

Reflection and recovery: What Governors should focus on now

SEPTEMBER 2021 GOVERNORS' UPDATE

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As I write, there is increasing talk in many parts of the world of a return to normality after the pandemic, albeit accompanied by warnings to be cautious and that “it’s not over yet”, as well as speculation as to what any ‘new normal’ may look like.

This update is designed to help Governors of schools take stock of what has happened and move on.

In schools, leaders, teachers, other staff, parents and pupils are united in a desire to welcome back familiar routines, but we cannot ignore the profound changes that have affected teaching, learning and assessment; the fusing of the virtual world and real life; the impact of the events of recent months on people’s mental health and wellbeing; and the very nature of our schools and communities, some of which have withstood existential threats in the last two years.

While recognising the enormous challenges that have been faced, Governors need to support school leaders in drawing breath (*taking stock*) and re-establishing routines (*moving on*).

I make some suggestions below about how Governors may best underpin this with careful listening, building on some points I have made in a recent article in [Governors Insight magazine](#) – a good termly read for boards, including useful scenarios for discussion. I have also identified some familiar beginning-of-term issues.

LISTENING TO STAKEHOLDERS

Listening to colleagues on the board

Boards will need to discuss amongst themselves what has been learnt from the pandemic and how it will affect governance in future. This will include basics like the extent to which meetings will be face-to-face, virtual or ‘hybrid’, but there are more profound areas for consideration, too.

Some schools will be able to dust off strategies which have been put on hold, while others will need to decide if the events of the last two years mean that they need to chart a new course because events have closed off possibilities and/or opened new opportunities.

The last Governors' Update emphasised the importance of aims and values in influencing how schools respond to issues, and, as guardians of those, boards should ask themselves if these aims and values have been maintained, found wanting or perhaps been strengthened through the pandemic. Such discussion will influence strategic deliberations with the executive.

Rhiannon Cutler of Baines Cutler has eloquently argued (in the *ISA Journal* and the *ISC Bulletin*) that school visions need to be pragmatic:

"School boards need to develop a vision for their school which aligns with what their parents are wanting and can afford, and in doing so challenge their educational offerings more robustly than they might have in the past.

"This is especially so in any consideration of what constitutes 'value for money'...it is important to remember that 'value for money' at your school almost always needs to be compared externally, and not only against the value for money offered by the independent school down the road, but the 'value for no money' state school alternative."

Strategic discussions can usefully be influenced by the findings of the latest [ISC Census](#). Interesting headlines include the following.

- Pupil numbers are little changed since before the pandemic (strictly speaking, there has been a reduction of 1.3%) but with regional variations
- 24% of pupils are in single sex schools, 17% are recorded as having SEND and 35% are identified as minority ethnic
- Average fee increases have been 1.1%; over a third of all pupils in ISC schools receive at least one type of fee support
- Total boarding numbers are down (by nearly 9000) to 65,345. The vast majority of the 25,674 non-British pupils with parents overseas are boarders. Nearly 20% of registered boarders are in weekly and flexi-boarding categories
- A growing number of ISC schools (81) operate overseas campuses, attended by 52,975 pupils

Listening to senior leaders

Much of the data which the executive team report to Governors will be presented differently this year, compared with pre-pandemic data, compared with last year. This will be true of data about admissions, safeguarding, co-curricular contributions, attendance and much more. It will be most obvious in terms of public examination results.

ASCL has produced some useful [FAQs for Governors](#) and others on this, which you may like to consult ahead of next term's scrutiny of 'results'.

This includes the following helpful statement from Simon Lebus, interim Chief Regulator of Ofqual:

“Say you have a class of 30 Year 11 GCSE candidates, and five of them have produced work, on more than one occasion and under fairly controlled circumstances, which leads you to believe they are capable of getting a grade 9 on the day of the exam.

“In reality, we know that all five probably won’t quite manage it on the day as they may have a bad day, some problems at home or the wrong questions come up. Inevitably, it is impossible to be sure which of the five will, and which won’t.

