

# Developing School Policies

## Education 2015





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# Section 1 - Introduction

## 1.1 Background

The Developing School Policies booklet was produced and first issued in March 2008. The booklet has been reviewed following the update and release in December 2009 of a key Welsh Assembly Government (hereafter termed the 'WAG') school governance publication called A School Governor's Guide to the Law (hereafter termed the 'Guide to the Law').

## 1.2 Legal framework

The legal background regarding school governing body policy and documentation can be found in Annex 1 – School Governing Bodies: Policies and Documents of the Guide to the Law.

## 1.3 Terminology

Throughout the booklet, the term Local Authority (LA) is used instead of Local Education Authority (LEA). The term LA is used because the law is soon to change to use that term in place of the long used term 'LEA'. Where there is reference to terms that are defined in legislation, for example "LEA governor", the term Local Education Authority (LEA) is still used.

## 1.4 Advice and support

Governors are reminded that help and advice is available from the Governor Support Unit (GSU) by ringing 01446 709106/8 (direct lines).

## 1.5 Availability of the booklet

Copies of this booklet are also available on-line via the Governor Support Unit page on the Vale of Glamorgan Council website at:

[www.valeofglamorgan.gov.uk/working/education\\_and\\_skills/school\\_improvement/governor\\_support\\_unit.aspx](http://www.valeofglamorgan.gov.uk/working/education_and_skills/school_improvement/governor_support_unit.aspx)

In electronic versions of the booklet a reference is underlined. This indicates a hyperlink has been attached to the reference, which should allow you to access the full document or website by clicking on the link.

## 1.6 Purpose

The governing body has three main roles:

- o To provide a strategic overview
- o To act as a critical friend
- o To ensure accountability

Policies are one of the key tools by which the governing body carries out its responsibility for setting the strategic direction of the school. They provide the philosophy and principles which underpin the way things should be done by the school.

This booklet aims to help governing bodies with the key elements of the policy making process for which they are responsible:

- o **Policy development** – getting the right policies in place.
- o **Monitoring** – knowing that policies are implemented.
- o **Evaluating** – understanding the impact.
- o **Reviewing** – making sure policies remain relevant and revising them as appropriate.

The booklet also supports governors to help them ask the right questions; to challenge themselves and the Headteacher to identify what impact their policies have on improving standards.

## 1.7 Categories of schools

Governors should be familiar with their own school category and the legal obligations placed upon them when developing their school policies.

The categories of schools, with a very brief explanation of what they mean for the school, are:

- o **Community School** – the school including land is owned, maintained and staffed by the local authority (subject to responsibilities delegated to governing bodies);
- o **Foundation School** – the governing body owns the premises, employs the staff and has primary responsibility for admission arrangements. It will receive revenue and capital funding from the LA;
- o **Voluntary Aided School** – the school (sometimes via a third party i.e. the promoter) holds its own premises, employs the staff and deals with admission arrangements. The LA via the school budget share provides revenue funding. The

governing body will include foundation governors or in the case of a school with no foundation, partnership governors. These will hold a majority of the places on the governing body;

- o **Voluntary Controlled School** – The land and buildings of the school are often owned by a voluntary organisation. However, the LA will employ the staff and have primary responsibility for admission arrangements. In practice many voluntary controlled schools will have a connection to a promoter, in the main a religious body for the purposes of providing a faith education. The governing body will include foundation governors but they will not be in the majority; and
- o **Community Special School** – a school provided for children with Additional Educational Needs. The school including land is owned, maintained and staffed by the LA.

A list of all schools in the Vale of Glamorgan and their category is shown below:

<b>‘Community’ English Medium Secondary Schools</b>	Rhws Primary
Barry Comprehensive	Palmerston Primary
Bryn Hafren Comprehensive	St Athan Primary
Cowbridge Comprehensive	St Illtyd Primary
Llantwit Major	Sully Primary
<b>‘Vountary Aided’ Secondary School</b>	Victoria Primary
St Richard Gwyn R/C	Y Bont Faen Primary
<b>‘Community’ Welsh Medium Secondary School</b>	Ysgol Gymraeg Pen y Garth
Ysgol Gyfun Bro Morgannwg	Ysgol Iolo Morganwg
<b>‘Foundation’ Secondary Schools</b>	Ysgol Gwaun y Nant
St Cyres Comprehensive	Ysgol Sant Baruc
Stanwell	Ysgol Sant Curig
<b>‘Community’ Junior Schools</b>	<b>Church in Wales ‘Voluntary Controlled’ Schools</b>
Murch Junior	Gwenfo C/W Primary
<b>‘Community’ Infant Schools</b>	Peterston-Super-Ely C/W Primary
Dinas Powys Infants	St Nicholas C/W Primary
<b>‘Community’ Primary Schools</b>	<b>Church in Wales ‘Voluntary Aided’ Schools</b>
Albert Primary	All Saints C/W Primary
Barry Island Primary	Llansannor C/W Primary
Cadoxton Primary	Pendoylan C/W Primary

Cogan Primary	St Andrews Major C/W Primary
Colcot Primary	St Brides Major C/W Primary
Eagleswell Primary	St Davids C/W Primary
Evenlode Primary	Wick & Marcross C/W Primary
Fairfield Primary	<b>Roman Catholic 'Voluntary Aided' Schools</b>
Gladstone Primary	St Helen's Infant
High Street Primary	St Helen's Junior
Holton Primary	St Joseph's Primary
Jenner Park Primary	<b>'Community' Nursery Schools</b>
Llancarfan Primary	Bute Cottage Nursery
Llandough Primary	Cadoxton Nursery
Llanfair Primary	Cogan Nursery
Llangan Primary	<b>'Community' Special Schools</b>
Llanilltud Fawr Primary	Ashgrove
Oak Field Primary	Ysgol Erw'r Delyn
Romilly Primary	Ysgol Maes Dyfan

## 1.8 Which policies should schools have?

Some policies are required by law. Others are recommended as good practice for all schools.

It is important to make sure that those policies which are statutory and required by law are in place and have been formally approved by the governing body (as recorded in the minutes of the governing body meeting).

Consideration should also be given to those policies identified in the booklet as non statutory but recommended. Don't rush to write those which are not already in place. Identify your priorities and agree a programme for developing those policies.

## 1.9 Governing body committees and policies

Each governing body committee could be asked to establish a list of policies relating to its area of responsibility, with a timetable showing those which need to be drafted, those which exist and when they will be reviewed. Committees should keep the whole governing body informed of progress by submitting a programme for reviewing and drafting policies on an annual basis.



## 1.10 Who is responsible for policy making?

The governing body and the Headteacher each have key roles and responsibilities in relation to school policies. These vary at different stages of the policy making process:

### 1. Policy development

Ideally, governing bodies and Headteachers should work together in partnership to develop key policies. Headteachers should involve governing bodies at an early stage when formulating policies.

If policies are to be effective tools for directing the work of the school, there needs to be direct input from the governing body in planning and formulating them.

### 2. Policy implementation

This is the responsibility of the Headteacher to manage.

### 3. Monitoring, evaluating and reviewing

The governing body is responsible for monitoring and evaluating the implementation of its policies. The Headteacher is responsible for collecting, analysing and presenting information about the implementation of policies for consideration by the governing body.

This is explained clearly in paragraph 4 and 5 of the WAG Guidance Circular School Government (Terms of Reference) (Wales) Regulations 2000: Circular 34/00:

*“The governing body are to carry out their functions with the aim of taking a largely strategic role in the running of the school. This includes setting up a strategic framework for the school, setting its aims and objectives, setting policies and targets for achieving the objectives, reviewing progress and reviewing the strategic framework in the light of progress.*

*The Headteacher is responsible for the internal organisation, management and control of the school; and for advising on and implementing the governing body’s strategic framework. In particular, Headteachers need to formulate aims and objectives, policies and targets for the governing body to consider adopting; and to report to the governing body on progress at least once every school year.”*

## 1.11 Policy development – How should the governing body set about it?

All governors should be involved in the debate and decision making. Whilst policies may be developed by committees, it is good practice for the whole governing body to approve them. Ready made policies are sometimes available for governing bodies to adopt. Whilst these may provide a useful starting point, policies really need to be ‘owned’ by the school if they are to be effective in practice. As a general rule, don’t just adopt policies written by others in order to get the right piece of paper in place.



**Diagram 1:** Try to ensure that people who represent the sections of the school community affected by the policy are involved in its development. Good consultation will improve policies and make it more likely that they will be applied.

## 1.12 Human Resource (HR) policies

There are policies the LA recommends that schools adopt such as those written by its Human Resources (HR) Department on specific areas such as redundancy. Governing bodies should strongly consider adopting these policies as they have been written in consultation with and agreed by Teachers’ Associations. If governing bodies do not agree to these policies they will have to negotiate their own with the Teachers’ Associations.

## 1.13 Checklist for policy preparation

Policy making has to be planned and prepared for. Consider:

- o What information do we need?
- o How will we get it?
- o Who will we consult – staff/parents/pupils?
- o How will we consult them?
- o How will we schedule our discussions?
- o Who else could join in our discussions?
- o How can we make the best use of our time together?
- o How will we encourage every governor to contribute to the discussion and decision making?

Don't forget to think about the need for any staff training and the implications for the allocation of resources.

Once the policy is drafted, it needs to be formally agreed by the whole governing body. The governing body should then consider who needs to be informed about the new policy and how that will happen.

Make sure that sets of school policies are easily accessible, in particular to the Headteacher, the Chair of the governing body and the Clerk. All staff and governors should have an up to date list of school policies and know where they can read them. Parents should also have access to relevant policies.

## 1.14 Policy development – What should an effective policy include?

- o **A statement about what the governing body wants to happen.**  
This should focus on what the governing body wants the school to achieve, not how the school might work to achieve it.
- o **How can this be done?**  
This is largely a matter for the Headteacher and staff, although the governing body may wish to apply some limitations. For example, the governing body might specify that pupils should not be grouped across Key Stages.
- o **The process for monitoring and review:**
  - (i) The procedures and information which will be used to check how well the policy works in practice.
  - (ii) The timetable for monitoring and review.
  - (iii) Appropriate staff links are in place to keep the governing body informed.
  - (iv) Each policy should identify the responsible member of staff.

