

## GOVERNORS' UPDATE 27 MAY 2020

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### GOVERNING SCHOOLS AWAITING RE-OPENING

#### INTRODUCTION

As schools begin to plan for phased re-opening there is once again a plethora of information offered to guide school leaders and many will lament both the excess of what is available and the absence of some key elements. In addition, there is a new and changed atmosphere surrounding the re-opening which is concerning.

- The four nations of the United Kingdom are proceeding at different paces in terms of school re-opening. Some councils have indicated that they will not heed the government's request for schools to partially re-open at the beginning of June.
- The Sutton Trust has highlighted the impact of the schools closure on the most deprived areas in their report *COVID19 Impacts: School Shutdown* {<https://www.suttontrust.com/our-research/covid-19-and-social-mobility-impact-brief/>}.
- The unanimity of approach to the crisis on the part of the main education unions, as demonstrated by the joint advice provided at the outset by the Association of School and College Leaders (ASCL), the National Association of Headteachers (NAHT) and the National Education Union (NEU) {<https://www.naht.org.uk/advice-and-support/coronavirus-news-and-guidance-for-school-leaders/coronavirus-joint-union-advice/>} has given way to separate union initiatives and advice which do not always accord. The headteachers' unions have been cautious about the plans for re-opening and the NEU has been very concerned that current plans are not in the best interests of teachers, pupils, parents and wider society. ASCL and NAHT are providing guidance about personal liability in the light of recent communications by NEU.
- The advice from scientists and others like the British Medical Association (BMA) differs and indeed changes as days go by.
- In addition, putative arrangements for primary schools which are themselves criticised for not necessarily being feasible, are likely to be unworkable for secondary schools as currently envisaged—this is reflected in guidance published over the weekend.
- Substantive advice on boarding re-opening this term has not been forthcoming.

In all this, the message from Emma Knights, Chief Executive of the National Governance Association (NGA) was helpful {<https://www.nga.org.uk/News/NGA-News/May-2020/The-governing-board%E2%80%99s-role-in-the-safe-opening-of.aspx>}. She stressed the following: **any decision about re-opening rests with academy trust and school leaders; they must bear in mind advice from the Department for Education (DfE) and consult with governors; a full risk assessment should be shared with the governors and kept under review, in discussion with staff and parents; governors will want to play a role in communications with stakeholder about re-opening plans.**

Whatever the outcome of deliberations about partial re-opening from 1<sup>st</sup> June (for primary schools) and 15<sup>th</sup> June (for secondary schools) and the revised guidance to be issued on 28<sup>th</sup> May, it

is clear that all schools will have to plan for partial re-opening at some point in the near future, probably (but not definitely) this term, and equally probably at short notice. We hope the content below will assist governors in supporting school leaders in preparing for and implementing school re-opening.

At present, the government has been focusing on re-opening in England for pupils in Reception, Year 1 and Year 6 no earlier than 1<sup>st</sup> June. There is an expectation of some kind of return for pupils in Years 10 and 12 from 15<sup>th</sup> June. Discussion of some form of on-site schooling for other year groups is also taking place. Independent schools which go up to Year 8 and maintained middle schools have enquired as to the possibility of varying the year groups returning but DfE is firmly set against this and independent school associations strongly advise against. The expectation of the DfE is that pupils should return as whole year groups full-time and not by rota, although they do not anticipate the return of more than 25% of pupils in Years 10 and 12 at any one time. The updated guidance published over the weekend is available on the DfE website <https://www.gov.uk/government/publications/preparing-for-the-wider-opening-of-schools-from-1-june/planning-guide-for-secondary-schools>

### TOPICS COVERED INCLUDE:

- RISK ASSESSMENT
- WELLBEING
- RELATIONSHIPS BETWEEN GOVERNORS AND SCHOOL LEADERS
- RSACADEMICS DURING THE PANDEMIC
- INSPECTION DURING THE PANDEMIC
- VULNERABILITY



