

Coronavirus (COVID-19) Information Sheet 1 - Governance 1 May 2020



The majority of schools are now closed following guidance from government. Some schools remain open as Hub provision, to offer childcare for vulnerable pupils and children of key workers. Governance in some format must continue for all schools, regardless whether open or closed. The Governor Support Team have drawn together some information for governors to consider during this period.

School Closures

The government instructed all schools to close as educational provision from 23 March 2020. Some schools have been asked to remain open, as hubs, to provide childcare for a limited number of children: children who are vulnerable and children whose parents/carers are critical to the Covid-19 response (key workers) and cannot be safely cared for at home.

Key Workers

The government has deemed individuals in the following areas of employment as key workers:

- health and social care
- education and childcare
- key public services
- local and national government
- food and other necessary goods
- public safety and national security
- transport
- utilities, communication and financial services.

More detailed information about these categories can be found at: <https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>.

Schools can ask for evidence that the parent is a key worker eg: ID badge; letter from the employer.

Hubs

Cumbria County Council (CCC) have co-ordinated hubs, located in school settings, to operate across the county to make the best use of resources. Emergency legislation will lift curriculum requirements for schools, giving flexibility to provide support, activities and childcare in the way they see fit. CCC has also established childcare provider hubs for early years children, a full list of all hubs is available at: <https://cumbria.gov.uk/coronavirus/serviceupdates.asp>.

Whether your school is currently closed or operating as a hub, governance must continue in some format.

More details can be found out at: <https://www.gov.uk/government/publications/covid-19-school-closures/guidance-for-schools-about-temporarily-closing#practicalities>.

Health and Safety

Every school has a health and safety policy that the governing board has approved. It should contain details of what the school is responsible for as well as what should be done to look after pupils, staff, visitors etc. Government guidance is available at <https://www.gov.uk/health-safety-school-children>.

Hubs should already have well established health and safety procedures in place but may need to consider adapting certain procedures, for example:

- Risk assessments: adapted to suit settings i.e. ensuring induction for volunteer staff, checking with insurance providers in light of the school becoming a hub, this also applies to closed schools
- Infection control: robust measures and guidance provided and followed by staff, volunteers and pupils, with access controlled where required. Compliance should be monitored by staff to ensure this is effective
- Establish suitable supervision ratios considering group size, needs and individuals, building in resilience in case of staff illness or emergency

- All accident and incidents to be reported (except for most minor, which can be collated in pupil accident book approach) – this can be done through healthandsafety@cumbria.gov.uk using the usual forms available on the school portal – the Health and Safety team will monitor these and ensure that Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) reports are made where relevant on behalf of the setting

Further guidance has been provided about procedures to follow if anyone becomes ill during the day:

<https://www.gov.uk/government/publications/guidance-to-educational-settings-about-covid-19/guidance-to-educational-settings-about-covid-19#what-to-do-if-someone-develops-symptoms-of-coronavirus-covid-19-while-at-an-educational-setting>.

Access to Health and Safety advice, guidance and support is available either by emailing healthandsafety@cumbria.gov.uk or calling 01228 221616 in office hours.

Educational Support

The government have brought together online educational resources to support home-learning:

<https://www.gov.uk/government/publications/coronavirus-covid-19-online-education-resources/coronavirus-covid-19-list-of-online-education-resources-for-home-education>

Safeguarding

The government has stated that *Keeping Children Safe in Education* needs to be followed as much as possible.

The way schools are currently operating in response to the pandemic is fundamentally different to business as usual, however, a number of important safeguarding principles remain the same:

- The best interests of children must always continue to come first
- If anyone in a school has a safeguarding concern about any child they should continue to act immediately
- A Designated Safeguarding Lead (DSL) or deputy should be available
- It is essential that unsuitable people are not allowed to enter the children's workforce and/or gain access to children
- Children should continue to be protected when they are online.

More detail can be found at <https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers>.

If you are concerned about a child or young person who you believe might be at risk of harm, please contact **The Cumbria Safeguarding Hub** on **0333 240 1727** or <https://cumbria.gov.uk/childrensservices/childrenandfamilies/earlyhelp/intervention.asp>.

Education, Health and Care Plan (EHCP)

Many children and young people with EHCPs can safely remain at home. Education settings and LAs will need to consider the needs of all children and young people with an EHCP, alongside the views of their parents, and make a risk assessment for each child or young person.

Free School Meals

The government has released updated guidance for ‘**benefits related**’ **Free School Meals** in response to the coronavirus pandemic: <https://www.gov.uk/government/publications/covid-19-free-school-meals-guidance>.

Attendance

Once closed schools have informed the Department for Education (DfE) of their closure, they do not need to take an attendance register. When the school reopens they will start completing the form daily from the date of reopening.

Hubs however need to complete both the LA and the DfE data collection forms:

<https://www.gov.uk/government/publications/coronavirus-covid-19-attendance-recording-for-educational-settings>

The LA has requested that these are submitted by 11.00am.