“So, acting with complete professional integrity, using the knowledge you have of normal grading standards, the range of evidence you have of their performance and following exam board guidance, you would likely submit a grade 9 for all five of them.

“That small act of professional judgement, made in perfectly good conscience, and with good evidence, available for scrutiny if requested, will inevitably have an impact when repeated across the system, but that will lead only to some small upward pressure on outcomes, not the ‘Weimar-style inflation’ or ‘prizes for all’ that some commentators have unhelpfully suggested.

“That seems to me an entirely legitimate consequence of deploying teacher judgement for this purpose, something that I hope will be recognised and respected in the public discourse.”

Governors will want to know what the situation will be next year, and you should be patient when academic deputy heads express uncertainty here, as DfE has gone no further than stating that it is expected that public examinations will take place as normal in 2022 (as they said this year). You can confirm that on the [DfE Education Hub blogs site](#).

Listening to students, parents and staff

Most schools have collected more data than ever before in terms of feedback from pupils, parents and teachers, generally through regular light-touch questionnaires about online school in the months after the first lockdown, often continued through later closures as schools sought to take the pulse of the community about the return to school.

Those consulted in this way are likely to expect to continue to make their voices heard, and a decision needs to be made about whether this is the right way to communicate in future – and how that decision is to be explained to stakeholders. Where schools continue to consult widely, they should be aware of the need to be seen to act on findings (as inspectors tend to focus on this and everyone filling in the survey will expect this).

The most important listening opportunities for Governors have traditionally been when they visit schools and observe day-to-day life. Such opportunities have been few and far between since March 2020.

As we have seen before, arguably the most important issue in schools at the moment is the wellbeing of pupils and staff, and this cannot be assessed or

understood unless you have an idea of what their lives at school are like. Such visits need to encompass teaching and learning, the co-curriculum, pastoral activity, the daily routine and its interruptions – and should not be onerous for staff, pupils, Governors or the school leaders and administrators who organise them. Boards might like to take advantage of the break in routine in this aspect and reconsider how these occasions are organised. I suggested a new approach in *Governors Insight*:

“Perhaps we could identify a certain number of days, possibly spread out across next term, where everyone would know that Governors were coming in to see the school in action. They would not be directed anywhere in particular but informed of everything that was going on, not just in the education but also the support departments (HR, maintenance, catering, cleaning, reception, medical et al) and invited to go wherever they will.

“Moreover, on occasions, pupils, staff and parents might be invited to ‘drop in’ on individual Governors available at certain times and places to discuss issues which have been flagged up – or just to chat. A little light-touch organisation in the background could prevent log-jams and really maximise the advantages of the process for all parties, while breaking down some of the barriers which can arise between stakeholders and Governors.”

BEGINNING OF TERM ISSUES

Safeguarding and related issues

At the beginning of term, staff and Governors are asked to demonstrate that they have read and understood the key elements of “Keeping Children Safe in Education”. This document was delayed until the publication of the Ofsted review of sexual abuse in schools and colleges in the wake of “Everyone’s Invited” – the subject of our last update.

Governors may find useful insights into this by reading a [LinkedIn post by Sarah McKimm](#), legal and regulatory expert and former head of legal and policy at the Independent Schools Inspectorate (ISI).

In particular, she notes the following elements.

- The emphasis on safeguarding ‘culture’, echoing the findings of the Independent Inquiry into Child Sexual Abuse, and anticipates that inspectorates will focus on this
- The emphasis on peer-on-peer abuse and the clear expectation that Governors, leaders and staff should be actively addressing and challenging inappropriate language and attitudes in school which could lead to “a culture of unacceptable behaviours, an unsafe environment for children and, in worst case scenarios, a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it”

- The need for schools to have in place procedures for 'low-level reporting' of concerns about inappropriate behaviours by adults (e.g. “a sense of unease” or “a nagging doubt”) to the Head (this is a change from the original draft)
- The completely new sections on recruitment procedures whereby much of what was previously known to be good practice is now guidance to which schools “must have regard” (i.e. must follow in the absence of good reason)
- That schools should ensure safeguarding policies are set out in contracts relating to the lease and hire of facilities and service providers

ISI has provided the following information about ongoing arrangements for inspections (which resume from September).