- (v) The governing body may find it useful to develop a house style for all policies to follow. Policies should not be too long; some will fit on one side of A4.
- (vi) All policies should include the date on which they were approved by the governing body and the date on which they will be reviewed by the governing body.

## 1.15 Monitoring policies

The governing body needs to satisfy itself that the policy:

- o is implemented;
- o achieves what the governing body wants it to achieve; and
- o remains relevant to the school's needs.

The policy statement itself should therefore include arrangements for monitoring, evaluating and reviewing its effectiveness.

In terms of monitoring, the policy should identify:

- o **'What'** the governing body needs to know;
  - o **'When'** the information is needed; and
  - o **'How'** it will be obtained.
- o **'What' will the governing body need to know?**  
Decide what the governing body needs to know to check that a policy is implemented fairly and consistently and that it is working. This will include both hard information (such as Key Stage assessment results) and soft information (such as parents' views). Focus specifically on the information needed to monitor what is in the policy and try not to get sidetracked.
  - o **'When' will the information be needed?**  
The policy statement should include a realistic timescale for monitoring and review. The governing body will need to take into account the time needed by school staff to collect information, and should aim to fit in with the existing cycle of collection and analysis of information.

The reporting timescale will depend on the topic. Some policies should be reported on termly; but others may be reported on less frequently. For example, the governing body may wish to receive termly reports on the operation of its health and safety policy but a report on its sex education policy every two years.

Similarly, the review cycle of policies will vary. Some policies will come up for review on an annual basis during the course of the school improvement planning

and budget cycles. For others such as the Performance Management Policy, there is a legal requirement for them to be reviewed every school year.

- o **‘How’ can it be obtained?**

Monitoring will largely take place through reports provided by the Headteacher and staff. The governing body might also ask a governor, committee or working group to look at a particular policy area. The Headteacher could arrange a programme of governor visits to show evidence of the policy working in practice.

## **1.16 Evaluating policies**

Having received the monitoring reports, it is essential that the governing body use the information to understand the impact of the policy on the school and to identify the need for action where appropriate.

Governing bodies need to evaluate the impact of their policies on an ongoing basis and consider the monitoring reports and ask questions.

For example:

- o Is the implementation of the policy progressing as planned?
- o Is it making a difference?
- o What impact is it having on improving standards?
- o What are the strengths and weaknesses of the policy?
- o What more is being done, or needs to be done?

It is helpful to refer back to the aims and objectives set out in the policy statement to assess whether it is delivering what the governing body had intended.

The governing body needs to have ongoing dialogue with the Headteacher to reach a common understanding of the issues and the action to be taken.

## **1.17 Reviewing policies**

A review date should be set for each policy at the time it is approved. As a result of regular monitoring and evaluation, governing bodies may decide to review a policy before the original review date. Ideally, however, try to avoid postponing the review date.

In reviewing policies, consider:

- o Has the policy been successfully implemented?
- o What is the impact of the policy in the school – Did it achieve what was intended?
- o Are the basic aims and objectives still relevant?



It reflects well on a school at the time of an ESTYN inspection or if visited by the Welsh Audit Office if its policies are easily accessible.

Schools should also arrange for teachers and support staff to have their own copies of policies which relate to their work. Parents should know they have easy access to a file containing school policies. Staff and governors should have access to a list of policies and be informed where they can read them.

Access to a list of the school's policies may be via the school website with hyperlinks to each individual policy.

## **I.20 Policy signature**

It is also highly recommended that the Chair of the governing body sign off any policy accepted by the governing body. The pro-forma on the next page can be used as a template and amended accordingly by each governing body.

Once a policy has been accepted and signed off by the Chair of the governing body, it is a good idea to store the form within the master file mentioned in I.19.

**School  
Logo**

**Policy:**

*[Name of Policy]*

This is to confirm that the governing body of *[School]* accepted the attached policy at the governing body meeting held on *[Date]*.

Signed: .....

Print name: .....

**Chair of Governing Body**

Date .....



## Section 2 – Statutory policies

### 2.1 What statutory policies should schools have?

The statutory policies governing bodies have a duty to produce and adopt for their schools can be found in a table in Annex I of the Guide to the Law and is titled 'School Governing Bodies: Policies and Documents'. The table can also be seen here:

Statutory policies/procedures	Where to find further information in this booklet	Where to find further information in the Guide to the Law
<p><b>Admissions Policy</b>            Voluntary Aided and Foundation schools.            Also Community and Controlled schools if the Local Authority transfers the responsibility to them.  <u>Part 3 School Standards and Framework Act (SSFA) 1998, Code on School Admissions 2009</u></p>	<p><b>Page</b> <b>15</b></p>	<p><b>Chapter 14</b> Admissions</p>
<p><b>Charging Policy</b>            All schools  <u>Section 457 Education Act 1996</u></p>	<p><b>Page</b> <b>19</b></p>	<p><b>Chapter 17</b> Charging for School Activities</p>
<p><b>Child Protection/ Safeguarding Children in Education</b>            All Schools  <u>Section 175, The Education Act 2002</u>  <u>Safeguarding Children - The Role of Local Authorities and Governing Bodies.</u></p>	<p><b>Page</b> <b>21</b></p>	<p><b>Chapter 25</b> Health, Safety and Welfare</p>
<p><b>Complaints Policy and Procedures</b>            All Schools  <u>Section 29 of the Education Act 2002</u>  <u>National Assembly for Wales Circular 03/2004 – School Governing Bodies Complaints Procedures.</u></p>	<p><b>Page</b> <b>24</b></p>	<p><b>Chapter 12</b> Complaints and Whistleblowing</p>
<p><b>Curriculum Policy</b>            All Schools  <u>The School Government (Terms of Reference) (Wales) Regulations 2000</u></p>	<p><b>Page</b> <b>25</b></p>	<p><b>Chapter 11</b> The Curriculum</p>
<p><b>Equal Opportunities Policies</b></p> <ul style="list-style-type: none"> <li>o Disability Equality Scheme</li> <li>o Gender Equality</li> <li>o Race Equality</li> </ul> <p>All schools  <u>All Legislation relating to Equal Opportunities is listed under Chapter 9 of the Guide to the Law.</u></p>	<p><b>Page</b> <b>28</b></p>	<p><b>Chapter 9</b> Equal Opportunities and School Governors</p>

<p><b>Health &amp; Safety Policy</b> Voluntary Aided and Foundation Schools</p> <p>See Chapter 25 of the <u>Guide to the Law</u> for relevant Legislative listings.</p> <p><i>The Local Authority is responsible for setting the policy in Community, Community Special and Controlled Schools (Refer to Chapter 25 of the <u>Guide to the Law</u> for legislative position and listings).</i></p>	<p><b>Page</b> <b>35</b></p>	<p><b>Chapter 25</b> Health, Safety and Welfare</p>
<p><b>School Teachers' Pay and Conditions Policy</b> All Schools</p> <p><u>School Teachers' Pay and Conditions Document and Guidance on School Teachers' Pay and Conditions</u></p>	<p><b>Page</b> <b>49</b></p>	<p><b>Chapter 10</b> Staffing</p>
<p><b>Performance Management</b> All Schools</p> <p><u>School Government (Terms of Reference) (Amendment)(Wales) Regulations 2002</u></p> <p><u>School Teacher Appraisal (Wales) Regulations 2002</u></p>	<p><b>Page</b> <b>37</b></p>	<p><b>Chapter 10</b> Staffing</p>
<p><b>Pupil Behaviour and Discipline (including Anti Bullying) Policy</b> All schools must keep a written statement of general principles on behaviour and discipline.</p> <p><u>Section 61, School Standards and Framework Act 1998</u></p>	<p><b>Page</b> <b>40</b></p>	<p><b>Chapter 15</b> Behaviour and Attendance</p>
<p><b>Sex Education</b> All schools</p> <p><u>Section 404 of Education Act 1996</u> requires schools to have a policy.</p> <p><i>Primary Schools are not required to include sex education in the school's curriculum by virtue of <u>Section 101 of the Education Act 2002</u>.</i></p>	<p><b>Page</b> <b>46</b></p>	<p><b>Chapter 11</b> The Curriculum</p>
<p><b>Special Educational Needs Policy</b> All schools.</p>	<p><b>Page</b> <b>50</b></p>	<p><b>Chapter 13</b> Children with Additional Educational Needs</p>
<p><b>Staff Discipline, Conduct, Capability and Grievance Procedures</b> All schools</p> <p><u>Staffing of Maintained Schools (Wales) Regulations 2006</u></p>	<p><b>Page</b> <b>53</b></p>	<p><b>Chapter 10</b> Staffing</p>

## 2.2 Admissions Policy

### Legislative Framework

The School Standards and Framework Act 1998 (“the 1998 Act”) sets out the legislative framework for school admissions. In addition, a statutory Schools Admissions Code and a separate statutory Code on School Admission Appeals came into force on 31 March 2009. This imposes requirements and gives guidance to LA’s and other admission authorities on the law, and on the guiding principles for administering school admissions. All those involved with administering admission arrangements must act in accordance with the Code.

There are differing legal obligations which are dependent on the category of school:

<b>Community Schools</b>	<b>Community Special Schools</b>
<b>Voluntary Controlled Schools</b>	<b>Maintained Nursery Schools</b>

### Legal obligations

*‘For community and voluntary controlled schools the LA is the admission authority and is responsible for all aspects of school admissions (except where the LA has delegated this responsibility to the governing body with their agreement). The governing bodies of such schools must, by law, implement the LA’s decisions on individual applications and act in accordance with the LA’s admission arrangements. If they refuse, the LA can refer the matter to the Welsh Ministers, who may direct the governing body to comply with the LA’s decision under Section 496 or Section 497 of the Education Act 1996.’*

### **School Governors Guide to the Law - Chapter 14**

### Guidance

The School Admissions Section of the Local Authority (LA) publishes a guidance booklet titled A Parental Guide to School Admissions in the Vale. This is updated each academic year and includes comprehensive information on:

- o Admissions Timetable
- o The LA’s Admission Policy
- o Admission Criteria
- o Application Process
- o Appeal Process
- o Provision for Children who have Special Educational Needs
- o Admission Numbers
- o Statutory Class Sizes
- o Transport
- o Free School Meals

Governing bodies from the above category schools simply adopt the LA’s admission policy.

