

NCC Chair of Governors and Vice Chairs meeting with Dave Cookson and Governor Support.

**A meeting was held on Wednesday 20th May 2020 at 10am
remotely through Google Meet.**

Present:

Over 84 + Chairs of Governors

Dave Cookson, Commissioner for Education

School Support Team

- 1. Introduction from Dave Cookson (Commissioner for Secondary Education & Sixth Forms)**
- 2. The LA position on reopening schools**

The meeting called to discuss the reopening of schools from 1 June 2020 - although a definitive answer as to whether this would go ahead would not be released until 28th May by the Prime Minister. Two Thirds of Northumberland schools were planning to reopen - some schools may choose not to open - this was down to individual circumstances, however it was still essential for schools to evidence that they had undertaken the planning process and completed risk assessments to validate their decision.

Further guidance was also available on the NGA website and School Bus. Reference was also made to the 5 pm daily updates provided to Headteachers by the Director of Education & Skills and available on the Northumberland Education website.

- 3. Update from Governor Support**

Governors noted that the school support team were there to provide any support and advice needed at this time in relation to governance of their school. The team has redesigned their service to boards so that it is completely electronic and all meetings can be

held virtually for months to come if needed. Governors were reminded to contact their SSO if they had not received or been made aware of the Virtual Meeting Offer.

The regular business of meeting as a board of governors must continue once schools have found their feet and so for summer term initially the boards will be working through a condensed agenda which focuses on the statutory requirements of the governing board such as safeguarding, staffing and finance. Governors were reminded to seek advice from your schools HR provider on how they propose the pay of teachers and staff is reviewed as this would be the only statutory task normally held in summer term.

The message from the Department for Education remained that no changes would be made to the statutory governance functions and that boards should continue focusing on urgent, time-bound decisions. In relation to the reopening of schools, the decision should be made by the Headteacher and should be informed by a full risk assessment. The assessment should be shared with governors in order for them to test it, ask questions about it and to ensure that it is kept under review. The expectation is that Headteachers would and should keep the Chair and Vice Chair of Governors informed and use them as a support mechanism at this time. Likewise it would be expected of governors to carry out regular contact with the HT and ensure that the well-being of all staff is under constant consideration.

4. Questions from Participants

Question - The Government says they are following the science and have produced some case studies, and whilst it is good that the number of cases are dropping, we need to work out the “R” value to assess when we can safely reopen schools. A lot of Councils do not have this information - is there any scientific evidence you do have to help schools determine the R in this area?

A: There is no “R” value for Northumberland. Elizabeth Morgan, Northumberland’s Director of Public Health is actually talking to the Headteachers’ H&S briefing as we speak. In theory, the R value is 0.4 in London, and 0.8 in Northumberland, although with tolerances, and there is also some overlap. I wish there was a defined R value for Northumberland we could provide. I appreciate it is frustrating that we do not have a specific R value for

Northumberland and we do not expect to have one. The Government will ultimately make a decision on Thursday 28 May about the reopening of schools, and the pressure from Teacher Unions is ramping up on them currently.

Question: Wondering why in Middle Schools Year 6 has to be considered for re-entry - this is based on the 2 tier system of education. Given that some of Northumberland is 3-tier, we feel that Year 8 should return as that is their transition year - yet they are advised not to go in.

A: The DfE had issued no specific guidance for Middle Schools and Northumberland (and some other authorities) advised them that we need consider this phase of education as Year 8 is their year of transition. However, the Government's view is that they do not want any Year 6 pupil to be left behind their peers in the rest of the country, so it is the view that all Year 6 pupils in school should return but no other year groups, for now. We do not know of any school yet to admit to any other year group in Middle Schools other than Year 6.

Question: What is the advice on Governor approval for the Risk assessment document. Does it need to be signed off by the GB and who has liability in the event of an outbreak of COVID 19.

