. Rage may be linked to tic suppression. If possible, a teacher can help by identifying and diff using stressful situations, before they escalate into a rage attack. It can also help to talk through the event with the child afterwards, helping them to recognise triggers and reactions and look at other ways in which they could have responded. Role play can help children to practice strategies for coping.

### **Sexualised behaviour**

This usually involves touching the person's own or other people's genitals. It can be embarrassing and upsetting for the child and poses complex problems for a school. In some cases, it will be possible to coach a child to substitute the touching of one body part for touching another, less taboo part, preferably with the permission of the person they are touching.

### **If teachers suspect undiagnosed TS**

If a teacher suspects a child may have undiagnosed TS, they should consider that a child with TS may present different symptoms at school and at home. Parents may not be aware of the symptoms a child is displaying in school. On the other hand, some parents become so accustomed to a child's tics that they do not see them as potential symptoms of an undiagnosed disorder.

**Tourettes Action** will supply a free information pack to anyone wanting to know more about TS, including a list of UK consultants who are familiar with the condition.

### **Tourettes Action**

[www.tourettes-action.org.uk](http://www.tourettes-action.org.uk)

Free Helpdesk

0845 458 1252 9am to 5pm, Monday to Friday.

[help@tourettes-action.org.uk](mailto:help@tourettes-action.org.uk)

Helpdesk Tourettes Action Southbank House, Black Prince Road London SE1 7SJ

**This concludes this addition of the Athena Briefing, we hope you found this useful and informative.**

**Any feedback/suggestions or questions please call Lisa Spencer 07808 027152 or email [admin@athenaclerking.co.uk](mailto:admin@athenaclerking.co.uk)**