

The Maximilian

A monthly newsletter for governors within the Archdiocese of Southwark

Edition 101
September 2022

"In this way permit me to explain Isaiah, showing that he was not only a prophet, but an evangelist and an apostle as well. For he says about himself and the other evangelists: How beautiful are the feet of those who preach good news, of those who announce peace. And God speaks to him as if he were an apostle: Whom shall I send, who will go to my people? And he answers: Here I am; send me."

From a commentary on Isaiah by St Jerome.
St Jerome's Feast Day is 30th September.

Welcome Message

Angela Cox has been appointed as the Interim Director for the Education Commission/ Interim Diocesan Schools' Commissioner. Angela will hold this position during the recruitment process, which we anticipate starting soon. Angela will be working closely with the new Episcopal Vicar for Education (Fr Victor Darlington).

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As we start a new academic year, I would like to take the opportunity to welcome you all back to school and to a new year of learning. It is wonderful to have all the pupils back at school once again. I hope you all had an enjoyable break and that the pupils are refreshed, energised and enthusiastic for school and all the challenges that this new school year will bring.

Thank you on behalf of the Diocese for your continued support.

The Education Commission is looking forward to working with our schools, colleges and academies to ensure that we provide the very best education for all our pupils.

Please find below the following guidance materials which are obtainable from the Catholic Education Service's website.

PG 1



In order to preserve the catholic nature of our schools, colleges and academies, it is an expectation from the Archbishop that these guidance materials are adhered and implemented in his educational establishments.

These documents include the Bishops' Memorandum issued by the Catholic Bishops' Conference of England and Wales and other relevant governance documents.

<https://www.catholiceducation.org.uk/employment-documents/bishops-memorandum>

<https://www.catholiceducation.org.uk/guidance-for-schools/governance/item/1003612-governance-of-a-catholic-school>

<https://www.catholiceducation.org.uk/guidance-for-schools/governance/item/1003629-codes-of-conduct-for-governors-and-directors>

<https://www.catholiceducation.org.uk/guidance-for-schools/governance/item/1003582-governance-statements>

May I also take this opportunity to remind all governors that the Chair of Governors must be a Foundation Governor and that all schools which are voluntary aided are expected to become academies within a Diocesan Catholic Multi Academy Trust. Single academy trusts are also expected to become part of a Diocesan Catholic Multi Academy Trust.

The team at the Education Commission is looking forward to working closely with all Catholic schools and academies within the Diocese.

Consider becoming a governor

Please share this flyer with anyone considering becoming a governor. A copy is also attached to the email.

[Flyer](#)

Could You Become a Governor or Director?

Do you have the skills needed to be a Foundation Governor of a Catholic school or Foundation Director of a Catholic academy or multi academy trust?

Could you spare a few hours a month?

This is a fulfilling role that isn't without its challenges. Governors or Directors work together as a team to ensure a good standard of education is being achieved. Being a Governor or Director is an opportunity to develop the skills you have and to improve the futures of children today.

You do not need to be a parent or work in the education sector.

Please click the link below to book onto a free session that will provide additional information and answer any questions you have on becoming a Foundation Governor or Foundation Director.

Thursday 29th September 2022 at 2pm
Wednesday 5th October 2022 at 4pm



HSE Inspectors to assess the management of Asbestos in Schools

The HSE will be carrying out a programme of inspections in primary and secondary schools from September 2022 onwards. The inspections will be assessing how sites are managing the risks from asbestos within their buildings.

Action points: All sites that have Asbestos Containing Materials (ACMs) present must ensure they have:

- an asbestos register
- an up to date asbestos management plan
- records of periodic monitoring of the condition of any ACMs (as suggested by the asbestos survey)
- records of communicating the presence of ACMs to contractors (where necessary)

The Control of Asbestos Regulations 2012 (CAR) place duties on those with responsibility for the maintenance of work premises to manage the risk from asbestos.

Visits will be carried out by HSE inspectors, who will contact sites in advance to arrange a suitable date and time for an inspection. They will need to speak to someone with knowledge of how asbestos is managed by the site, and may also ask to see certain documentation in advance of the visit e.g. your asbestos register and management plan.

Sites should review their current arrangements and check that they are meeting their duties under CAR:

- take reasonable steps to find out if there are ACMs in the premises - and if so, the amount, where it is and what condition it is in, i.e. an asbestos survey has been conducted by an approved contractor
- make - and keep up to date - a record of the location and condition of any ACMs (or materials which are presumed to contain asbestos), i.e. the asbestos register
- assess the risk of anyone being exposed to fibres from the materials identified
- prepare an asbestos management plan (AMP) that sets out in detail how the risks from these materials will be managed
- take the necessary steps to put the plan into action
- periodically review and monitor the plan and the arrangements, and act on the findings, so the plan and arrangements remain relevant and up to date
- provide information on the location and condition of the materials to anyone who is liable to work on, or disturb them – contractors should be shown the asbestos register, and it is good practice to maintain a record of this communication.