A: There is no specific guidance that requires GB approval or adoption of risk assessment, although it would be sensible for Headteachers to keep at least Chairs of Governors informed. Good question about Liability - we will get in touch with HR and get back to you on that one.

Question: Is the PFA extension for the qualification still in place for June?

A: Yes it is still in place.

Question: The Government says the decision will be made on 28 May about the reopening of schools and I wonder what that decision will be based on? What about the R Value? London's R value is a lot lower than here.

A: DC's view is that the Government's decision will be a blanket yes or no. I do not feel there will be a regional decision despite the known hot spots. Not entirely sure if we will get a decision about the R value in Northumberland. Information from SAGE discussions is

published and a link to that is on the NCC website. It would make sense to have a regional decision but I do not think the Government will do that.

Question: The Government states it wants meals to be provided for pupils returning to schools. Would the LA support schools in encouraging pupils to bring in packed lunches?

A: Yes schools are expected to provide Free School Meals - either by vouchers or food parcels. It is reasonable to request them to bring in packed lunches. Some schools are not planning to open their kitchens and offer only half day provision. It is important that no child is in receipt of a FSM voucher and also a packed lunch if provided by the school. It is fine to write to parents to ask them to prepare a packed lunch for their children.

Question: In a federation of two schools, with restricted staffing flexibility across the two, is it acceptable to concentrate with all qualifying pupils attending one of the schools? What about transport?

A: Yes it is fine as long as there is agreement with senior leads in school and all staff. The School Transport Team is happy to accommodate a request if it helps the school solve a problem, and the team will need to know who needs to get to where.

Question: PPE - it would be helpful for schools to have very clear direction from NCC about what we need in terms of PPE. Will NCC be sourcing and distributing any equipment that is considered necessary?

A: There is guidance from DfE about PPE for schools. If schools feel they do need PPE, that can be requested for the LA to source it for them, if required. The Head needs to apply on their daily return and it can be sourced for them.

Question: What agreement do NCC have with the Unions?

A: NCC are talking to Trade Unions as we speak with HR representatives. Locally they are very civilised and cordial discussions, quite different from the national position. But we are at their behest and plans could be scuppered. As School Leaders, you should plan for 1 June reopening going ahead and tweak things if the date is pushed back to say 8 or 15 June for opening. Keep an eye on the national decision.

Question: Quite a number of staff are shielding and we are low on teacher numbers in school. Guidance says we can utilise Teaching Assistants. Where would we stand on that, as the DfE shift is for there to be more teaching than childcare. Can we cap our numbers?

A : Good question. Depends on the national picture. Could be the LA can provide you with some support if you are short - although that will be in limited supply from the LA. Question for the Leadership is to ask TA's if they are happy to do that work - fine, if they are. If not, you need to find a Plan B. Cannot insist that staff do anything just as you cannot insist that children return. We are operating on a lot of goodwill in schools right now. If you follow the Risk Assessment process and you have to cap your numbers returning - the LA will support you. Providing you consider the risks in the right order - vulnerable and key worker children first, then admissions from the youngest years first.

Question of wellbeing and mental health of staff, given they are working through school holiday periods and half term breaks. Is it reasonable to ask staff and SLT to stop and take a break from these Risk Assessment plans and delay the opening of school date?

A: Entirely for you to decide at your school, and the LA will support you. It is absolutely right to think of the welfare and wellbeing of staff. If there is insufficient time for them to do the planning and RA, then allow staff to take a break and have these plans in place before reopening takes place. Some schools have delayed their reopening date to 8 June for that very reason.

Question: How are the views/welfare of staff to be factored into the risk assessment? If the school is assessed as safe enough to open on 1 June but individual staff are anxious/reluctant what is a good approach?

A: You will need to survey the staff at some point to know how many of them will return. Secondly it would depend on their reason why they would not want to come back to school. Could be unique circumstances. Schools should make pragmatic decisions. DfE expects staff to return to work even if their spouse is shielding. The LA has a limited number of staff to be available to support schools - but with the possibility of 160 schools re-opening, not sure how far that provision will be able to stretch.

