

# Governance News

A Termly Newsletter for Liverpool Governors and  
Trustees



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# Liverpool Learning Partnership



## **NOWfest**

NOWfest this year focussed on My Education, My Mental Health and it was superb. There were so many noteworthy performances from children and young people and such powerful messages shared. NOWfest is now going on tour, so you can host a performance or go and see one at a school near you.

For more information, visit [nowfestliv.co.uk/the-tour/](http://nowfestliv.co.uk/the-tour/)

## **RAOR**

Primary school staff have begun to access ROAR, the mental health and resilience course. More dates will be made available in April. Please note that schools should send a senior member of staff to this training as they will need to cascade it to the school community via staff meetings.

## **Summer schools to aid transition**

LLP Executive Board agreed to fund some summer schools based in secondary schools to support the transition of vulnerable children from year 6 into year 7. We are seeking additional funding to extend the programme as take up is large. More information will be forthcoming during the summer term.

## **Liverpool Counts events**

This year's Dragon's Den will have a science theme and will involve an invention or design to fit in with this being the Year of the Engineer. The final will be held on Monday 2nd July. Information about how to enter and the rules of the competition will be circulated shortly.

The city wide Maths party will be held on 6th July; posters and resources will come out nearer the time, but save the date!

## **Employment and Skills Group**

Sharon Carden chairs this new group which comprises representatives from all managerial associations alongside representatives from the employment and skills world.

## **You Can Help**

You Can Help is a short film made by a group of young people from Barnado's Liverpool Young Carers service and 'First Take', a local film production company. We are pleased to have been able to part-fund this insightful video which aims to raise awareness of how school staff can better identify and support young carers.

You can view the film [here](#)

Elaine Rees  
CEO

# School Funding Pressures



A report by the Education Policy Institute\* examines the latest trends in local authority maintained school balances, and assesses whether all schools will be able to meet cost pressures over the next two years, following recent government reforms to funding.

With regard to trends in school balances, the report found that:

- over the four years up to the end of the 2016-17 financial year, the overall proportion of local authority maintained secondary schools in deficit nearly trebled from **8.8%** in 2013-14 to **26.1%** in 2016-17.
- the South West region has the highest percentage of local authority maintained secondary schools in deficit: in 2016-17, **34.9%** of schools were in deficit
- the East of England region has the lowest percentage of local maintained secondary schools in deficit; in 2016-17, **17.5%** of schools were in deficit.

While schools may look to absorb additional costs through any reserves the school has built, there was a sharp increase in the number of schools with a falling balance for more than two years:

- the proportion of local authority maintained primary schools spending more than their income rose significantly in 2016-17 to over **60%**. A quarter had a falling balance for two years or more
- in 2016-17, over two-thirds of local authority maintained secondary schools spent more than their income, while **40%** had done so for at least two years.

The report notes that pay progression represents a significant pressure on school budgets as two-thirds of all school funding is spent on education staff costs which includes teachers, support and supply staff. Despite the announcement of £1.3 billion extra funding in July 2017, the report predicts that:

- in 2018-19, around **40%** of state-funded mainstream schools (around 7,500 schools) are unlikely to receive sufficient additional funding to meet the single cost pressure of a **1%** pay settlement
- in 2019-20, this number will increase to nearly half (close to 9,000 schools).

## Background

Schools funding plays a prominent role in the debate over improving educational standards. During the 2017 General Election campaign, it rose from being the fifth most important issue for voters to the third. Teaching unions and parents' organisations have raised concerns about 'underfunding', while others have argued that the overall quantum of funding is sufficient, but that schools need to spend money more efficiently. The debate is further muddled by the opaqueness of the current funding system and the scale of the forthcoming changes.

It is too simplistic to suggest that schools are either facing hardship simply as a result of grant cuts or that proposed funding levels are perfectly adequate. In reality, there is a complex interplay between government funding, budget pressures and school balances.

## The funding landscape

The long-term picture of school funding was examined in a 2016 report, Long-Run Trends in School Spending in England, by the Institute for Fiscal Studies (IFS) that looked at state spending per pupil in real terms from 1978 onwards. The report found that spending rose for both primary and secondary pupils for most of the period from 1980-81 to 2009-10, with a particularly rapid rise in the early 2000s.