## Advice and support

If you have any queries about the LA Admission Policy, please contact the Vale Council School Admissions Section:

Mike Matthews  
Principal Officer - Admissions  
Tel: 01446 709727  
email: [MMatthews@valeofglamorgan.gov.uk](mailto:MMatthews@valeofglamorgan.gov.uk)

Paula Jones  
Admissions Officer  
Tel: 01446 709725  
email: [PJonesEduc@valeofglamorgan.gov.uk](mailto:PJonesEduc@valeofglamorgan.gov.uk)

<b>Voluntary Aided Church in Wales (C/W) Schools</b>
<b>Voluntary Aided Roman Catholic (R/C) Schools</b>
<b>Foundation Schools</b>

## Legal obligations

*'In foundation and voluntary aided schools the governing body is the admission authority. The governing body may delegate the functions relating to admission arrangements to a committee (but not an individual) that will administer the admission process as determined by the governing body. It is considered good practice to appoint the head teacher to an admissions committee, but head teachers have no individual role in admissions and cannot act in place of the governing body in determining the school's admission policy, or in deciding on the admission of any individual child.'*

### **School Governors Guide to the Law - Chapter 14**

## Guidance

In foundation and voluntary aided schools the governing body is responsible for the admission of pupils and is the 'admissions authority'. However it has a legal duty to consult on its own admission arrangements with other admission authorities, including the LA and other foundation and voluntary aided schools, within the 'relevant area'. This will normally be the LA in which the school is situated. Once determined, other admission authorities must be informed of the arrangement, and of any subsequent changes. There is a duty on the school to publish its admission arrangements annually for the benefit of potential parents.

Admission procedures within voluntary aided and foundation schools in the Vale are well established and governing bodies of voluntary aided schools are advised to contact their appropriate Diocesan Director to discuss and agree any proposed changes.

## **Advice and support**

The admissions criteria for all voluntary aided and foundation schools is listed in the guidance booklet *A Parental Guide to School Admissions in the Vale* however the LA has limited influence on the admission policy of these schools.

For further advice:

### **Voluntary Aided Church in Wales (C/W) Schools**

If you have any queries about the Admission Policy for a Voluntary Aided Church in Wales School:

- o All Saints C/W Primary
- o Llansannor C/W Primary
- o Pendoylan C/W Primary
- o St Andrews Major C/W Primary
- o St Brides Major C/W Primary
- o St Davids C/W Primary
- o Wick & Marcross C/W Primary

Please contact a school directly or:

The Reverend Edwin Counsell  
Diocesan Director of Education  
The Diocesan Office  
The Court  
Coychurch  
Bridgend  
CF35 5EH  
Tel: 01656 868858  
email via: [PennySnowdon@ChurchinWales.org.uk](mailto:PennySnowdon@ChurchinWales.org.uk)

### **Voluntary Aided Roman Catholic (R/C) Schools**

If you have any queries about the Admission Policy for a Voluntary Aided Roman Catholic School:

- o St Helen's R/C Junior
- o St Helen's R/C Infant
- o St Joseph's R/C Primary

Please contact the school directly or:

Anne Robertson  
Diocesan Director of Schools and Colleges  
Archbishop's House  
43 Cathedral Road  
Cardiff  
CF11 9HD  
Tel: 02920 233838  
Fax: 02920 345950  
email: [schools@rcadc.org](mailto:schools@rcadc.org)

### **Foundation Schools**

If you have any queries about the Admission Policy for a Foundation School:

- o St Cyres Comprehensive
- o Stanwell

Please contact the Headteacher/Chair of the governing body directly as these schools are themselves the admissions authority.

## 2.3 Charging Policy (Charging for School Activities)

Every school, regardless of their category has a legal obligation to determine, adopt and implement a Charging Policy.

### **Legislative Framework**

The Education Act 1996: Sections 449–462 sets out the law regarding what charges can and cannot be made for activities in schools maintained by LAs in England and Wales. The Act prescribes what activities a governing body may and may not charge for when they take place either during or outside of school hours, including residential activities.

### **What is a charging policy?**

A charging policy is a statement that takes into account of each type of activity that can be charged for and explains when charges will be made. If a charge is to be made for a particular type of activity, for example optional extras, parents need to know how the charge will be worked out and who might qualify for help with the cost (or even get it free). This information should be made available to parents. A governing body may not charge for anything unless it has drawn up a statement of general policy on charging.

### **Welsh Assembly Government (WAG) Guidance Circular – Guidance for Governing Bodies on Charging for School Activities**

The WAG published in 2010 guidance for governing bodies on charging for school activities. The circular includes a model procedure which governing bodies may choose to adopt. Also included in the Circular are a number of template letters which schools may use to request for a voluntary donation for a trip/visit/practical/activity/residential trip.

The Circular also includes a Frequently Asked Questions (FAQ) section which is also shown here:

#### **Q. Can governing bodies charge for educating children in maintained schools?**

- A. No charge can be made for admitting pupils to maintained schools. Education provided during school hours must be free. This includes materials and equipment, and transport provided in school hours by the LA or by the school to carry pupils between the school and an activity. “School hours” are those when the school is actually in session and do not include the break in the middle of the school day.

**Q. Can a school charge for an activity that takes place out of School hours?**

- A. Parents can only be charged for activities that happen outside school hours when these activities are not a necessary part of the national curriculum or do not form part of the school's basic curriculum for religious education or for activities that are an essential part of the syllabus for an approved examination. Charges may be made for other activities that happen outside school hours if parents agree to pay. The Education Act 1996 describes activities that can be charged for as "optional extras". It is up to the LA or governing body providing the activities to decide whether to make a charge.

**Q. Can a school ask for voluntary contributions?**

- A. Yes, in some circumstances. Although generally schools cannot charge for school-time activities, they may still invite parents and others to make voluntary contributions (in cash or in kind) to make school funds go further or assist in a particular activity. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. Governing bodies should also make it clear that children of parents who do not contribute will not be treated any differently. If a particular activity cannot take place without some help from parents this should be explained to them at the planning stage.

**Q. What happens if the school is unable to raise enough voluntary contributions to cover costs?**

- A. Where there are not enough voluntary contributions to make the activity possible and there is no way to make up the shortfall, the activity must be cancelled. The essential point is that no pupil may be left out of an activity because his or her parents cannot, or will not, make a contribution of any kind.

**Q. Why must the school have a Charging Policy?**

- A. A Charging and Remission Policy is required by law and is designed to minimise the financial barriers which may prevent some pupils from benefiting from school activities and visits.

**Q. Is a residential trip in or out of school time?**

- A. Residential activity counts as falling within school time if the number of school sessions missed by the pupils amounts to half or more of the number of half days taken up by the activity. Each school day is normally divided into two sessions and each 24-hour period is divided into two half days beginning at noon and midnight. If 50% or more of a half-day is spent on a residential trip, the whole half-day is counted as spent on the trip.

**Advice and Support**

If you have any queries about your Charging Policy, please contact in the first instance, the Governor Support Unit on 01446 709106/8.



## 2.4 Child Protection/Safeguarding Children in Education

Section 175 of the Education Act 2002 came into force in Wales on 1 September 2006 and placed a duty on LAs and governing bodies of maintained schools to have arrangements in place to ensure that they:

- o exercise their functions with a view to safeguarding and promoting the welfare of children; and
- o have regard to any guidance issued by the WAG when drawing up those arrangements.

### Safeguarding

'Safeguarding' covers more than the contribution made to child protection in relation to individual children. It encompasses issues such as pupil health and safety and bullying, about which there are specific statutory requirements. Where there are statutory requirements, governing bodies should ensure their school has policies and procedures in place that satisfy them and comply with any guidance issued by the WAG.

It includes a range of other issues such as arrangements for meeting the needs of children with medical conditions; sex and relationship education and drugs and substance misuse, about which the WAG has issued guidance. These should be evidenced by policies and procedures that are in accordance with that guidance or achieve the same effect.

Governing bodies also need to be able to show that they have considered whether children, including individual children, in their school have any specific safeguarding needs in addition to those covered by guidance and if so, that governing bodies have policies and procedures in place to meet those needs.

Safeguarding also covers internet safety, educational visits, school safety and issues which may be specific to a local area e.g. gang activity.

### Legal obligations

Key legislation on Safeguarding/Child Protection stems from the Children Act 1989 and the Children Act 2004. The Children Act 2004 placed a duty on local authorities and partner agencies to co-operate to improve the wellbeing of children and young people in each local authority area in Wales, which is taken forward through the statutory Children and Young People's Partnerships (CYPP).

### Guidance

Governing bodies are accountable for ensuring that their school has effective policies and procedures in place to safeguard and promote the welfare of children in accordance with the WAG Guidance Circular 005/2008 - Safeguarding Children in

Education: The role of local authorities and governing bodies under the Education Act 2002, the All Wales Child Protection Procedures 2008 and accompanying WAG Guidance Circular 12/07 - Safeguarding Children: Working Together Under the Children Act 2004, and any locally agreed inter-agency procedures and monitoring its compliance with them.

The Additional Learning Needs (ALN) Service of the Learning & Development Directorate is the department responsible for advising on Safeguarding/Child Protection issues within the LA.

The LA is required to maintain a record of every Vale school's 'Designated Senior Person' for Safeguarding/Child Protection, deputy Senior Person as well as details of the Link Governor for Safeguarding. All schools and governing bodies are requested to inform the ALN Service if there is a change in the contact details of either the Designated Senior Person or Link Governor for Safeguarding.

### **Child Protection allegations against Staff Members**

In the event of a Headteacher or Chair of governors receiving child protection allegations against a member of staff they should immediately inform the LA Lead Officer for Child Protection for further guidance. The allegations will be considered in accordance with the Local Safeguarding Children's Board procedures.