- During the notification call and subsequent initial phone call between the reporting inspector and Head, the school will be asked to provide at the start of the on-site inspection records and analysis of sexual harassment and sexual violence, including online
- Inspectors will listen carefully to pupils about how effectively they feel their school delivers ‘Relationships and Sex Education’. Inspectors will speak to pupils in single-sex groups, wherever possible. They will carefully cross-reference leaders’ and pupils’ views with other evidence (such as record keeping) and will give due weight to the views of pupils
- Inspectors will discuss with school leaders how the school engages with the school’s ‘Local Safeguarding Partner’. ISI will contact the relevant local authority, as usual, to ask whether the school has made any referrals either to the LADO (Local Authority Designated Officer) or to Children’s Services and, where referrals have been made, for a view on how effectively the school manages relevant safeguarding processes

Safeguarding Governors may wish to discuss the school’s readiness in the light of the above points. The resumption of inspections after a hiatus lasting more than a year raises the question of whether all inspections will be delayed by a year.

ISI is not commenting on this, but it should be assumed that a risk-assessed approach will be taken to the order in which schools are scheduled for inspection. This makes it likely that any school about which concerns have been raised (with DfE, ISI or the local authority) would be likely to be inspected sooner rather than later. The current inspection framework may be extended by a year, until 2023, although this is yet to be confirmed.

Schools have developed a good track record in recent years of developing and implementing policies to ensure the safeguarding (and wellbeing) of transgender pupils. A new area of concern is pupils who identify as non-binary (i.e. neither male or female, or gender fluid), and this can be a complex area when it arises.

ASCL has published useful advice on this:

“Our advice is to treat students identifying as non-binary in the same way as...students identifying as transgender. This means developing policy and practice that aims to eliminate discrimination and foster good relationships between those who (so) identify and those who do not.”

“This will involve thinking about issues such as uniform, toilets and changing facilities, sporting events, use of names and pronouns, records and data sharing, as well as ensuring staff are appropriately trained in supporting students with these matters.”

Wellbeing and related issues

The beginning of the year is a good time to hear about plans senior leaders have in place for enhancing and monitoring wellbeing in school. The scope of initiatives in this area is brought home in the publisher’s description of an upcoming book on the subject (*The Big Book of Whole School Wellbeing*):

“Written by a diverse range of experts in the field, it explores how all school staff can support their own, their colleagues’ and their students’ wellbeing, how leaders can lead well and be well, and the importance of relationships within the entire school community to promote personal, academic and professional flourishing.”

The scale on which some schools are adopting whole-school approaches may surprise some Governors – for example, the adoption of a coaching approach to assessment feedback and pastoral discussions. Governors will, in these instances, want to ascertain how such an approach differs from marking and tutoring.

Some schools are working with [Ivy House](#), an organisation that develops leadership skills and attributes in young people. [A recent blog](#) on their website highlights the importance of what used to be called character education and asks:

“If we can give young people the opportunity to learn these game-changing skills now, when it can make all the difference not only to the leaders they become but to all aspects of their lives, why wouldn’t we?”

The Anna Freud Centre continues to lead in this field, and its [‘Getting Started’ section](#) is a good place for Governors to acquire an understanding of the challenges faced by schools and the approaches and resources available.

Curriculum

Some schools are looking at major curriculum change, and Governors will want to know the thinking behind, for example, any move away from Common Entrance in prep schools or from GCSEs in senior schools.