Between 2011-12 and 2015-16, secondary school spending per pupil rose broadly in line with Gross Domestic Product (GDP), while the **5%** real-terms rise for primary schools over this period was largely down to the additional **£8.5bn** invested in the Pupil Premium. However, the intention of the Pupil Premium was to allocate additional funding to disadvantaged pupils, not to supplement the core funding for schools.

The Dedicated Schools Grant (DSG) is the main grant allocated to schools from the government. The current method of distribution is opaque and based on historical data (for example, the amount allocated to each local authority has not kept pace with changes to demographics).

Since 2013-14, the DSG has been split into three notional blocks - schools, high needs and early years. The government consulted on reforming all of these, with a consultation on the principles of a new National Funding Formula (NFF) for schools published in March 2016. A second stage consultation in December 2016 included indicative allocations at both local authority and school levels. The proposals included a floor which would have ensured that no school lost more than 3% per pupil in cash terms, at least until 2019-20.

The Education Policy Institute analysed the pattern of winners and losers from the policy amongst primary and secondary schools. It also looked at the impact of inflation, and found that once this and other cost pressures are taken into account, “all schools in England are likely to see real terms cuts in funding per pupil over the next three years”. Subsequent analysis found that “in order to address the inflation pressures faced by schools, the government would need to allocate an additional **£1.3bn** in the schools budget by 2021-22, over and above the **£4bn** commitment made in the Conservative manifesto”.

The government announced that it would allocate an extra **£1.3bn**, but rather than an annual amount in the schools budget by 2021-22 as needed to meet pressures, this would be “**£1.3 bn** for schools and high needs across 2018-19 and 2019-20 in addition to the schools budget set at spending review 2015”.

In September 2017 the government published its response to the consultation, including revised allocations which took into account the additional funding. These proposals contained a complex set of interacting transitional protections, including a floor mechanism ensuring an increase of at least **0.5%** per pupil in 2018-19 and **0.5%** per pupil in 2019-20 in cash terms.

Even if we assumed every school received its notional allocation as contained in the September release, these increases are, in the main, too small to meet the cost pressures they face. This is at a time when budgets are already under pressure and balances are falling.

These cost pressures were highlighted by the National Audit Office (NAO) in 2016. It considered the pressures facing schools between 2016-17 and 2019-20. The report stated that the Department for Education (DfE) was estimating a total cost pressure of **3.4 %** on schools in 2016-17, with the cumulative total rising to **8.7 %** by 2019-20. This latter figure was composed of:

- **4.4%** from the annual pay award and salary increases;
- **1.8%** from National Insurance;
- **1.6%** from inflationary pressures on non-staff spending;
- **0.4%** from expenditure on the teachers’ pension scheme; and
- **0.4%** from the Apprenticeship Levy.



The National Audit Office also looked at balances – the extent to which schools have built up surpluses or deficits. For local authority maintained schools, it found that, “in general, the financial health of primary schools has remained relatively unchanged from 2010-11 to 2014-15 but an increasing proportion of secondary schools may be struggling financially”.

For single academy trusts, it found that:

- the proportion of primary single academy trusts in deficit decreased from **3.2%** (seven trusts) in 2011/12 to **1.6%** (13 trusts) in 2014/15 and for those in deficit, the average deficit fell in real terms from **£58,000** to **£48,000**; and
- the proportion of secondary single academy trusts in deficit increased from **3.2%** (25 trusts) to **6.1%** (74 trusts) over the same period, although the average deficit fell from **£350,000** to **£238,000**.

### **How cost pressures may be managed**

To date, schools have taken various approaches to dealing with cost pressures. The NAO spoke to a small sample of headteachers and found several approaches they had used. They had increased teachers’ contact time, class sizes and the amount of teaching undertaken by senior staff, and reduced supply teacher costs, the size of leadership teams and numbers of teaching assistants. They have also found ways to collaborate with other schools to benefit from economies of scale, renegotiated contracts, switched suppliers, and reduced use of energy and consumables.

The schools visited by the NAO stated that to reduce costs in forthcoming years, they are planning to replace more experienced, higher-paid teachers with younger, less expensive recruits, recruit staff on temporary contracts, encourage staff to teach outside of their specialism, and rely more on unqualified staff.

However, there are constraints on using these measures. The government has also said that savings on staffing budgets should not lead to a reduction in quality. It also does not want the curriculum limited for financial reasons. Other constraints include difficulties recruiting staff, (for which they can be in competition with each other), committed expenditure such as PFI and other contracts, and physical constraints such as classroom sizes and available land.