If it is decided that the matter may result in disciplinary action, the governing body, in accordance with the Staffing of Maintained Schools (Wales) Regulations 2006, must take the following action :-

- o Appoint an independent investigator; and
- o Appoint an independent non governor member with voting rights to both the staff disciplinary and dismissal committee and the disciplinary and dismissal appeals committee (different member to be appointed to each committee).

Schools and governing bodies will be informed of this requirement by the LA Lead Officer for Child Protection.

To help governing bodies fulfil the first requirement WAG have set up an Independent Investigator Service (WAGIIS) which governing bodies can use free of charge. All schools have been circulated with a letter from WAG with contact details of the WAGIIS.

The role of the non governors is to support these governing body committees throughout this difficult process by giving due regard to all the evidence and ensuring impartiality. The non governors have full voting rights and may either take the place of an existing committee member or be additional to the existing three members.

This is only a brief outline of the procedures governing bodies must follow should they find themselves in this situation. Further information may be obtained from the LA Lead Officer for Child Protection.

### **Guidance**

The ALN Service has produced a Safeguarding/Child Protection folder which has been distributed to all schools. The folder can be also be accessed via the [Governor Support Unit](#) webpage and includes a Model Child Protection Policy for Schools.

### **Advice and Support**

If you have any queries about the LA's Safeguarding/Child Protection Policy & Procedures, please contact, in the first instance, the ALN Service Helpline on 01446 709180.

## 2.5 Complaints Policy and Procedures

Every school has a legal obligation to determine, adopt and implement a Complaints Policy and Procedures.

### Legal obligations

Section 29 of the Education Act 2002 requires the governing bodies of all maintained schools in Wales, including nursery schools, to establish procedures for dealing with complaints from parents, pupils, members of staff, governors, members of the local community and others. This includes complaints about the school and any community facilities or services that the school provides. The law also requires governing bodies to publish their complaints procedures.

### WAG Guidance

The WAG issued a Guidance Circular on School Governing Bodies Complaints Procedures - Circular No: 03/2004 in 2004. The Circular contains guidance for Headteachers and school governing bodies, on the establishment and publication of procedures for dealing with complaints from parents, members of staff, members of the local community, governors, pupils and others. The Circular is a very clear and informative document and governing bodies are advised to familiarise themselves with the document.

The WAG also issued a Guidance Circular titled Guidance for School Governing Bodies on Procedures for Complaints involving Pupils - Circular No: 39/2006. This Circular is supplementary to the above Circular 03/2004 and should be read in conjunction with it.

### 'Dealing with Complaints' Guidance Booklet

The Governor Support Unit also published its own guidance booklet in 2007 titled Dealing with Complaints which reflected WAG guidance. Additionally the guidance booklet includes model Complaints Procedures, at Appendix B, for governing bodies to consider and adopt. The booklet can be accessed via the School Guidance and Policies section on the Governor Support Unit web page.

It is strongly recommended that all governing bodies in the Vale adopt the model Complaints Procedures.

### Advice and Support

If you have any queries about your Complaints Policy and Procedures, please contact the Governor Support Unit on 01446 709106/8.

## 2.6 Curriculum Policy

Every school has a legal obligation to determine, adopt and implement a Curriculum Policy.

### Guidance

The school curriculum is not simply a collection of subjects or experiences. In relation to the matters or activities which it covers, it is required to be balanced and broadly based and must promote the spiritual, moral, cultural, mental and physical development of pupils at school and of society and prepare pupils for the opportunities, responsibilities and experiences of adult life. Every maintained school must provide the basic curriculum which includes the following:

- o the national curriculum subjects, which applies from years 5-16;
- o religious education for all registered pupils at the school; pupils up to 19 years old;
- o collective worship for pupils up to 19 years old;
- o sex education in the case of a special school this applies to secondary school pupils. Primary schools must have a policy re: sex education;
- o personal and social education;
- o careers and the world of work. This forms part of the basic curriculum and is compulsory for all registered pupils aged 11-16. In addition, it is also part of the requirements of the Learning Core of the Learning Pathways 14-19.

Responsibility for the curriculum is shared between the head teacher, the governing body, the LA and the WAG.

### The Basic Curriculum - National Curriculum subjects

The 12 National Curriculum subjects are: English, Welsh, Modern Foreign Languages, Mathematics, Science, Design and Technology, Information and Communication Technology, History, Geography, Art and Design, Music and Physical Education.

The Subject Orders cover ages:

- o 7 to 16 (Key Stages 2 to 4) in English, Welsh, Maths, Science, and PE; and
- o 7 to 14 (Key Stages 2 and 3) – in the rest of the subjects.

The curriculum for 3-7 year olds is set out in the Framework for Children's Learning for 3 to 7-year-olds in Wales. The curriculum for 14-19 year olds is defined by Learning Pathways and qualifications choice.

## **Curriculum Policy – Overview and Information**

The policy should provide an overarching framework that translates the values and aims of the school into effective teaching and learning.

The policy must cover both the National Curriculum, which provides the legal foundation and secures an entitlement for all pupils, and all that is learned in school, formally and informally, and within and beyond the school day.

The policy should establish principles against which other policies and procedures can be developed or checked so that they are consistent and coherent.

The policy should include a statement of purpose and the school should consult with parents and staff in writing about the policy.

The policy should embrace policies and procedures for admissions, assessment, careers education and guidance, charging, collective worship, drug education, equal opportunities, health and safety, homework, lettings, nutritional standards, performance management, race equality, school visits, session times, SEN, sex education, staff discipline and teaching and learning.

### **Factors to consider for your Curriculum Policy**

All children have a right to a broad, balanced and relevant education which provides continuity and progression and takes individual differences into account. Work in school should be planned to meet the requirements of the National Curriculum.

#### **The school aims to:**

- o Cater for the needs of individual children of both sexes from all ethnic and social groups, including the most able and those who are experiencing learning difficulties
- o Facilitate children's acquisition of knowledge, skills and qualities which will help them to develop intellectually, emotionally, socially, physically, morally and aesthetically, so that they may become independent, responsible, useful, thinking, confident and considerate members of the community
- o Create and maintain an exciting and stimulating learning environment
- o Ensure that each child's education has continuity and progression
- o Ensure that there is a match between the child and the tasks s/he is asked to perform
- o Provide a broad and balanced curriculum
- o Recognise the crucial role which parents play in their children's education and make every effort to encourage parental involvement in the educational process
- o Treat children in a dignified way

## **We aim that all children should**

- o Learn: to be adaptable; how to solve problems in a variety of situations; how to work independently and as members of a team
- o Develop the ability to make reasoned judgements and choices, based on interpretation and evaluation of relevant information from a variety of sources
- o Be happy, cheerful and well balanced
- o Be enthusiastic and eager to put their best into all activities
- o Begin acquiring a set of moral values, such as honesty, sincerity, personal responsibility, on which to base their own behaviour
- o Be expected to behave in a dignified and acceptable way and learn to become responsible for their actions
- o Care for and take pride in their school
- o Develop tolerance, respect and appreciation of the feelings and capabilities of others in an unbiased way
- o Develop non-sexist and non-racist attitudes
- o Know how to think and solve problems mathematically in a variety of situations using concepts of number, algebra, measurement, shape and space and handling data
- o Be able to listen and read for a variety of purposes and be able to convey their meaning accurately and appropriately through speech and writing for a variety of purposes
- o Develop an enquiring mind and scientific approach to problems
- o Have an opportunity to solve problems using technological skills
- o Be capable of communicating their knowledge and feelings through various art forms including art/craft, music, drama and be acquiring appropriate techniques which will enable them to develop their inventiveness and creativity
- o Know about geographical, historical and social aspects of the local environment and national heritage and be aware of other times and places and recognise links among family, local, national and international events
- o Have some knowledge of the beliefs of the major world religions
- o Develop agility, physical co-ordination and confidence in and through movement
- o Know how to apply the basic principles of health, hygiene and safety

## **Advice and Support**

If you have any queries about your Curriculum Policy, please contact in the first instance, the Governor Support Unit on 01446 709106/8.

## 2.7 Equality Policies

All Schools have a responsibility to consider and act on equality legislation.

The main legislative requirements are found in the following Acts:

### o **Equality Act 2010**

The creation of the Equality Act 2010 aims to present a modern, single legal framework, providing clearer, streamlined law that is more effective at tackling disadvantage and discrimination. The first part of the Act came into force from 1 October 2010 and replaced and extended a number of existing equality Acts and Regulations.

The Act protects pupils from discrimination and harassment based on 'protected characteristics'.

The protected characteristics for the schools provisions are:

- o Disability.
- o Gender reassignment.
- o Pregnancy and maternity.
- o Race.
- o Religion or belief.
- o Sex.
- o Sexual orientation.

The categories of people covered by the schools provisions are:

- o Prospective pupils (in relation to admissions arrangements).
- o Pupils at the school (including those absent or temporarily excluded).
- o Former pupils (if there is a continuing relationship based on them having been a pupil at the school).

### **Public Sector duties as a result of the Equality Act 2010**

The Equality Act will have a major impact on all LA's and Schools through the integrated Public Sector Equality Duty from April 2011. It will place a single Equality Duty on all public bodies by bringing together the three existing duties (Race, Disability and Gender) and extending that duty to include gender reassignment, age, sexual orientation and religion and belief. Further information relating to the impact of the Duty will be shared with schools closer to April 2011.



The public sector duties of the Equality Act 2010 will require all schools to:

- o Eliminate discrimination, harassment and victimisation.
- o Advance equality of opportunity.
- o Foster good relations

These duties will replace all previous legislation and duties relating to Race, Disability and Gender detailed below from April 2011.

### **o Race Relations (Amendment) Act 2000**

The Act provides a duty to eliminate race discrimination, promote race equality and promote good relations between people from different ethnic groups.

### **o Disability Discrimination Act 2005**

The Act places a duty on schools to eliminate discrimination and promote disability equality.

## **Guidance for Vale Schools**

This section includes specific guidance for Vale Schools on:

- 1. Disability Equality Scheme** – including details of the Vale’s model Disability Equality Scheme and Accessibility Plan
- 2. Race Equality Policy** – including details of the Vale’s model Race Equality Policy
- 3. Equality Legislation & Policy** – Advice on other current notable equality legislation and policy.