## 1. RISK ASSESSMENT

The key advice for school leaders is available on the DfE website

{<https://www.gov.uk/government/publications/actions-for-educational-and-childcare-settings-to-prepare-for-wider-opening-from-1-june-2020/actions-for-education-and-childcare-settings-to-prepare-for-wider-opening-from-1-june-2020>}

but arguably it begs more questions than it answers, hence the proliferation of advice about how to implement it from, for example,

NGA {[https://www.nga.org.uk/Knowledge-Centre/Executive-leaders-and-the-governing-boards/Frequently-Asked-Questions-on-Coronavirus-\(COVID-1.aspx\)](https://www.nga.org.uk/Knowledge-Centre/Executive-leaders-and-the-governing-boards/Frequently-Asked-Questions-on-Coronavirus-(COVID-1.aspx))},

NAHT {<https://www.naht.org.uk/news-and-opinion/news/leadership-news/frequently-asked-questions-about-coronavirus/>}

and ASCL <https://ascl.org.uk/Help-and-Advice/Leadership-and-governance/Health,-safety-and-safeguarding/Coronavirus-essential-information/Coronavirus-FAQs>).

A glance at the FAQs on the heads' websites gives a compelling insight into what they are having to bear in mind, and the absence of an agreed template for the required risk assessment is a source

of considerable frustration. Key issues to be considered in compiling the risk assessment especially in terms of social distancing are issues relating to the site, the views of parents and

teachers, how to arrange things given that some staff and some pupils will not be able to return. Teachers' views may be guided by the Chartered College of Teaching report into the potential

impact of school closures and approaches to reopening

(<https://chartered.college/2020/05/07/chartered-college-publishes-report-into-potential-implications-of-school-closures-and-global-approaches-to-education>).

They may in due course be reassured by the training materials (forty minutes providing a good start) made available (from 28<sup>th</sup> May) by The Key {<https://schoolleaders.thekeysupport.com/>}

It has presciently been stated that the phased return will be more difficult to enact than the lockdown and it should also be borne in mind that the 'mixed economy' of provision both for children on site and children at home is likely to be the most stressful period for teachers. There are particular demands for schools, often but not exclusively independent schools, which provide specialist teaching in Year 6, and for MATs which, as employers, have themselves a particular duty of care towards employees—not just teachers, but other staff and also the executive.

Independent schools will be mindful of the fee and legal implications of re-opening (and especially of not re-opening). The models for re-opening for Reception, Years 1 and 6 mostly involve pupils operating in 'bubbles' of up to 15 children (depending on the school site) remaining with one or two teachers at all times (depending on school resources). These are unlikely to work for Years 10 and 12 where it is normal to move from teacher to teacher for different subjects, and schools are tending to plan for academic tutorial days whereby pupils would meet teachers in small groups to discuss and plan academic progress with a measure of on-line preparation for Year 11 and Year 13 work. The latest guidance (see above) allows for flexibility in this regard:

'Within the guidance above, schools have the flexibility to implement face-to-face support for year 10 and year 12 pupils in the way that best suits their circumstances, including considerations around staff availability and workload. It is up to schools to decide how they want to use face-to-face support in the best interests of their pupils e.g. additional pastoral support, academic support, practical support, or a combination of these.'



The considerations here are complicated, and include issues relating to transport to and from school, and governors are reminded that decisions about how to implement the return (once the decision to return has been made) lie entirely with the Executive. Mental health issues will be a priority for staff and pupils alike. **The most useful function of governors at this stage is to interrogate the risk assessment as carefully as possible, checking on the authorities used to reach decisions, the consultation process, posing ‘what if...?’ questions and keeping it under regular review.**

Governors will want to have some reference points to assist them in this.