It is important that hubs will need to ensure they have a process in place to check on the welfare of any child who does not attend as expected on any day.

Vulnerable Children

Vulnerable children remain protected is a top priority for the government. LAs have the key day-to-day responsibility for delivery of children’s social care. Social workers will continue to work with vulnerable children in this difficult period and support these children to access provision.

LAs and education settings do not need to complete their usual day-to-day attendance processes to follow up on non-attendance if the vulnerable child has been risk assessed and it has been agreed that the child is safer at home.

Education providers should, however, ensure they have a process in place to regularly check on the welfare of any child in need who is not accessing the hub via phone calls.

Governing Board Business

The DfE have stated that they will not be making any changes to the statutory governance functions in any upcoming regulations related to COVID-19.

DfE urges governing boards to be pragmatic in meeting content during this time, to be proportionate regarding decisions, and to focus on urgent, time-bound matters. Non-urgent decisions/agenda items are likely to be deferred.

***Tip:** Why not try a keeping in touch meeting with your governing board ahead of your first ‘virtual’ governing board meeting. This may help to identify and resolve any initial problems, it may also give confidence to governors who may be unfamiliar with video conferencing technologies.*

Governing Board Meetings

In line with Public Health England guidelines, all non-essential contact must be avoided to stop the spread of COVID-19. The government has given clear guidance on self-isolation, household isolation and social distancing. The DfE therefore advises against governing boards meeting in person and to adopt alternative arrangements: such as using video or teleconferencing. These may include but are not limited to: Skype and Microsoft Teams. Please remember that all parties will need to agree to these arrangements.

The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 (regulation 14) allows for governing boards in maintained schools to approve alternative arrangements for governors to participate or vote at meetings, including by telephone or video conference.

The National Governance Association (NGA) has produced some helpful guidance and a suggested protocol for establishment of meetings through other sources such as telephone or electronic methods. See Governing in challenging circumstances Business continuity and holding virtual meetings.

Governing boards and committees still need to be quorate to make decisions.

In cases of urgency (where a delay would likely be seriously detrimental to the interests of the school, a pupil, a parent or member of staff) maintained school governance procedures regulations set out provision for the delegation of functions to the chair or vice chair (if the chair is unable to act), usually referred to as 'Chairs Action'. These functions do not extend to approving the budget, the suspension of governors, or excluding pupils except in cases of urgency.

Taking the information above into consideration and the current exceptional circumstances, governing boards need to be pragmatic and responsible about discharging their functions.

A possible avenue to manage the inability of establishing quorum (excluding exceptions mentioned) would be for the chair to discuss with available governors and then take chairs action, ensuring they report back to the board at a later meeting. This evidences that although quorum was not possible, the chair has involved a level of consultation.

This option mentioned above is not an acceptable process to be undertaken under normal circumstances. What it may provide is an option where current exceptional circumstances prove impossible to make a decision or discharge a function operating strictly by the rules. There should at least be communication and an audit trail explaining why the alternative approach was taken.

Urgent/Essential and Non-urgent/Non-essential Business

The NGA have produced some information sheets in relation to Covid-19 as well as guidance for governing boards and clerks called Governing in challenging circumstances Business continuity and holding virtual meetings.

The document outlines what the NGA views as essential business continuity work for the governing board:

1. Business critical decisions (e.g. budget approval, ratifying school leadership appointments (if recruitment has not been suspended) etc.
2. Monitoring how the school is continuing to provide care for children who are vulnerable, children with ECHPs, the children of key workers, associated risks, issues etc.
3. Any issues arising from how the building is currently being used and remote working for staff
4. Support being given to parents and carers to help them educate their children at home
5. Monitoring the wellbeing and welfare of pupils, staff and stakeholders

Admissions Appeals

In order to protect parents' right to appeal to any school which has refused their child a place, the DfE has announced new regulations that will relax some of the rules surrounding appeal panels. The admission authorities have been provided with scope to convene panels remotely in line with advice on social distancing. This will allow governing boards to conduct panel hearings via telephone, video conference or through written representations.

Subject to the creation of legislation, the amended regulations come into force on 24 April 2020.

Time Bound Processes

It may prove necessary to place time bound processes such as complaints, exclusions etc on hold until it is reasonably practicable, if it is not possible to complete them by holding virtual meetings.

Complaints

In relation to complaints, DfE does not expect schools to handle new or existing complaints while they are closed. Schools should, however, still engage with parents and pupils where they can. Complaints can be considered once the government confirms schools can safely reopen.

If you are unsure if a complaint should proceed or not, you could contact the Schools Complaints Unit (SCU) via the National Helpline on 0370 000 2288 or online at: <https://www.gov.uk/contact-dfe>.

Headteacher Reports

Governing boards need to consider the current extenuating circumstances and the pressures that headteachers/leaders/staff will be under, especially headteachers of hubs (substantive or rota).