### **1. Disability Equality Scheme**

The Disability Equality Duty is a positive duty on all public bodies to promote disability equality. All primary and secondary schools maintained by a local education authority, and all local authorities themselves, are covered by the Disability Equality Duty. This means that, alongside their existing duties, schools and local authorities will have to take proactive steps to promote disability equality for pupils, employees, and service users.

## **Legal obligations**

The Disability Discrimination Act (DDA) 2005 provides a duty for schools to eliminate discrimination and promote disability equality.

The Disability Equality Duty (DED) for the public sector is a legal duty that requires all maintained primary and secondary schools to take proactive steps to ensure their disabled pupils, staff and governors, parents/carers and other people using the school are treated equally.

There is both a general and specific duty under the Act:

### **General duty:**

- o Promote equality of opportunity
- o Eliminate unlawful discrimination
- o Eliminate disability-related harassment
- o Promote positive attitudes towards disabled people
- o Encourage disabled people's participation in public life
- o Take steps to take into account people's disabilities, even where that involves more favourable treatment

### **Specific duty:**

Primary and Secondary schools should have developed a Disability Equality Scheme by 1 April 2007.

Schools are required to improve the accessibility of their schools for their disabled pupils under the planning duties contained in Part 4 of the DDA. A Disability Equality Scheme builds on this as the specific duties cover disabled employees and other disabled users of school premises and services (such as parents and carers) as well as pupils. There is also a statutory requirement to involve disabled people in the production of a Disability Equality Scheme.

A Disability Equality Scheme should include:

- o A statement of how disabled people - disabled children, young people and adults have been involved in developing the Scheme.
- o The School's arrangements for gathering information on the effect of your policies and practices (e.g. recruitment, achievement of disabled pupils).
- o Details of how the school is going to use the information gathered, in particular, in reviewing the effectiveness of the Action Plan and preparing subsequent Schemes.
- o The school's methods for assessing the impact of your policies and practices on disability equality and where improvements can be made.
- o A plan of action - a list of action points that detail the steps that the school is going to take to meet the general duty.

### **Model Disability Equality Scheme for Vale Schools**

A model Disability Equality Scheme for Vale schools incorporating an Accessibility Plan which governing bodies can consider, amend to suit their own circumstances and then adopt can be accessed via the School Guidance and Policies section on the [Governor Support Unit](#) web page.

The Scheme should be reviewed every three years and most schools that launched their Scheme in 2007-8 should review and update their Scheme for the next three years, 2010-11 to 2012-13.

If you need further advice about your Disability Equality Scheme and/or Accessibility Plan please contact Caroline Rees, Head of Service for Additional Learning Needs (ALN) on 01446 709843 or email Caroline via [JButler@valeofglamorgan.gov.uk](mailto:JButler@valeofglamorgan.gov.uk)

## **2. Race Equality Policy**

Every school is required to comply with the general and specific duties of the Race Relations (Amendment) Act 2000, and are required to develop a Race Equality Policy to demonstrate how they comply with the provisions of the Act. This should be reviewed every 3 years.

### **Race Relations (Amendment) Act 2000**

The Amendment Act imposes a general duty on public authorities, including schools, in performing their public function to have due regard for the need to:

- o promote equality of opportunity;
- o promote good relations between persons of different racial groups; and
- o eliminate unlawful racial discrimination.

### **What must we have in our schools?**

The Race Relations Amendment Act (RRAA) places a general duty and a number of specific duties on schools to promote race equality. In June 2002 the Commission for Racial Equality (CRE) issued a statutory Code of Practice on the duty to promote race equality. It provides guidance on meeting the new duties which apply to all schools whether or not they have children from minority ethnic groups on roll.

The Policy essentially packages the specific duties into a coherent strategy and action plan. It should cover all relevant functions and policies, bringing them within a single framework. A policy must make clear how a school plans to meet both its general and specific duties. Ideally it should summarise the school's overall approach to racial equality and how this links to its corporate aims and objectives.

Every school **must** have a Race Equality Policy.

### **Race Equality in Vale schools - The local context**

The Vale of Glamorgan is rapidly becoming a more diverse and multicultural community in which 39 languages are spoken.

The profile of the Local Authority has changed significantly over the past 10 years and at present 8% of the school population is from a diverse range of ethnic minority communities. Within the ethnic minority school population 30% of pupils are in the

process of acquiring English as an Additional Language (EAL). In addition, out of the number of pupils acquiring EAL, there has also been a significant rise in the number of pupils who are new to English.

This places the Vale of Glamorgan as being the Authority with the fourth largest number of pupils from ethnic minority backgrounds within Wales. This, along with a growing awareness of the positive aspects of cultural, linguistic and religious diversity, has meant that schools have been exploring more appropriate approaches to educational development in order to meet the needs of and raise the attainment of pupils from minority ethnic groups.

### **What guidance is available on Race Equality for schools?**

ESTYN provided guidance in September 2010 titled 'Supplementary guidance on the inspection of racial equality, the promotion of good relationships and English as an additional language'.

The Commission for Racial Equality (CRE) in June 2002 issued a statutory Code of Practice on the duty to promote race equality called 'Learning for All – Standards for Racial Equality in Schools'.

The Vale of Glamorgan Council's Ethnic Minority Achievement Service (EMAS) team has also produced a number of key documents which should be considered including:

- o Ethnic Minority Achievement Service (EMAS) Policy - to provide practical suggestions
- o Model Race Equality Policy for Vale Schools
- o Racial Incidence guidance - to support schools in addressing racial harassment, as well as recording racial incidents.

The Vale of Glamorgan Council commissioned Race Equality First (REF) who produced a report in March 2010 titled 'Review of School Race Equality Policies' in the Vale.

All the above guidance can be accessed via the School Guidance and Policies section on the [Governor Support Unit](#) web page.

If you need further advice on your Race Equality Policy please contact:

Martine Coles  
Lead Professional EAL  
Ethnic Minority Achievement Service (EMAS) team  
Vale of Glamorgan Council  
Tel: 01446 709130  
email: [MNColes@valeofglamorgan.gov.uk](mailto:MNColes@valeofglamorgan.gov.uk)

Lisa Ellery  
Lead Professional EAL Secondary Phase  
Ethnic Minority Achievement Service (EMAS) team  
Vale of Glamorgan Council  
Tel: 01446 709130  
email: [LAEllery@valeofglamorgan.gov.uk](mailto:LAEllery@valeofglamorgan.gov.uk)

**3. Equality Legislation & Policy** – Advice on other notable equality legislation and policy.

### **Gender Equality**

#### **What is the gender equality duty?**

The gender equality duty was introduced into legislation in the Equality Act 2006, amending the Sex Discrimination Act. It means that public bodies must have 'due regard' to the need to:

- o to eliminate unlawful sex discrimination and harassment (including for transsexual people)
- o to promote equality of opportunity between men and women

The gender duty is made up of two elements, the 'general duty' and the 'specific duties'. The **general duty** came into force in Great Britain on April 6 2007 and it requires all public authorities, including schools, to have due regard to the need:

- o to eliminate unlawful sex discrimination and harassment on the grounds of sex to promote equality of opportunity between men and women.

The **specific duties** define the means of meeting the general duty and these require schools to:

- o prepare and publish a gender equality scheme, showing how it intends to fulfil its general and specific duties and setting out its gender equality objectives
- o consider the need to include objectives to address the causes of any gender pay gap
- o gather and use information on how the school's policies and practices affect gender equality in the workforce and in service delivery
- o consult stakeholders on its gender equality objectives
- o assess the impact of its current and proposed policies and practices on gender equality
- o implement the actions set out in its scheme within three years - this is often referred to as the "Action Plan"
- o report annually on the scheme and review it every three years.

## **What is a gender equality scheme?**

The gender equality scheme (GES) should provide a clear framework to help identify objectives, plan delivery and evaluate the steps needed to ensure that the gender equality duty (GED) is being carried out. It can be embedded within another strategic document, such as the School Development Plan. If the GES is included in another document, it must be clear that the specific gender duties have been addressed.

## **Guidance**

The Vale of Glamorgan Council's Equalities Department can provide advice and guidance on equality legislation, developing and reviewing your equality policies and complaints relating to equality issues.

Advice on equality legislation is also available from the [Equality and Human Rights Commission \(EHRC\)](#).

For advice from the Vale of Glamorgan Council's Equalities Department please contact:

Linda Brown  
Corporate Equalities Officer  
Vale of Glamorgan Council  
Tel: 01446 709362  
email: [LJBrown@valeofglamorgan.gov.uk](mailto:LJBrown@valeofglamorgan.gov.uk)

Nicola Hinton  
Corporate Equalities Officer  
Vale of Glamorgan Council  
Tel: 01446 709362  
email: [NHinton@valeofglamorgan.gov.uk](mailto:NHinton@valeofglamorgan.gov.uk)

## 2.8 Health and Safety Procedures

<b>Community Schools</b>	<b>Community Special Schools</b>
<b>Voluntary Controlled Schools</b>	<b>Maintained Nursery Schools</b>

Governing bodies and the LA (as the employer of staff in Community, Community Special, Voluntary Controlled and Maintained Nursery schools) have responsibility for protecting the health and safety of all staff, pupils and visitors.

The LA provides guidance that applies to all its Community, Community Special, Voluntary Controlled and Maintained Nursery schools, and these schools are expected to follow it. The LA may take action against governing bodies who fail in this duty.

<b>Voluntary Aided Schools</b>	<b>Foundation Schools</b>
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In Foundation and Voluntary Aided schools the governing body is the employer of staff. In these schools, the governing body is responsible for ensuring the health and safety of all staff, pupils and visitors at all times.

### Guidance

The Vale Council Health and Safety Department published a Schools Safety Management Folder, which was distributed to all Vale schools early in February 2008. The folder contains procedures on:

- o Health and Safety Policy Statement – Schools Service
- o Guidance on Accident and Incident Reporting
- o Guidance on Alcohol Abuse in the Workplace
- o Boiler Maintenance and Gas Installations
- o Guidance on Buildings and Establishment
- o Guidance on the Control of Infectious Diseases
- o Guidance on Display Screen Equipment
- o Guidance on Electricity at Work
- o Guidance on Fire Prevention & Evacuation
- o Guidance on First Aid at Work
- o Guidance on Health and Safety Audits
- o Managing Contractors in Schools
- o Guidance on Risk Assessment in Schools
- o Dealing with Violence at Work Guidance
- o Corporate Occupational Health and Safety Policies

These procedures can also be accessed and downloaded either via the Governor Support Unit web page or the Health and Safety webpage on Staffnet.