- A thoughtful and non-partisan piece was published by McKinsey on 29th April: Considerations for Re-opening Schools <https://www.mckinsey.com/industries/social-sector/our-insights/safely-back-to-school-after-coronavirus-closures>. It takes a global perspective and sees this as a first step in a larger re-configuration of schools, based on 5 Rs (Resolve, Resilience, Return, Re-imagine, Reform) but is also based on practicalities, recognising the importance of public health risks, the criticality of open schools for economic activity, the impact on students living and thriving but also the need to safeguard schools.
- From a practical viewpoint and in the absence of a risk assessment template, the Boarding Schools Association (BSA) re-opening checklist concentrates the mind on likely considerations, albeit obviously focused on boarders <https://www.boarding.org.uk/467/about-the-bsa/safeguarding>. They steer us towards practicalities like how do we: provide safe entry and exit; maintain any social distancing that may be required; timetable to make best use of resources; manage social spaces; ensure health and safety for all; manage safeguarding, attendance and student wellbeing; ensure staff wellbeing?
- We also have the opportunity to benefit from the experience of heads in parts of the world which have already seen a return to school. Mark Steed of Kellett School has been especially generous in sharing what has been learnt through the Independent Schools Bursars Association (ISBA) and LinkedIn <https://www.linkedin.com/pulse/covid-19-advice-school-leaders-pt8-re-opening-wellbeing-mark-steed/>. Eminently practical, especially on issues relating to social distancing and transport to and from school. He also looks at some of the issues experienced by pupils in lockdown which schools will have to help them adapt to relating to medical, financial and familial changes, isolation and cabin fever.

Plans will also be needed for elements envisaged which do not go entirely according to plan. Governors will want to ask how school leaders intend to manage communication with parents and pupils in those categories the government is most keen to see returning to school, especially those classed as vulnerable and the children of key workers. How will they deal with parents who do not wish their children to return to school, with staff who do not wish to return to school (because of fears of exposure when they live with other people vulnerable to the Coronavirus), with staff or pupils who wish to return but the school might prefer them not to (because of potential infection in the home)? On some of these issues, especially where they have legal and contractual dimensions, legal guidance may be needed, as provided especially for independent schools by Veale Wasbrough Vizards (VWV) <https://www.vwv.co.uk/news-and-events/blog/academies-law-brief/coronavirus-faqs-school-reopening>. There will be questions about how to manage a ‘dual economy’ of provision for those at home as well as for those returning which will affect all schools, not just those making on-line provision: much can be expected of teachers, but not literally being in two places at one time.



## 2. WELLBEING

As I write, we approach the end of Mental Health Awareness Week and it is salutary to think that only a relatively short time ago this area of focus required encouragement and emphasis. In the best schools this is now mainstream, so much so that this year's focus on kindness and urging people to talk about their mental health can seem nugatory—but they are in fact reminders that for many, mental health is still something they find difficult to talk about. If you have seen any of the school assemblies streamed on LinkedIn you will know how sensitively some heads have been addressing this and how effectively they have been delivering the message about the importance of kindness. Many are now focusing on the challenges ahead, e.g. The Royal Society of Arts (RSA) <https://www.thersa.org/events/upcoming-events>.

As always, the Anna Freud Centre leads the field here, not just in clinical terms <https://www.annafreud.org/training/training-and-conferences-overview/conferences-and-seminars/from-crisis-to-kindness-the-pandemic-mental-health-and-education/> but also in practical terms with resources and support for young people <https://www.annafreud.org/coronavirus-support/support-for-young-people/https://> and schools and colleges <https://www.annafreud.org/coronavirus-support/support-for-schools-and-colleges/> and a browse through what is available can assist governors in monitoring and overseeing provision for the return to school. Andrew Hall in his weekly safeguarding update to schools highlighted an article written by Professor Barry Carpenter and Matthew Carpenter, a school principal, which outlines what schools should consider having in place in terms of transition to some kind of new normal after a period of isolation <https://www.evidenceforlearning.net/recoverycurriculum/>.