It is important for governing boards to show and ensure support is available for all staff, but also at the same time keeping the strategic overview of your school.

One suggested way would be for the headteacher to prepare a concise briefing/status report to update the governing board, which might be distributed by email. This report would not be for the purpose of making decisions, rather solely for the provision of information. Possible content might include:

- **Hub:**

- Opening hours of the hub including provision of any breakfast or after school club
 - Identification of hub headteacher/leader, important if there is a rota system in place
 - If not a rota system, what happens if the hub headteacher/leader is absent
 - Staffing:
 - Number of volunteers currently in hub/on rota
 - Number of staff sick (Covid-19), number self-isolating due to family circumstances
 - What happens if there are not enough volunteers available to run the hub
 - Number of pupils currently attending, and confirmation that attendance is being reported daily to the DFE and LA.
 - Breakdown of pupils in attendance as follows:
 - Number of pupils of key workers
 - Number of pupils designated as vulnerable
 - Number of pupils with EHCP
 - Number of pupils from other schools in the cluster
 - Safeguarding arrangements, the government is clear the *Keeping Children Safe in Education* statutory requirements still apply:
 - Confirmation of who is the safeguarding lead in the hub
 - Induction process for staff volunteering from other schools
 - DBS checks have been confirmed
 - Process is clear about actions to be taken if a child is absent
 - Any other items the headteacher/leader of the hub wants to share
 - Consider sharing the briefing/status report with the other governing boards in the hub/cluster
- **Closed School**
 - Is the headteacher/leader of the school working at the hub, or is a rota being operated
 - If the headteacher/leader of the hub is fulfilling this role, what happens if the headteacher/leader of the hub is absent
 - Staffing:
 - Update on position of staff i.e. how many currently are volunteering to work in the hub
 - How many are sick (Covid-19)
 - How many are self-isolating due to family circumstances
 - What happens if there are not enough staff available to run the hub
 - Pupils:
 - Number of pupils attending hub

- Reporting of attendance of pupils at hub
- Number of pupils of key workers
- Number of pupils designated as vulnerable
- Number of pupils with EHCP
- Safeguarding arrangements, the government is clear the *Keeping Children Safe in Education* statutory requirements still apply:
 - Confirmation of who is the safeguarding lead in the hub
 - Induction process for staff volunteering from your school
 - DBS checks have been shared
 - Process is clear about actions to be taken if a child is absent
- Any other items the headteacher/leader of the school wants to share
- Workload/pressure could be reduced on headteachers/leaders of schools if the briefing/status report could be shared with all other governing boards in the hub/cluster

Staffing

Teachers and other school staff will continue to be paid during this period as normal, and we expect schools to continue to fulfil their contractual duties to their staff.

Funding for all schools (including maintained and academy special schools, non-maintained special schools, independent special schools, pupil referral units, and special post-16 institutions), whether from local or central government, will be maintained and not reduced because some or all pupils are not in attendance (either because of self-isolation, or where the institution has closed).

DfE has produced [guidance](#) of additional funding available for schools who have incurred costs related to the coronavirus (Covid-19) outbreak. The guidance covers support for schools up to the end of the 2019 to 2020 summer term.

Reception Baseline Assessments 2020

The government have stated that they plan to continue with preparing for the baseline assessments to go ahead this September. However, this plan will be under continuous review in light of the coronavirus crisis. The reception baseline assessment aims to provide a snapshot to teachers and leaders about where pupils are when they start school.

Further information can be found in [Reception baseline assessment; what schools need to know](#).

KS1 and KS2 Assessments

The government has announced that primary assessments will not go ahead this summer.

GCSE & 'A' level Examinations

The Office of Qualifications and Examinations Regulation (Ofqual) has set out details for schools, colleges, students, parents and carers on how GCSEs and A levels will be awarded following the cancellation of this year's exams:

https://www.gov.uk/government/news/how-gcse-as-a-levels-will-be-awarded-in-summer-2020?utm_source=68820985-2466-4b6a-806f-1666ceaad64d&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

It has been confirmed that GCSE students will get their results on Thursday 20 August 2020 and A-level students will get their results on Thursday 13 August 2020, as originally planned.

Bereavement

CCC have recently published guidance for educational settings and schools on sudden traumatic death and bereavement prefaced by a specific section on Covid-19: <http://localoffer.cumbria.gov.uk/kb5/cumbria/fsd/advice.page?id=fLsuj6aGToc>.

This is an unprecedented and extremely difficult situation. Coronavirus (Covid-19) will lead to an increasing number of questions over the coming days, weeks and months. The information and guidance contained within this document has been collated for governing boards to use. Whilst we endeavour to keep the information up to date and correct, as the situation is continually evolving we recommend that you keep up to date with newly released guidance from [Department for Education](#) and [National Governance Association](#).