In the introduction section of the folder, the Vale Council Health and Safety Department **strongly recommend:**

*'that in cases of foundation and voluntary aided schools where the governing body are officially classed as the employer, that the school and governing body formally adopt in writing the Vale of Glamorgan Corporate guidance documents'*

In terms of Educational Visits, the WAG published the All Wales Educational Visits guidance in 2010. It has been produced in conjunction with the Health & Safety Executive, Outdoor Education Advisors (Wales) Panel, and the Welsh Assembly Government. It covers almost all conceivable outdoor educational pursuits. Dave Golding, the Outdoor Education Adviser will supply schools with appropriate information concerning the guidance.

This key publication can be accessed or downloaded via the [Governor Support Unit](#) webpage or direct via the WAG website - [Educational visits - A safety guide for learning outside the classroom - All Wales guidance](#)

The guidance supersedes the previous guidance in Health and Safety of Pupils on Educational Visits (HASPEV) and the subsequent supplements to HASPEV.

### **Advice and Support**

If you have any queries about the Vale Council Health and Safety [Schools Safety Management Folder](#), please contact the [Health and Safety](#) Department:

Andrea Davies  
Corporate Health and Safety Officer  
Tel: 01446 709361  
email: [ARDavies@valeofglamorgan.gov.uk](mailto:ARDavies@valeofglamorgan.gov.uk)

Ian Cooksley  
Health and Safety Officer  
Tel: 01446 709528  
email: [IMCooksley@valeofglamorgan.gov.uk](mailto:IMCooksley@valeofglamorgan.gov.uk)

### **Educational Visits**

Dave Golding  
Outdoor Education Adviser and Duke of Edinburgh Award Officer  
Tel: 01446 709540  
email: [DMGolding@valeofglamorgan.gov.uk](mailto:DMGolding@valeofglamorgan.gov.uk)



## 2.9 Performance Management Policy

Every school has a legal obligation to determine, adopt and implement a Performance Management Policy.

### Legal Obligations

In 2002, revised performance management arrangements came into effect for teachers (including Headteachers) in Wales. The legislative basis is the School Teacher Appraisal (Wales) Regulations 2002 (which replaced the Education (School Teacher Appraisal) (Wales) Regulations 1999) and the School Government (Terms of Reference) (Amendment) (Wales) Regulations 2002. The Regulations required governing bodies of a school to establish a performance management policy and to secure that the performance of all teachers at the school is reviewed annually.

### What is performance management?

Performance management (teacher appraisal) is a system of annual performance review that involves professional dialogue about aims and achievements between teachers and their team leaders and Headteachers and their governing body. It is a way of helping schools improve by supporting and improving teachers' work, both as individuals and in teams.

### Preparing a School Performance Management Policy

All Schools need a written and agreed performance management policy so that everyone in the school community understands how performance management works and their responsibilities and rights within it. Schools can draw on arrangements already in place for setting school targets, monitoring and appraisal.

The governing body may find it appropriate to authorise the Headteacher to draft the policy, consulting teaching staff so that they know how it will help them do their jobs well and raise standards. The Headteacher can then present it to the governing body for consideration and agreement. Whether the governing body establishes its own policy or directs the Headteacher to prepare, it must ensure that all teachers are consulted before the policy is established.

The policy should set out clearly where responsibilities lie for individuals' performance management. It should be fair, treat all teachers consistently and be simple to operate and implement.

The governing body must ensure that the school's performance management policy is operating effectively. The Appraisal Regulations require the Headteacher to report at least annually to the governing body on the operation of performance management in the school, including the effectiveness of the performance management procedures in

the school and the training and development needs of the teachers and the Headteacher identified as part of the process. In addition, the School Government (Terms of Reference) (Amendment) (Wales) Regulations 2002 require the Governing Body to review the Performance Management Policy every school year.

The WAG produced a number of key documents to support and help governors with Performance Management:

- o **Performance Management Guidance 1 –** Principles and Procedures which describes the system;
- o **Performance Management Guidance 2 –** Schools' Performance Management Policies which includes a model policy;
- o **Performance Management Guidance 3 –** Guidance for Governors; and
- o **Performance Management Guidance 4 –** Objective Setting

It is highly recommend that governing bodies utilise these documents when developing their Performance Management Policy and consider adopting the model policy included in Performance Management Guidance 2.

### **Key Features in a Performance Management Policy**

1. **Introduction:** Setting out what the performance management policy is intended to achieve and who it covers.
2. **Aims and intentions:** Outlining the value of performance management and the benefits it provides.
3. **Roles and responsibilities:** Showing who is responsible for the development of the policy itself.
4. **Responsibility for reviews:** To ensure all teachers know who will be responsible for their reviews.
5. **Timetable for reviews:** Setting out when and how all teachers are involved, and the links with the school's planning cycle and existing arrangements to monitor progress and improvement within the school.
6. **The performance management cycle:** To explain the cycle of self analysis, planning, monitoring, self evaluation and reviewing performance as it will operate in the school.

7. **Appeals procedure:** Sets out the statutory process to follow if a teacher is dissatisfied with the annual review.
8. **Confidentiality:** A statement to set out clearly the confidential nature of performance management documents and the need to keep them in a secure place
9. **Access to outcomes:** Sets out clearly the statutory position about who can have access to review statements or information contained in them.
10. **Relationship between performance management and disciplinary or capability processes:** Explains that the performance management process does not form part of any formal disciplinary or capability processes, but may inform certain decisions or recommendations.
11. **Relationship between performance management and other policies:** Sets out how the performance management system relates to other areas such as career stages and pay.
12. **Evaluation of the policy:** Sets out the school's commitment to review the effectiveness of the review process each year.
13. **Standardised documentation:** Showing who is responsible for the development of the policy itself.

### **Advice and Support**

The Governor Support Unit schedule two governor training courses each academic year, one in the Autumn term and one in the Spring term on Performance Management for Headteachers. The training is delivered by the Education School Improvement Service (ESIS) who are appointed by the Welsh Assembly to advise on and deliver training on Performance Management for Headteachers.

The WAG Performance Management Guidance which includes a model policy can be accessed and downloaded via the [Governor Support Unit](#) web page

If you have any queries about your Performance Management Policy, please contact the Governor Support Unit on 01446 709106/8.

## 2.10 Pupil Behaviour and Discipline (Including Anti-Bullying) Policy

Every school has a legal obligation to determine, adopt and implement a Pupil Behaviour and Discipline (including Anti Bullying) Policy.

A school behaviour policy shapes the school ethos and makes a statement about how the school values and includes all the people in it. Positive behaviour and attendance are essential foundations for a creative and effective learning and teaching environment in which all members of the school community can thrive and feel respected, safe and secure. A well implemented policy is an important factor in gaining pupils' and parents' confidence in a school and in attracting and retaining good quality and well-motivated staff.

*“Headteachers and governing bodies must also, by law, have a policy to prevent all forms of bullying among pupils. Challenging bullying effectively will improve the safety and happiness of pupils, show that the school cares and make clear to bullies that such behaviour is unacceptable.”*

***National Assembly for Wales Guidance Circular  
No: 23/2003 Respecting Others: Anti-Bullying Guidance***

### **Guidance**

There are a number of important key areas which feed into this policy. Governing bodies can either draw together the key areas of:

- o Pupil Behaviour and Discipline
- o Anti Bullying
- o Pupil Exclusions

into one policy or they can produce an individual policy covering each key area.

Governing bodies should, if they do this, highlight that these three policies make up the Pupil Behaviour and Discipline (Including Anti-Bullying) Policy.

### **Behaviour**

The Primary Behaviour Improvement Team (PBIT) is part of the Pupil Support Service within the LA. The Team is comprised of specialist teachers and specialist behaviour support assistants, who can work in any primary or nursery school throughout the Vale and are also able to advise and guide all school governing bodies.

The aim of the team is:

- o to work in partnership with parents, teaching staff and other agencies.
- o to encourage the positive behaviour of children with emotional and behavioural difficulties.
- o to modify children's behaviour sufficiently so that they can succeed within a mainstream school.

The team offers:

- o Assessment and advice for schools.
- o Regular visits from a specialist teacher to monitor the child's behaviour and consult with relevant staff about modifications in management strategies.
- o Meetings with parents to provide a supportive framework in which they can discuss their child's emotional and behavioural needs.
- o Liaison with Social Services, health care professionals and other agencies when this is felt to be appropriate.
- o Help in the school with developing an Individual Behaviour Plan. This plan sets behaviour targets for the child and gives guidance to the school staff.
- o Specialist in-class support where appropriate. Specialist teacher's aides work in class to help children achieve their behaviour targets. They help children to stay on task and motivated during lessons or run activities that will help children to play and improve the children's relationship with their peers.
- o Further involvement of an educational psychologist. It may be appropriate for the team to request an educational psychologist to work with a child.
- o Delivery of social skills and anger management courses for children.
- o Commissioning and providing in-service training for all school staff.
- o Delivery of parenting training for groups.

Access to the service begins in the school. Initial concerns about a child should be discussed between school staff. The school can request a consultation or discuss a child's difficulties with an educational psychologist. Following school action, it may be decided to make a referral to the Primary Behaviour Improvement Team. This referral leads to a visit from a specialist teacher for assessment and advice.

The service has strong links with the educational psychologists and the Primary/ Secondary Transition Project Teacher. There are further links with the other specialist teachers in the Pupil Support Service, the Education Welfare Service, the administrative team, Speech and Language Therapists and High Street Behaviour Unit.

### **What is bullying?**

Bullying is defined as behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group, either physically or emotionally.