To help to identify ways schools could handle cost pressures, the government conducted a review of efficiency in 2013. This identified seven “characteristics of the most efficient schools” and seven “drivers of efficiency”, and made six proposals to improve efficiency.

Several of these revolved round benchmarking which DfE proposed to develop, in consultation with schools. The resulting analysis aimed to identify the scope for savings and resulted in estimates for savings from procurement and from workforce deployment. However, the Public Accounts Committee has questioned whether these are achievable, and the extent to which the government has explored this.

The government has also provided guidance, advice and similar resources for schools on good practice in procurement. Another approach to increasing efficiency which the government may continue to promote is for more schools to join MATs. In some circumstances, joining or establishing a MAT may enable schools to find economies of scale.

The extent to which these resources will help schools to manage forthcoming cost pressures is currently unclear. Both the government and schools will have to draw on all the available research to find the best ways to manage in a very tight financial environment without having an adverse impact on the quality of education.

\* *School Funding Pressures in England can be viewed or downloaded [here](#)*

# Chief Inspector on Ofsted's expectations of schools



Speaking to the Association of School and College Leaders (ASCL) conference on Saturday 10th March, Ofsted Chief Inspector Amanda Spielman covered a wide range of issues relating to inspection and Ofsted's role in tackling unnecessary teacher workload.

Since taking up the post early last year, the Chief Inspector has placed increased emphasis on the substance of what is taught in schools. In her speech, she acknowledged that Ofsted has not put enough emphasis on curriculum in the past and argued that "success in (accountability) measures should flow from a rich curriculum, rather than tests of all kinds and performance tables dictating the curriculum itself".

Other key points raised in the speech included:

- Ofsted do not expect schools to undertake any special preparation, such as "Ofsted-ready files" or "mocksteds"
- based on initial feedback, Ofsted feel that recent changes to short inspections are working well
- schools will no longer be automatically judged 'inadequate' if inspectors find that they 'require improvement' for the third inspection in a row
- inspectors "have moved away from a compliance approach" to safeguarding, for example commenting on the height of fences, and towards emphasis on "a good safeguarding culture... throughout the school"
- inspectors are no longer requesting anonymised reports on the number of teachers achieving pay progression
- Ofsted have redesigned inspection data reports, trained inspectors and put in place a new support desk to ensure that data is not misused
- a new question has been added to Ofsted's staff questionnaire on whether school leaders take workload into account when setting policies
- Ofsted are developing a new inspection framework for 2019 which, in order to tackle workload, will be "as sharply focused as possible on the things that matter most"

# Teacher Retention and Turnover



Rising pupil numbers in England's schools and shortfalls in the number of new teacher trainees mean that retaining teachers who are already in the profession is all the more important for managing the future supply of teachers.

The proportion of working age teachers (defined as under the age of 60) leaving the profession each year has increased since 2010 in both primary and secondary schools. This has important implications for system-level workforce planning because more teachers leaving the profession mean that more teachers need to be recruited to replace them, if maintaining class sizes remains an important objective for policymakers.

The turnover rate – teachers leaving the school they are in, whether to move school or leave the profession – has increased more rapidly. This has been driven by the number of teachers moving between schools doubling between 2010 and 2014. Greater churn means schools have had more vacancies to fill each year, which leads to school leaders having more staffing uncertainty to deal with and higher costs of recruiting replacements.

## Looking beneath the surface

The overall system-level numbers mask a more detailed picture underneath, which is critical for gaining a better understanding of the nuances of England's teacher supply situation. The House of Commons Education Committee has called for more information to be available on teacher retention by subject, region and route into teaching.

Having sufficient numbers of teachers with the right subject expertise is vital for schools to deliver the curriculum they want to offer pupils. High rates of teachers who teach certain subjects leaving the profession constrains the curriculum that schools can effectively offer.

Analysis of School Workforce Census (SWC) data highlights some important differences in the rates of teachers leaving the profession and moving school across the different subjects in secondary schools.

## **Teachers of core subjects have high turnover rates**

Turnover rates are highest for teachers of core subjects: science, maths and English.

Science and maths teachers have the highest rates of leaving the profession and of moving school, although they are only slightly higher than English, languages and technology teachers. However, subtle differences in leaving rates are important as they mount up over time: a **10%** attrition rate per year compared to an 8% attrition rate per year may only be a two percentage point difference, but leads to a seven percentage point difference in the number of teachers still in the profession after five years.