After some sensible advice at the beginning of the pandemic (albeit at the time often considered somewhat ghoulish), there has been less guidance to the fore recently on the difficult topic of bereavement. Every school will have been affected by this to some degree and at some level of remove and it is important that it is talked about and that circumstances are known before affected pupils and staff return to school. Sensible, dispassionate advice on this was issued at the beginning of the month by NGA <https://www.nga.org.uk/getmedia/23ecd4-8496-4f85-864f-206fff29fb45/NGA-coronavirus-guidance-Issue-5-30-April-2020.pdf>.

**'School leaders may take the initiative to raise this issue with their governing bodies but if not, governing bodies should encourage their headteacher or CEO to give thought to it....'**

'As well as taking care of themselves and those closest to them, those governing will want to demonstrate their school's caring ethos by recognising how bereavement has affected schools and staff, and by providing the support needed to help. Whilst bereavement is not an easy subject to cover, it's important to recognise that the schools simply having an idea of what to do can make a difference to a grieving child or member of staff and therefore to their families.'

Governors will also want to know how school leaders have been ensuring the wellbeing of staff who have been furloughed and have in that sense not been part of the community effort to contend with the lockdown period.

## 3. RELATIONSHIPS BETWEEN GOVERNORS AND SCHOOL LEADERS

Amongst those whose wellbeing should be of primary concern are school leaders and especially heads and designated safeguarding leads (DSL). Andrew Hall gave an insight into the life of a DSL



under lockdown which would be instructive to safeguarding governors in particular <https://www.safeguardingschools.co.uk/dslreflections/>. **Demands on heads in particular have been extreme and chairs of governors will want to ensure that they have good sources of personal support in confronting the next challenges**—and must not be offended if those sources do not include themselves.

Different leadership styles have emerged as appropriate during this period. Geoff Barton of ASCL drew members' attention to an article on this by Arianna Huffington <https://thriveglobal.com/stories/arianna-huffington-company-business-leadership-needs-coronavirus-covid-19/>.

'In times of crisis, the need for leadership comes into sudden, clear focus—and, by the same token, a lack of leadership becomes impossible to miss. Our decisions will not only make or break a company but have direct and lasting impacts on people's lives. Leaders need to show up ready to lead from what is best, wisest and most creative in them.'

She suggests approaches, some of which will be familiar, but all of which are timely and merit discussion: 'putting our own oxygen mask on first'; counting successes more than failures; when everything is urgent, nothing is prioritised; problems should be solved at the lowest level of the organisation; delegation is key, but first build the team of supporters; role model and practise compassionate directness.'

For many heads, the pandemic will either have brought out the best or the worst in them in terms of delegation and re-opening is a good point at which to urge them to try to confine themselves to focusing on 'what only I can do' and seek to delegate what others can do. In many schools, the pandemic will have heightened the sense of how leaders can model the values which staff and pupils should exemplify, but it will also have tested them. **As guardians of the school's values, governors will want to know how they are to be kept to the fore and to monitor how successfully they feature in the community as it begins to come back together physically.**

Governors should also draw breath at this point of potential re-opening and consider where they stand as a board. Some will have left the Executive entirely in charge during this period and will need to consider how to restore appropriate monitoring and oversight as schools re-open. Others have created 'emergency' task forces, which has the danger of leading to two tier governance which may now need to be restrained. In some, these groups have become so involved in supporting the Executive that the 'golden rule' of non-involvement with management has been breached and that line may need to be restored. But just as COVID19 has in many cases brought parents closer to schools and more appreciative of teachers (sometimes literally because they have virtually entered the assembly hall and the classroom), so many governors have been drawn closer in. They have had a real insight into their Executives, they have a greater understanding of safeguarding, mental health and welfare issues, experienced nimbler, smarter, more agile ways of working, often with better papers, more focused meetings. From this point of view, governance will never be the same again and some new ways of working and relating are to be encouraged. This was a theme which emerged strongly in our first webinar on post-COVID considerations (see below).

