

## **SCHOOL GOVERNANCE BRIEFING PAPER - SUMMER TERM 2020 (1) COVID-19**

This briefing paper is a summary of recent key developments and announcements which have implications for the governance of schools, specifically during the Covid-19 crisis. Previous notices and policies can be accessed through our website <https://clerkingandappeals.co.uk/>

The DfE and our advice is aligned, in that the governance of the school should proceed as normal, holding scheduled meetings remotely. We therefore reiterate that no planned and scheduled meetings should be cancelled.

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### **1. VIRTUAL GOVERNANCE POLICY AND SERVICING REMOTE MEETINGS**

We have provided all our clients with the Virtual Governance Policy. We assume this is approved under Chair's Action, unless advised otherwise before the first meeting and will note it as approved under Chair's Action.

Please note that this policy can be adapted to tailor the content to your school or Trust. Please contact Charmaine Strelitz - [charmaine@clerkingandappeals.co.uk](mailto:charmaine@clerkingandappeals.co.uk) - for the Word version if you wish to make changes.

[https://clerkingandappeals.co.uk/wp-content/uploads/2020/03/CAAA\\_Virtual-Governance-Policy\\_March-2020.pdf](https://clerkingandappeals.co.uk/wp-content/uploads/2020/03/CAAA_Virtual-Governance-Policy_March-2020.pdf)

We will use Microsoft Teams to service a remote meeting. This is part of our service and will not incur any additional costs for your school, as Teams is part of the ICT services and resources we subscribe to.

As with a face to face meeting, the quality of a remote meeting is dependent on the Governors reading and engaging in all papers circulated with the agenda. Our experience has emphasised that this is essential for a remote meeting. We also encourage Governors to submit any significant questions or queries to the school ahead of the meeting, as well as any changes to minutes or policies.

## **2. CLERKING AND APPEALS GOVERNANCE DATABASE – GBASE**

To help support our clients in maintaining effective governance during this difficult period we have brought forward our strategy to provide all Governing Boards with access to our Governance Database, GBase.

GBase gives you the ability to perform a range of key functions which includes:

- View, download and print the Agenda and documents for meetings
- View your own personal details
- View the details of your fellow Governors, for example who is the Link Governor for Safeguarding
- View your schedule of meetings.

Over the coming weeks you will receive login details and a User Guide to access the database for your Governing Board. We will also be happy to provide support through Microsoft Teams. Please contact the Clerk once you have accessed the database and reviewed it if you have any queries.

## **3. SAFEGUARDING – ADDENDUM TO CHILD PROTECTION POLICIES**

The DfE has advised schools that they need to revise their Child Protection Policy and keep it under review as circumstances continue to evolve. It is suggested that schools develop an addendum to their current policy to cover a range of considerations including online learning provision and e-safety. This link provides an extensive list of considerations. This should be reviewed by the Link Governor for Safeguarding and reported to the Governing Board.

<https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers/coronavirus-covid-19-safeguarding-in-schools-colleges-and-other-providers#child-protection-policy>

## **4. OFQUAL CONSULTATION ON GRADING SPECIFIED GENERAL QUALIFICATIONS IN 2020**

The consultation on grading specified general qualifications 2020: GCSEs, AS, A Levels, Extended Project Qualifications and Advanced Extension Awards **closes on 29th April 2020 at 11.45 a.m.**

<https://www.gov.uk/government/consultations/exceptional-arrangements-for-exam-grading-and-assessment-in-2020>

## 5. PANELS AND COMMITTEES – EXCLUSIONS, ADMISSIONS APPEALS AND COMPLAINTS

### Pupil Exclusions

The DfE have confirmed that the timeframes set out in the School Discipline (Pupil Exclusion and Reviews) Regulation 2012 remain in force. It is for the Governing Board or arranging authority (for IRP) to assess the facts of the case and decide if the deadlines are able to be met, or if they should be postponed or held virtually.

We will be in touch with schools where meetings have been postponed, to review the decision and next steps. If you have any outstanding exclusions which you have not yet notified us about, please contact Charmaine on 07462 529659 or [charmaine@clerkingandappeals.co.uk](mailto:charmaine@clerkingandappeals.co.uk)

<https://www.gov.uk/government/publications/covid-19-school-closures/guidance-for-schools-about-temporarily-closing#exclusions>

### Admissions Appeals

The DfE have relaxed the current requirements as determined by the Schools Admissions Appeals Code 2012 to give admissions authorities the flexibility to manage appeals.

The new regulations will come into effect on 24th April 2020 until 31st January 2021 and include:

- disapply the requirement that Appeals Panels must be held in person and instead give flexibility for Panel Hearings to take place either in person, by telephone, video conference or through a paper-based Appeal where all parties can make representations in writing
- relax the rules with regard to what happens if one of the three Panel members withdraws (temporarily or permanently) to make it permissible for the Panel to continue and conclude the Appeal as a Panel of two
- amend the deadlines relating to Appeals for the time that the new regulations are in force.

The DfE have not relaxed any of the clerking requirements and state '*Clerks carry out a key role in relation to appeal hearings and provide advice on admissions law as well as keeping an accurate record of proceedings.*'

<https://www.gov.uk/government/publications/admission-appeals-for-school-places/coronavirus-covid-19-school-admission-appeals>

### Other Panels and Hearings

The DfE does not provided guidance specifically regarding other Panels and Hearings. The decision to postpone these should be made on a case by case basis. If the meeting is to go ahead by remote means all parties must have access the required technology and agree to the meeting being held through alternative means.