The school leadership team needs to be satisfied the school can reopen safely. As long as there is evidence in your decision, the LA will back you up, as the LA are here to support and

help you to re-open. If you decide not to open at all, then the LA would want to know that too.

Mr Archer confirmed that Shielding is to continue to 30 June according to Government guidance.

Question: If we have a have a known supply teacher could we use them if our staff are unable to come in?

Answer: Dave Cookson to double check on that and report back to you.

Enid Scott: They can use supply, but insurance cover from the County is suspended. Probably no insurance to cover if outside too.

Question: If a teacher is at home because of a medical condition how long can they stay away from school?

If the member of staff is not on the list of the Government's for shielding, you will need to contact the HR department. Some staff may well fall between the two scenarios of vulnerable and shielding. Ultimately, all staff should return to work. If it's a long term condition, then that absence is likely to continue. If it's for diabetes, I think Guidance has changed, and they are expected back to work.

Question: Will the LA H&S team help us review our risk assessments using their template?

A: H&S Team is a small team and they may not have the capacity. Their detailed guidance and template was sent to all Headteachers. Should you have a particular problem then contact H&S directly.

Question: Can we continue to only open for key workers children if or when the parents are surveyed & the replies are they will not send their children back in June?

A: Yes that is absolutely fine.

Question: Is there a place or can there be a place for shared learning ideas? How schools are approaching the various risk management scenarios.

A: I imagine that is already in place as Headteachers are doing that type of sharing.

Question: we have spoken about capping for the groups we are to be providing for initially. Ultimately schools will almost all not have the space for everyone for social distancing. This may not be an immediate problem but as more children want to come in and other year groups are included how is this likely to work?

A: As long as social distancing is in place any you abide by the guidance, then you will need to consider capping. You need to think about these challenges and not just for day 1 opening. If DfE expect more year groups to be admitted, then you would need to review your social distancing rules. If you need to cap, then do it. Consider vulnerable and key workers children first priority, then youngest to oldest in the year groups to be admitted at Primary school.

Question: Is it acceptable to say in your letter to parents that you don't have data and can't guarantee social distancing?

A: The CE Diocese held a meeting with Governors yesterday. Q of Liability - Lianne Atkins said she was happy for Church Schools to contact her. We are aware the Diocese asked a question of the County's Legal Team - that is in hand.

Question: Can you repeat the name of the person to liaise with as to the Diocese?

A: Lianne Atkins of the C of E Diocese.

Governor- There has been advice on the various legal webinars about personal and corporate liability . Issues of claims for personal liability will be very rare.

Question of liability was raised with the CE Diocese and are we going to get a separate template letter about that?

A: You cannot be expected to guarantee social distancing with the youngest children in First Schools - you can only do the best you can in the Risk Assessments. However, be upfront with your parents about the risk of contamination.

Ian Hampson- Good section from NGA bulletin. However, the Governance Handbook is clear on the issue of personal liability: it's very unlikely that a governor would be held personally liable if they had acted in accordance with County and national guidance. Corporate Liability - would need to contact the County's Legal Team.

The governing board is legally responsible for the conduct of its school(s). However, individuals are generally protected from personal liability. Provided they act honestly, reasonably and in good faith, any liability will fall on the board even if it exceeds its powers, rather than on individuals.

Question: Is also the Health and Safety Governor to sign off the Risk Assessment?

A: The Guidance does not state anywhere that a governor needs to sign off the Risk Assessment forms - but will double check it. (Subsequently confirmed by the Head of H&S - no requirement at all for any governor to sign off the risk assessment - this is a Headteacher decision, as part of the day-to-day management of the school).

All Risk Assessments procedures are to be kept under review as schools start to re-open. SSO will add that to Summer Term GB Agendas.

Governors were thanked for their time and their contributions made to the meeting.