Different leadership structures are likely to emerge as people reflect on the impact of this uniquely demanding period. More schools have recently been experimenting with co-headship as a new approach to executive leadership <https://schoolsweek.co.uk/new-network-will-help-teachers-become-joint-heads/>. This may be an extreme change for schools but it is unlikely that existing management structures will remain unchanged as schools see the need to boost some roles and recognise that others are of less importance. Governors may wish either to encourage heads who

want to explore such changes, or to restrain those who want to move too fast in this area.

#### 4. RSACADEMICS DURING THE PANDEMIC

RSAcademics has been supporting hundreds of schools, in both the independent and state sectors, in the UK and internationally, with a number of free services and resources as well as bespoke consultancy. To help schools through the COVID19 pandemic, we have developed three surveys, offered completely free of charge and on a first come, first served basis.

- The **COVID19 alumni support survey** asks alumni what the school can do for them and enables former pupils to identify themselves as volunteers or future donors, specifically to support a hardship fund and bursaries. The take-up of the survey has been extraordinary and participating schools have seen around 10% of respondents coming forward, saying they are ready and eager to help. This offer includes advice and recommendations from a member of the RSAcademics Philanthropy Consultancy team.
- A **satisfaction and expectations survey** among current parents, designed for the second half of the Summer term, to measure and understand satisfaction and perceptions of the school and to inform Autumn planning and forecasting. Over 100 schools have already been in touch about this.
- A **survey among students, parents and staff about remote learning**, what has worked well and how it might be adapted. We conducted over 500 of these free surveys for schools but this offer has now ended.

We are also providing a number of **free consultations** in relation to parent communications, how to approach known potential donors for support right now and, increasingly, in the areas of business strategy and planning. In addition, our leadership appointments work continues almost as normal.

**Please let me know if you would like a conversation, free of charge, with one of my expert colleagues.**

#### 5. INSPECTION DURING THE PANDEMIC

Ofsted and ISI have suspended 'routine' inspections for the moment but neither has yet indicated when they expect to resume. ISI has suspended at least temporarily its consultation on the new inspection framework due to take effect from 2022. Inspections of schools may yet be triggered if serious concerns are raised, although their content is not yet clear. It would be feasible for some inspection activity to take place on-line and schools should be ready for that. Ofsted and NGA are working together on a joint research project on how governors and trustees have supported and challenged schools during the pandemic. <https://www.nga.org.uk/News/NGA-News/April-2020/NGA-Ofsted-joint-research-on-school-governance.aspx>.

#### 6. VULNERABILITY

Some people have been asking about definitions of the term 'vulnerable'. This is because schools have been asked to remain open to make provision for 'vulnerable' children. Schools are familiar with the definition, which is children: who are unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without

the provision for them of social care services; whose health or development is likely to be significantly impaired, or further impaired, without the provision for them of social care services; who have a physical or mental impairment; who are in the care of a public authority; or who are provided with accommodation by a public authority in order to secure their well-being. During lockdown schools have been making provision also for children whom they deem to be vulnerable but who do not meet this definition. After lockdown, schools are having to make consideration of the appropriate provision for children who may, for reasons of underlying health conditions, be deemed especially vulnerable to the virus, or who live with people who are.

## AND FINALLY

I'm indebted to Andrew Hall (qv) for two interesting references which may help those of us who are in danger of becoming Zoombies: from the *Harvard Business Review* an article on How to Combat Zoom Fatigue (<https://hbr.org/2020/04/how-to-combat-zoom-fatigue>) and another on the BBC on The Reasons Zoom Calls Drain Your Energy (<https://www.bbc.com/worklife/article/20200421-why-zoom-video-chats-are-so-exhausting>)

**If you'd like to ask questions about anything in this Memo or I can be of any other assistance, e.g. in referring you to colleagues whose expertise may be helpful, please contact me directly: [durellbarnes@rsacademics.com](mailto:durellbarnes@rsacademics.com)**

### Durell Barnes, Head of Governance and Compliance



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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. As Head of Communications at the 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.