Inspection Handbooks

Ofsted has reviewed and updated its inspection framework and school inspection handbooks to take account of the pandemic, curriculum transition arrangements and general understanding of inspections. The changes, which will take effect from September 2022, include:

Curriculum grace period ends

When it introduced the Education Inspection Framework in September 2019, Ofsted understood that it had introduced some new ideas about how Ofsted would evaluate a curriculum and that some leaders would want to change their approach as a result. Ofsted wanted to give school leaders time to do this and thus transitional arrangements were implemented. Ofsted wanted to acknowledge that planning a curriculum needed thought, so any school or college that was still in the process of updating its curriculum could still receive a good grade, provided that other aspects were good.

The transition arrangements were originally due to last until September 2020 but were extended, as a result of Covid, with the end of the grace period pushed back from September 2021 to this spring and then again to September 2022. Ofsted has now confirmed that the grace period will end in September 2022 and, as a result, has removed the transition arrangements from its inspection handbooks.

A new grade descriptor to prevent a curriculum "cliff edge"

A new grade descriptor has been embedded into the Quality of Education judgement to recognise that amendments to elements of the curriculum will be ongoing to suit the needs of pupils following the pandemic. Ofsted said that it was "not introducing a 'cliff edge' for a judgement of good" and recognised "that you are likely to always be revising elements of your curriculum". The change "does not mean that schools and FE providers will now be expected to meet every single handbook criterion to remain good".

This has been further emphasised by a July 2022 blog by Ofsted's National Director of Education, Chris Russell, who wrote that "we do not expect curriculum to be perfect or a 'finished article'. Indeed, the best curriculum thinking is always evolving to meet changing circumstances. Inspection supports this approach to continuous improvement."

Chris Russell also stated that in terms of the Quality of Education judgement, an outcome of good reflects that those leaders have an accurate understanding of the curriculum that they offer, its strengths and weaknesses, and that there is clear evidence that the approaches they are taking to address any issues or challenges are



leading to tangible improvements. Inspectors will want to be reassured those leaders can transfer the successful work underway in one area of the curriculum to other, less-developed aspects.

Time to move on from temporary Covid measures

Ofsted acknowledged that Covid continues to have an impact on early years settings, schools, and further education providers, and is likely to affect how they make decisions for some time. That said, education providers were “moving on from an emergency response to the pandemic and returning to more usual ways of working”. As a result, Ofsted believes that now is the right time to move beyond the temporary measures that were placed in the Ofsted handbooks as a response to Covid. To reflect this, paragraphs about temporary Covid measures have now been incorporated into the main sections of each handbook, making it “clear that inspectors will continue to take account of issues that providers may be facing”. An example given is a “clear expectation that conversations between leaders and the lead inspector will continue to include a discussion on the impact of COVID-19. This ensures that our inspections continue to be informed by the different contexts in which you work and the range of challenges that you may still face.”

New names for Section 5 and 8 Inspections

Full section 5 inspections will now be referred to as “graded inspections”, while shorter section 8 inspections of ‘good’ and ‘outstanding’ schools will now be called “ungraded inspections”.

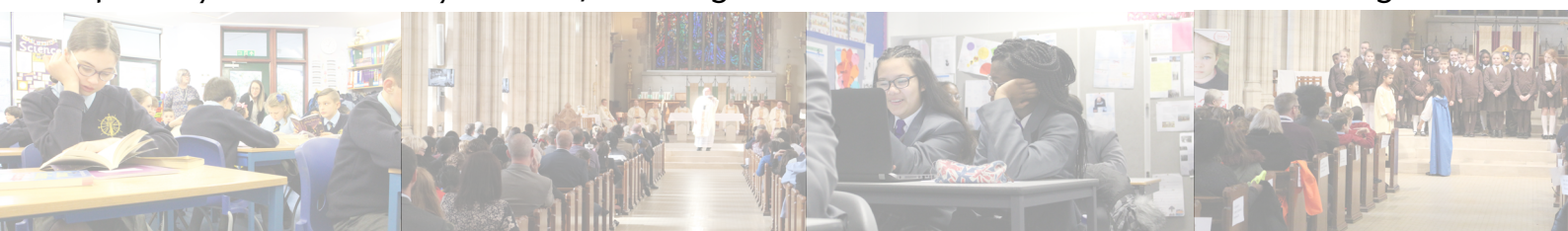
“Monitoring inspections” of ‘inadequate’ schools or those with two consecutive ‘requires improvement’ grades will keep their name, while Ofsted will continue to conduct “urgent inspections” of schools triggered by specific concerns.

Ofsted has stated that the purpose of each inspection type and how they are carried out “remains unchanged”. The change in name is simply aimed at promoting a better understanding of the types of inspection Ofsted conducts and why, especially among parents.

Ofsted Research

New research into ‘stuck’ schools has found that a “vicious cycle” exists where poor Ofsted outcomes lead to increased teacher turnover, a more deprived pupil intake and further adverse Ofsted findings.

