

What's New and Updates

This latest edition of A Guide to the Law for School Governors again includes videos from Teachers TV which are relevant to your role as a school governor. It also includes school governance regulations, which can be found in the section marked “Regulations” on the menu screen.

Below is a list of the major amendments made to the previous edition of the Guide.

Précis of amendments

Chapter	Paragraph	Paragraph title	Amendment details
3	26–28	Target-setting	On 14 October the Secretary of State announced an end to Key Stage 3 testing from 2009 onwards. Further details are outlined in paragraphs 26 to 28.
5	Chapter summary	Governing body federation	A federation model has been adopted as a structural solution for National Challenge schools in order to help them strengthen their leadership and governance and to improve educational standards. Find out more from the DCSF website.
	8	Procedure for governing bodies wishing to federate	The governing bodies proposing to federate must publish the proposals by sending them to the Secretary of State within one week of publication via federations.mailbox@dcsh.gov.uk (this requirement is being introduced in The School Organisation and Governance (Amendment) (England) Regulations 2009).
6	22	Recent changes to Key Stage 4	As well as the previous Key Stage 4 statutory requirements, there is an additional requirement that it is now a statutory entitlement to have access to a course leading to two science GCSEs.
	23	Assessing achievement	Updated clarification of how EYFS and Key Stages 1–3 and 4 are assessed.
	41a	Careers education and guidance	Outlines changes to the law on provision of school careers education and guidance after the passing of the Education and Skills Bill 2008. Includes impartiality of advice given and a focus on the interests of the pupil.
7	49 to 51	Understanding the legislative framework for promoting the educational achievement of looked-after children	New legislation from the Children and Young Persons Act 2008 places a duty on the governing body of a maintained school to appoint a designated person to promote the educational achievement of looked-after children who are registered pupils at the school. The new regulations are expected to come into force in September 2009.

8	3	School funding	Clarification of regulations governing the school budget where a contract has been entered into which is deemed as "a charitable purpose".
	29	Insurance	The LA's duty to maintain a school includes meeting the cost of insurance. Historically, VA governing bodies have taken out insurance policies intended to meet 10 per cent of replacement costs, with the remaining 90 per cent of rebuilding met by DCSF through a grant. This grant is no longer available and all schools and authorities are advised to consider 100 per cent insurance.
10	16 and 17	Headteacher qualifications	Clarification on the National Professional Qualification for Headship (NPQH). From 1 April 2009 only those who have successfully completed NPQH can be lawfully appointed to their first substantive headship position.
	22	Religious considerations in employing teachers and support staff at voluntary aided schools	Clarification of the genuine occupational requirement (GOR) in regard to employing teachers and support staff.
	26	Reserved teachers at voluntary controlled and foundation schools with a religious character	A reserved teacher may now be appointed as a headteacher, namely as one of the teaching staff who may be selected for their ability to teach religious education in accordance with the tenets of the relevant faith at the school and specifically appointed to do so.
	57	Checking applicants	All newly appointed staff who have lived outside the UK must have an enhanced CRB disclosure. This requirement was applied retrospectively to all such staff if they were recruited after March 2002.
	99	Premature retirement	Outlines new changes which will come into effect from 6 April 2010.
12	3	Legislative framework	A new School Admissions Appeals Code was introduced on 10 February 2009.
	8	Consultation on proposed admission arrangements	Clarification on the need for consultation on proposed admission arrangements.
	12–15	Admission numbers	Updated guidance on admission numbers.

13	2	General responsibility of the governing body for school discipline	The Education and Skills Act 2008 amends section 29 of the Education Act 2002 to introduce a power for governing bodies to arrange for registered pupils to be directed off-site in order for them to receive educational provision which is intended to improve their behaviour, for example to attend courses in anger management.
	12	Procedures for exclusion: action by the governing body	Emphasises the importance of the provision of suitable training for the governing body.
	19	Procedures for exclusion: the independent appeal panel	Emphasises the importance of the provision of suitable training for the panel.
	71	Attendance outside school premises	From September 2009 governing bodies will also have the power to require pupils to attend provision outside school premises for the purposes of improving their behaviour.
19	Chapter summary	Trust schools	A majority trust model has been adopted as a structural solution for National Challenge schools in order to help them improve their results. Details are available on the National Challenge website.
	8	Acquisition of a trust	Clarification of the regulations governing the acquisition of a trust.
20	19–26	Duty to have regard to the views of parents	This section contains important information on the new duty to have regard to the views of parents.
23	2	Education during school hours	The entitlement to free early-years provision for all three and four year olds will rise from 12.5 hours per week to 15 hours per week in September 2010.
25	93	Fair Processing Notice	The DPA requires schools to provide an oral or written statement, known as a fair processing notice or a privacy notice, to pupils, parents and staff where they have collected and stored information about them.