Forms of bullying:

- o Verbal – name calling, notes, phones, threats of physical violence
- o Physical – deliberate hitting, kicking, pushing, bumping etc
- o Theft / damage to property – intending to create fear and use power improperly
- o Manipulative – using social networks to exclude individuals, spreading rumours
- o Cyber – bullying – texts, e-mails, MSN, mobile phones, social networking sites

- o Racial – a range of hurtful behaviour, both physical and psychological, that make the person feel unwelcome, marginalised and excluded, powerless or worthless because of their colour, ethnicity, culture, faith community, national origin or national status
- o Homophobic – motivated by a prejudice against lesbian, gay or bisexual people

The effects can manifest as:

- o Depression
- o Low self esteem
- o Withdrawal
- o Poor academic achievement
- o Truancy/lateness
- o Isolation
- o Threatened or attempted suicide
- o Anxiety
- o Fear
- o Avoidance of certain situations
- o Arriving home hungry or with possessions missing/damaged

### **School Policies**

Every school must have a policy to prevent all forms of bullying amongst pupils. Schools may include this in their whole school Behaviour Policy.

The policy should follow the approach as detailed in the *National Assembly for Wales Guidance Circular No: 23/2003 Respecting Others: Anti-Bullying Guidance*, and should address whole-school preventative and reactive strategies to eradicate bullying, together with systems to ensure effective implementation, monitoring and review.

Schools should involve staff, pupils and parents in developing the policy and should include:

- o very clear definitions of bullying and the issue of relative power
- o range of types of bullying
- o parental involvement at all stages
- o clear procedures for staff, pupils and parents with direct guidance for each group in separate specific documents
- o synergy between anti-bullying and the social initiatives
- o specific attention and dynamics of racist, homophobic and sexist bullying
- o examples taken from children's own accounts of bullying
- o discussion of why bullying might take place
- o discussion of underlying motivation

## **Four stages of policy development**

### **Stage 1: Awareness raising and consultation**

Through consultation with staff, pupils, parents and other partners schools should address in their policies:

- o A definition of bullying
- o Aims and objectives of the policy
- o Whole-school preventative measures, e.g. good communication systems, SEAL, Peer mentoring, PSHE lessons, Circle Time, Circle of Friends, curriculum support, training and play, after-school/home to school/school bus and its behaviour
- o Procedures for staff, pupils and parents to follow
- o Range of sanctions that are implemented consistently
- o Good recording systems
- o Make transport contractors and the local community aware of the school's policy.

### **Stage 2: Implementation**

Schools should ensure:

- o Consistent systems for reporting, recording and addressing bullying behaviour;
- o That all staff are trained in implementing the policy
- o Promotion and implementation of the policy amongst pupils

### **Stage 3: Monitoring**

The Policy should describe systems for monitoring the progress of the policy as a whole, in particular systems for maintaining, use and retention of records, to comply with the Data Protection Act.

Schools should identify how the policy is publicised and regularly promoted within the school.

### **Stage 4: Evaluation**

The policy should include details of how to ensure pupils views on the day-to-day effectiveness the policy are obtained, with comments and concerns addressed.

The policy should record how data from feedback from pupils, parents, staff and Governors is used to review policy. Governing Bodies may wish to consider a regular report on policy implementation, monitoring, evaluation and review.

Regular pupil surveys, implemented in conjunction with the School Council, should lead to development of the policy and its implementation

## Advice and Support

There is a considerable amount of information available for schools and governors to make use of when producing their Anti-Bullying Policy. *The National Assembly for Wales Guidance Circular No: 23/2003 Respecting Others: Anti-Bullying Guidance* is a key document and other documents that schools/governors may want to consider are:

- o ESTYN 2006 -Tackling bullying in schools - A survey of effective practice.
- o Governors Wales – Governors guide on preventing bullying, a practical guide for school governors.
- o National Assembly for Wales – School Anti-Bullying Policy - Self Assessment Tool – 2007.

The guidance should assist your school/governing body in developing its own policy. If have any queries about your school's Behaviour or Anti Bullying Procedures and Policy, please contact:

Nicky Sturgess  
Pupil Behaviour Improvement Team (PBIT)  
Tel: 01446 709180  
email: [NSturgess@valeofglamorgan.gov.uk](mailto:NSturgess@valeofglamorgan.gov.uk)

Ruth Ferrier  
Pupil Behaviour Improvement Team (PBIT)  
Tel: 01446 709180  
email: [RSFerrier@valeofglamorgan.gov.uk](mailto:RSFerrier@valeofglamorgan.gov.uk)

## Pupil Exclusions

Exclusions are used as a last resort and only when all other strategies have been tried and exhausted. Exclusions, either fixed term or permanent can only be imposed by the Headteacher or in the Headteachers absence the most senior teacher in charge.

When an exclusion is imposed, set procedures are followed and provide an appeal process for the parent/guardian(s) and, when appropriate, pupils.

The Pupil Support Service is the unit within the LA responsible for advising on exclusion issues and has produced guidance booklets for Parents/Guardians, Headteachers/Governors. Two booklets are available:

- o Permanent Exclusion from School
- o Fixed Period and Lunchtime Exclusion from School



The guidance contained within the booklets is taken from the National Assembly for Wales Guidance Circular No: 1/2004 'Exclusion from Schools and Pupil Referral Units'.

The Pupil Support Service take responsibility for ensuring that exclusion procedures are dealt with in accordance with legislation and that clear advice and guidance is provided to all concerned.

The team:

- o acts as link to parents/ schools/ school governors/ Education Welfare Service/ Primary Behaviour Improvement Team/ Educational Psychology Service/ Social Services and any other relevant external agencies.
- o provides training for school governors.
- o ensures LA representation at governing body discipline committees for longer fixed term exclusions, permanent exclusions and Independent Appeal Hearings.

### **Advice and Support**

If have any queries about your school's exclusions policy or procedure, please contact Jane Werrett in the Pupil Support Service on 01446 709147 or by email on [JCWerrett@valeofglamorgan.gov.uk](mailto:JCWerrett@valeofglamorgan.gov.uk). Alternatively please call the Pupil Support Service Helpline on 01446 709180.

## 2.11 Sex and Relationships Education (SRE) Policy

Governing bodies of all maintained schools must:

- (a) make, and keep up to date, a separate written statement of their policy with regard to the provision of sex education, and
- (b) make copies of the statement available for inspection (at all reasonable times) by parents of registered pupils at the school and provide a copy of the statement free of charge to any parent who asks for one.

The policy statement must also include a statement about parents' rights to exempt/withdraw their child from sex education (*Sex and Relationships Education in Schools-National Assembly for Wales Guidance Circular No: 019/2010*).

### Legal Obligations

#### Secondary schools

All maintained secondary schools are required under Section 352 (1) (c) of the Education Act 1996 to include, as part of the 'basic curriculum' of the school, sex education for all registered pupils.

#### Primary schools

However, Section 352 (1) of the Education Act 1996 does not require Primary schools to provide sex education as part of the 'basic curriculum'. Primary schools can provide sex education but whether they do so is at the discretion of the school.

The Personal and Social Education (PSE) Framework offers recommended learning outcomes in sex related education in all Key Stages. There is an **expectation** that teachers in both Primary and Secondary Schools will deliver programmes of sex related education.

#### Special schools and Pupil Referral Units (PRUs)

Under Section 352 of the Education Act 1996, maintained Special schools and PRUs can provide sex education for primary age pupils and must provide it for secondary age pupils.

### Guidance

The National Assembly for Wales produced guidance in 2010 for schools and governing bodies through 'Guidance Circular No: 019/2010 'Sex and Relationships Education in Schools'.

The Guidance Circular draws on best practice in SRE. All schools in Wales should:

- o create a culture that supports open and responsible discussion of relationships and sexual health and well-being; and
- o be confident in providing positive, holistic SRE programmes that meet the needs of all learners.

and aims to:

- o explain the context for SRE in Wales;
- o clarify what schools are required to do by law;
- o identify expected outcomes for learners;
- o assist with developing a sex education policy;
- o promote learner participation in policy development and review;
- o ensure inclusion for all learners and provide specific guidance for primary, secondary and special schools;
- o address some of the issues for schools concerning confidentiality;
- o address issues concerning safeguarding and child protection;
- o outline strategies for learning and teaching;
- o guide schools and teachers on some of the sensitive issues schools may have to tackle when teaching SRE;
- o emphasise the importance of working in partnership with parents/carers, foster parents and corporate parents, where a child is looked after by their Local Authority;
- o identify opportunities for working in partnership with the wider community; and
- o identify opportunities to address SRE within the school curriculum for Wales.

The Guidance Circular has been supported with two reports by ESTYN evaluating the impact of the Circular in promoting effective sex and relationships education in Primary, Secondary and Special schools.

Both reports can be obtained from ESTYN direct or via the 'Publications' section on their website [www.estyn.gov.uk](http://www.estyn.gov.uk) and are titled:

- o Sex and Relationships Education – The implementation of the guidance in Circular 11/02 in schools in Wales 2004-5
- o Sex and Relationships guidance – March 2007

Both are useful resources to consider using alongside the Guidance Circular when producing your policy.

### **Links with Other Policies and Guidance**

Other policies and guidance which should be considered when developing your SRE Policy include:

- o Safeguarding/Child Protection
- o Equality and Diversity
- o Sexual Health and Well-being for Wales, 2009-2014; Draft Working Paper.

### **The Management and Organisation of SRE**

School specific information should include:

- o Where SRE is delivered in the curriculum
- o How the needs of all learners will be addressed

- o How the perspectives of pupils from different cultural backgrounds will be addressed

### **Arrangements for reviewing and updating the policy**

- o The date the policy was agreed by staff/governors
- o The arrangements for consulting with young people
- o How frequently the policy will be reviewed.

### **Advice and Support**

If you need further advice and support about your Sex Education Policy, please contact in the first instance Carol Maher on 02920 350627 or email [Carol.Maher@wales.nhs.uk](mailto:Carol.Maher@wales.nhs.uk). Carol is the Vale of Glamorgan Healthy Schools Co-ordinator and manages the Vale of Glamorgan Network of Healthy Schools Scheme.