The Schools Minister, Nick Gibb, recently [robustly defended GCSEs](#), but, increasingly, questions are being raised about the future of the exams, not least by the former Secretary of State who introduced them, Lord Baker, inter alia on [BBC Radio 4’s Rethinking Education programme](#). Several independent schools are taking a lead on this, working with [Rethinking Assessment](#). Governors’ education or academic committees may wish to hear senior leaders’ views on this.

A related issue is how schools at all levels are going to address progress gaps or learning deficits which have arisen because of lockdowns during the pandemic. It has been difficult to generate a meaningful debate on this issue since the resignation of the so-called “catch up czar”, [Sir Kevan Collins](#).

One of the reasons for this is probably that working out which parts of what have been missed and need to be ‘caught up’ inevitably opens the question of which parts do not, i.e. which knowledge and skills are desirable, or necessary, or essential, and on what basis.

Whatever debate such a question instigates in your school, Governors will want to know what tracking data and other mechanisms tell us about what pupils may have missed, and what intervention strategies are to be adopted to ensure they receive appropriate support.

For schools following the English National Curriculum with children aged 0-5, Governors should be aware that revisions have been made to the Early Years Foundation (EYFS) Framework. The changes are less far reaching than some had anticipated, but they are important, and Governors should be as well informed about this crucial phase of education as they are about others.

A handy, [short video resource](#) on this has been made available on the Foundation Years website. This should equip Governors to ask informed questions about how the changes may impact in their settings.

Pensions

Over the summer holidays, [the guidance for UK independent schools](#) on phased withdrawal from the Teachers’ Pension Scheme was published.

Heads and Bursars will have been briefed by their associations on the implications, and AGBIS is providing [guidance to Governors](#). Many schools have put off discussion of the issue until this point, and others await the next announcements about contributions to the scheme expected in 2023.

Circumstances in each school will influence the timing of decisions about this issue, but it is probably now time to decide at least when the decision will be made about how the school intends to proceed.

Staff induction

Governors may be interested in the ways in which new staff were integrated into schools last year, given the highly unusual circumstances. This was particularly challenging for newly qualified teachers, and it may be of interest to know what provision will be made to continue their support into their second year.

Schools are also having to adapt to the new Early Career Framework, which is radically changing provision for teachers at the start of their career. This is a key area for ensuring staff retention and cementing a school’s reputation as a

rewarding place to work. [Key elements can be found here](#) and include the following points.

- Training for Early Career Teachers (ECT), formerly Newly Qualified Teachers (NQT), now lasts for two years rather than one. It must be organised according to the Early Career Framework
- In addition to 10% timetable remission in the first year, ECTs are entitled to a 5% remission in the second
- A new and important role of ECT mentor is introduced in addition to the induction tutor and schools must make provision for an appropriate member of staff to take on this responsibility

And finally...

I hope you are able to enjoy closer engagement with the schools you govern this term and have opportunities to live the school's values. It is a good time to ask yourself not only if you are contributing as much as you could, but also whether current arrangements get the best out of you.

If you would like to discuss anything in this memo, please contact me directly: durellbarnes@rsacademics.com

ABOUT THE AUTHOR

Durell joined RSAcademics in 2016, and throughout his career he has worked with school leadership teams to support them with all aspects of governance and compliance. He was formerly Deputy Director and Head of Communications at the Independent Schools Inspectorate and before that taught in HMC schools, latterly as a Deputy Head.



At ISI, Durell was responsible for liaising with Ofsted, the DfE, ISC, school associations, schools, parents and other interested parties on matters relating to safeguarding and quality assurance. He was closely involved in the development and implementation of the revised frameworks for inspection introduced successively in 2006, 2010, 2012 and 2015-6.

A Governor of both maintained and independent schools, Durell has hands-on experience of the challenges faced by busy and highly committed Governors endeavouring to exercise their responsibilities within time constraints.

In September 2018, Durell was appointed Chairman of the Independent Schools Examinations Board (ISEB), alongside his role at RSAcademics.

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