The report, focusing on schools that have received poor Ofsted grades since 2005, was published by the Education Policy Institute (EPI) and UCL Institute of Education. It explores whether adverse Ofsted outcomes made future poor judgements more or less likely and considered possible interventions which could break the cycle. In both primary and secondary schools, a change in headteacher was found to have a negative



impact on the likelihood of improvement, while joining a multi academy trust (MAT) was found to have a positive effect on “stuck” secondary schools, but no impact on similarly stuck primary schools.

Exclusions

Updated Statutory Exclusions Guidance

Following consideration of the responses to its consultation, the end of the summer term saw the Government publish its much-awaited updated statutory exclusions guidance, with fixed term exclusions now officially referred to as suspensions. Whilst the updated guidance can be accessed in full [here](#), key points from the statutory guidance include:

- The updated guidance confirms that, following the responses it received, the Government would not be moving forward with its initial plans to prevent headteachers from cancelling exclusions or suspensions once they had begun. As a result of the concerns raised, including a lack of flexibility if additional information from the investigation came to light and the potential subsequent risk of unjust exclusions, a general increase in exclusions and pupils having unnecessary gaps on their education record, the Government did not move forward with this initial proposal.
- Where an exclusion is cancelled, then:
 - o The parents, the Governing Board and the LA should all be notified without delay (disappointingly, “without delay” has not been clearly defined), and where relevant, the social worker and Virtual School Head (VSH);
 - o Parents should be offered the opportunity to meet with the Head to discuss the specific circumstances which led to the suspension being cancelled;
 - o The pupil should be allowed back into school; and
 - o Once a term, the GB should receive data on the number of cancelled exclusions, including the circumstances and reasons for the cancellation.
- The original consultation also proposed a new three-day deadline for heads to notify parents about pupil suspensions/exclusions. Under the previous guidance, heads were required to inform parents “without delay”. Some respondents said this notification period was too long, and that parents needed to know “immediately”, as “not knowing the child’s whereabouts may lead to safeguarding concerns”. Other respondents, mostly school leaders and teachers, felt three days “may not be sufficient time to conduct thorough investigations to inform decision making, particularly regarding permanent exclusions”. As a result, this proposal has not been progressed. Thus, when heads suspend or permanently exclude a pupil they must, without delay, notify parents.



Furthermore, legislative changes mean that if a pupil has a social worker, or is looked-after, the head must now, also without delay after their decision, notify the social worker and/or VSH, as applicable.

- When heads suspend or permanently exclude a pupil, they must also notify the Local Authority, without delay. Legislative changes mean that this must be done regardless of the length of the suspension.
- Given the increased role of a social worker and VSH in pupil suspensions/exclusions, guidance has been incorporated on the role they can play during Governor Hearings and IRP meetings.
- Guidance has been provided on
 - o managed moves, what they are and how they should be used by the school; and
 - o the use of off-site direction as a short-term measure which can be used as part of a school's behaviour management strategy.
- Further guidance has been provided on the practice of involving pupils so that any excluded pupil is enabled and encouraged to participate at all stages of the suspension or permanent exclusion process, considering their age and ability to understand.
- There is also guidance for Boards on the effective review of exclusions/suspensions data, namely:
 - o The level of pupil moves, and the characteristics of pupils being excluded to ensure the sanction is only used, when necessary, as a last resort.
 - o Those pupils on roll but attending education off-site, including the cost implications of off-site education, whether the placement is achieving its objectives and that the pupils involved are benefitting from this specific placement.
- The Board should also consider:
 - o The effectiveness and consistency in implementing the school's behaviour policy;
 - o Instances where pupils receive repeat sanctions; and
 - o The interventions in place to support pupils at risk of a suspension or permanent exclusion.
- The decision-making power of Governing Boards has also been amended so that:
 - o In the event of a pupil being suspended for more than 5 but less than 16 school days in any one term, and where the parents have not made



representations to the Board, the Board is still able to convene and consider the reinstatement of the pupil. Previously, this power could only be exercised in the event of parental representations being made.

- o Where a suspension does not bring the pupil's total number of days to more than five school days in any one term, and where parental representations have not been received, the Board can still consider reinstatement on their own accord. Again, this is a departure from the previous statutory guidance.
- The Government has strengthened a section in the new statutory guidance on the removal of pupils from lessons, previously known as isolation, to include an expectation that schools "routinely collect data on removal and regularly monitor this to identify patterns of use and evaluate its effectiveness". The Government's original consultation had only proposed wording that stated schools "may wish to collect data".

Courses

[New to Governorship in a Catholic School or Academy](#)

Tuesday 4th October 2022 4pm-5.30pm

Wednesday 12th October 2022 5.30pm-7pm

£25 Zoom

[New to the Role of Chair of Governors](#)

Tuesday 1st November 2022 4pm-5.30pm

Wednesday 16th November 2022 6pm-7.30pm

£25 Zoom