**The Welsh Network of Healthy Schools Scheme (WNHSS)** states that a health promoting school is one which:

*"actively promotes and protects the physical, mental and social wellbeing of its community through positive action by such means as policy, strategic planning and staff development with regard to its curriculum, ethos, physical environment and community relations."*

The aim of Welsh Assembly Government is that all maintained schools in Wales should be part of the WNHSS by 2010. All LEA Maintained schools in the Vale of Glamorgan have participated in the Vale of Glamorgan Scheme since September 2007. The Vale scheme is co-ordinated by the National Public Health Service through the Local Public Health Team, and actively supported by the Local Education Authority and Cardiff and Vale University Health Board

### **Target Setting**

- o Schools are helped to identify and implement activities that reflect national and local health gain targets.
- o Schools are expected to meet local and national standards as well as promote and develop three annual health actions for the first three years or phases.
- o The schools are then required to adopt a major health gain target over two, two-year periods for phase 4 and 5, as well as sustain the targets set over the previous three years.

### **Welsh Network of Healthy Schools Schemes (WNHSS) National Quality Award**

A WNHSS National Quality Award was introduced in 2009 for schools in Phase 6.

To achieve this award schools will have to have participated in the Scheme for a minimum of 9 years, and to have covered all the 7 health topics that should have been covered throughout the school's involvement in the scheme.

## 2.12 School Teachers' Pay and Conditions Policy

Every school has a legal obligation to determine, adopt and implement a Pay Policy.

Teachers' pay structure is fixed by law. The pay structure includes scope for annual progression for classroom teachers (except for those who have passed the threshold, where further progression is on the basis of performance), as well as scope for discretion by governing bodies in setting the pay of classroom teachers, advanced skills teachers and the leadership group. Governing bodies must review the pay of all teachers annually. In doing so they must keep within the statutory provisions set out in the annual School Teachers Pay and Conditions Document (STPCD).

The Vale Council Human Resources Department recommended all schools consider the Model Pay Policy on Teachernet. This is due to be updated for the current academic year.

### Advice and Support

If you have any queries about your school's Pay Policy, please contact Human Resources:

Sue Alderman  
Principal Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel: 01446 709870  
email: [STAlderman@valeofglamorgan.gov.uk](mailto:STAlderman@valeofglamorgan.gov.uk)

Ann Jones  
Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel: 01446 709176  
email: [GAJones@valeofglamorgan.gov.uk](mailto:GAJones@valeofglamorgan.gov.uk)

Alyson Watkins  
Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel 01446 709125  
email: [AWWatkins@valeofglamorgan.gov.uk](mailto:AWWatkins@valeofglamorgan.gov.uk)

## 2.13 Special Educational Needs Policy

Every school has a legal obligation to determine, adopt and implement a Special Educational Needs Policy.

### Legal Obligations

'All maintained school governing bodies have important statutory duties towards pupils with special educational needs. Governing bodies should, with the Headteacher, decide the school's general policy and approach to meeting pupils' special educational needs for those with and without statements. They must set up appropriate staffing and funding arrangements and oversee the school's work.'

#### **(Special Educational Needs Code of Practice for Wales – Reprinted 2004)**

In order to meet their responsibilities towards children with SEN all schools must have due regard to the SEN and Disability Act 2001 and the Special Educational Needs Code of Practice for Wales – Reprinted 2004. The purpose of the Code of Practice is to give practical guidance to LA's and the governing bodies of maintained schools on the discharge of their functions under Part IV of the Education Act 1996.

The following Regulations are also relevant to matters covered in the Code of Practice:

- o The Special Educational Needs (Provision of Information by Local Education Authorities (Wales) Regulations 2002
- o The Education (Special Educational Needs) (Information) (Wales) Regulations 1999
- o The Special Educational Needs Tribunal (Time Limits) (Wales) Regulations 2001

### Guidance

The governing body of a community, voluntary or foundation school must:

- o do its best to ensure that the necessary provision is made for any pupil who has special educational needs.
- o ensure that, where the 'responsible person' – the Headteacher or the appropriate governor - has been informed by the LEA that a pupil has special educational needs, those needs are made known to all who are likely to teach them.
- o ensure that teachers in the school are aware of the importance of identifying, and providing for, those pupils who have special educational needs.
- o consult the LEA and the governing bodies of other schools, when it seems to be necessary or desirable in the interests of co-ordinated special educational provision in the area as a whole.

- o ensure that a pupil with special educational needs joins in the activities of the school together with pupils who do not have special educational needs, so far as is reasonably practical and compatible with the child receiving the special educational provision their learning needs call for and the efficient education of the pupils with whom they are educated and the efficient use of resources.

The governing body of a maintained school must:

- o report annually to parents on the implementation of the school's policy for pupils with special educational needs.
- o ensure that parents are notified of a decision by the school that SEN provision is being made for their child.
- o have regard to the Code of Practice when carrying out its duties toward all pupils with special educational needs.

Schools and governing bodies should consider the Code of Practice as it sets out guidance on policies and procedures aimed at enabling pupils with Special Educational Needs (SEN) to reach their full potential, to be included fully in their school communities and make a successful transition to adulthood. For the vast majority of children their mainstream setting will meet all their special educational needs. Some children will require additional help from SEN services or other agencies external to the school. A very small minority of children will have SEN of a severity or complexity that requires the LA to determine and arrange the special educational provision their learning difficulties call for.

The Vale Council Pupil Support Service, which is the section responsible for advising on Special Educational Needs (SEN) within the LA, provides guidance on a range of issues relating to SEN. This guidance should be used in conjunction with the guidance contained within the 'Special Educational Needs Code of Practice for Wales'.

This guidance includes information on:

- o The Statutory Assessment Process
- o Intervention at School Action Plus
- o Annual Review of SEN Statement
- o Transition Planning
- o Independent Parent Support Service
- o Disagreement Resolution Service

Every school's Headteacher, Special Educational Needs Co-ordinator (SENCO) and SEN Governor should make themselves aware of the guidance.

It's important that the SEN Governor is aware that every school is different – the needs of pupils vary from school to school, as does the range of SEN. The amount of time an SEN Governor can devote to the role will also vary and they shouldn't expect

to make a big difference straight away. Gathering knowledge and building relationships are the first priorities, and both take time.

An SEN Governor should know their school's policy on SEN and recommend that it be reviewed regularly. Regular reviews are vital to ensure that the SEN provision reflects the changing needs of the school community and takes account of any changes in the school's circumstances and the law.

The Governors' Annual Report to Parents should comment on the effectiveness of the school's SEN policy and any changes to it. Your Headteacher and SENCO might welcome the assistance of the SEN Governor in drafting the SEN section of this report.

Developing good relationships with the key people involved in SEN in the school is essential. It is particularly important to get to know the Headteacher and the SENCO and establish a good working relationship with them.

An SEN Governor may ask:

- o Who is involved in reviewing the SEN policy?
- o Does the policy reflect and meet the needs of the pupils?
- o When was the policy last reviewed and when will it be reviewed?

## **Guidance**

The Pupil Support Service has produced a Special Educational Needs folder which has been distributed to all schools. The folder can be also be accessed via the [Governor Support Unit](#) webpage.

## **Advice and Support**

If you have any queries about your Special Educational Needs (SEN) Policy & Procedures, please contact, in the first instance, the Pupil Support Service Helpline on 01446 709180.



## 2.14 Staffing / Human Resources

The Vale Council Human Resources Department have recommended a number of policies/procedures to schools for adoption by governing bodies. They have been produced in consultation with recognised Trade Unions including Teaching Associations and support staff unions.

### Cautionary note

If governing bodies adopt their own policies/procedures in relation to personnel matters, as opposed to recommended Council policies/ procedures, they will need to formally consult with all the relevant unions.

In addition to policies/procedures, Human Resource produce guidance on employee matters as and when they arise including any guidance that is issued on a national basis e.g. Workforce Agreement Monitoring Group (WAMG), Local Government Employers (LGE).

When policies/procedures or guidance are produced they are sent to all schools direct via email prior to being placed on the Governor Support Unit web page and are also available for school staff on the Council's intranet site, Staffnet.

Below is a list of the policies/procedures and guidance with links direct to them via the Governor Support Unit webpage:

- o Absence Management Policy
- o **Capability Procedure (2008)**
- o Dignity at Work Policy (2005)
- o Drug and Alcohol Policy (2004)
- o **Equal Opportunities Policy (2005)**
- o Equal Pay Grievance Policy – School Support Staff (2008)
- o **Grievance Procedure (2005)**
- o Recruitment & Selection Policy and Procedure (2009)
- o Redundancy Policy (2008)
- o School Support – Probationary Procedure (2008)
- o Special Leave – School Based Staff (2009)
- o **Staff Disciplinary Policy (2005)**
- o Discipline Diagram

**Note:** Statutory policies/procedures according to the School Governors Guide to the Law are underlined and shown in **bold**.

## Capability, Grievance, Staff Disciplinary & Conduct

Part 1, Paragraph 7 of the Staffing of Maintained Schools (Wales) Regulations 2006 which is titled 'Conduct and discipline and capability of staff' requires:

- (1) The regulation of **conduct and discipline** in relation to the staff of the school, and any procedures for giving members of the staff opportunities for seeking redress of any **grievances** relating to their employment, is to be under the control of the governing body
- (2) The governing body must establish procedures —
  - (a) for the regulation of the **conduct and discipline of staff** at the school;
  - (b) by which staff may seek redress for any **grievance** relating to their work at the school; and
  - (c) for dealing with lack of **capability** on the part of staff at the school

**Every school, regardless of their category has a legal obligation to determine, adopt and implement a Policy/Procedure for these areas.**

### Advice and Support

If you have any queries about any of the above Staffing/Human Resource Policies, please contact Human Resources:

Sue Alderman  
Principal Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel: 01446 709870  
email: [STAlderman@valeofglamorgan.gov.uk](mailto:STAlderman@valeofglamorgan.gov.uk)

Ann Jones  
Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel: 01446 709176  
email: [GAJones@valeofglamorgan.gov.uk](mailto:GAJones@valeofglamorgan.gov.uk)

Alyson Watkins  
Personnel Officer  
Human Resources – Vale of Glamorgan Council  
Tel 01446 709125  
email: [AWWatkins@valeofglamorgan.gov.uk](mailto:AWWatkins@valeofglamorgan.gov.uk)