Better employment prospects outside of teaching for those with training in a STEM subject are likely to raise the leaving rate, but other subject-specific factors may also have an influence.

The high rate of core subject teachers moving between schools may indicate shortages in these subjects: in a seller's market, teachers can 'shop around' for a preferred school, pay uplift or more senior position. However, it may also reflect greater opportunity to move school because all schools teach these subjects.

## **Leaving rates of languages and humanities teachers are very different**

Humanities teachers (mostly history and geography) have some of the lowest rates of teachers leaving the profession whereas leaving rates for language teachers are as high as those for science and maths teachers. Entries for teacher training in languages are below government targets, whereas there is a surplus of entries for history and geography.

Both are non-compulsory subjects at Key Stage 4, but the government aims to incentivise schools to increase teaching these subjects to GCSE through its EBacc and Progress 8 accountability measures. Yet schools' ability to retain staff with teaching expertise in these subjects seems to be quite different.

A number of different forces have influenced secondary schools' curriculum over the last five years. The new accountability measures – EBacc and Progress 8 – have provided schools with an incentive to particularly prioritise teaching of EBacc subjects. School spending per pupil has been stable in real terms, so increases in a particular subject area may have often meant reductions in other subjects.

Teacher supply in particular subjects has also acted as a constraint on the ability to expand teaching in some subjects.

Science is a statutory subject up to age 16, but Progress 8 provides an additional incentive for schools to offer more science teaching to fill EBacc slots. However, total curriculum hours have been unchanged since 2011. This could be because schools had spare capacity (smaller classes) which they have used up. It may also be that low recruitment and retention rates have limited schools' ability to expand science teaching hours.

History, geography and languages are EBacc subjects, but Progress 8 incentivises schools to fill EBacc slots for one of these subject groups more strongly than it incentivises them to fill both. History and geography curriculum hours have risen by **17 %** since 2011, while languages hours have fallen slightly. This suggests that lower recruitment and retention rates in language subjects have constrained schools' ability to offer more language teaching in response to an incentive to do so. This also constrains the Government's ability to achieve its aim for **90%** of pupils to be entered for the EBacc.

Non-EBacc subjects have all seen reductions in teaching hours since 2011. Progress 8 gives schools very little incentive to expand teaching of these subjects. Technology subjects have seen the largest falls in curriculum time, compared to arts subjects and PE.

*The National Foundation for Educational Research's Teacher Retention and Turnover Research can be viewed or downloaded [here](#)*

# Ofsted Parents Panel



Established in July 2015, the Ofsted Parents Panel:

- is a virtual panel of over **900** parents/carers of school-aged children and younger, in England
- provides parents/carers with a channel to regularly feed in their views so that they can help shape how Ofsted works for their benefit and their children's
- gives Ofsted a rapid response mechanism to ascertain parents' views
- does not statistically represent the parent population, but indicates parents' views based on responses to our questions.
- Earlier this year, Ofsted published its second annual Parents Panel report, summarising the main findings and how parents' views have contributed to the work of Ofsted.

## Review of the curriculum

Early in 2017, Ofsted's Chief Inspector Amanda Spielman commissioned an Ofsted-wide review of the curriculum. The aim of the review was to provide fresh insight into the curriculum, how it is being applied and the impact it has on outcomes for children. During 2017, the Parents Panel fed into two areas of this review providing valuable insight on the key stage 2 curriculum and extra-curricular activities.

## Key stage 2 curriculum

To inform the wider review of the curriculum, Ofsted invited parents' views on the key stage 2 curriculum and the impact of key stage 2 examinations on their children's learning.

This is what the panel feedback:

- Parents frequently suggested that English and mathematics dominated their child's curriculum, while humanities and art were often missed out.
- There was often an excessive amount of preparation for key stage 2 examinations and parents felt that this affected the teaching time spent on subjects that weren't tested.
- The impact of the key stage 2 examinations on their child was mostly perceived as negative with reports of some children having severe reactions to the experience.
- Key stage 2 examinations were not appropriate for some children with special educational needs or disabilities.

## **Extra-curricular activities**

The review was interested in parents' views about extra-curricular activities. In particular, the range of extra-curricular activities available to children at school, whether these activities supplemented learning or were something different.

Parents were asked how they felt about extra-curricular activities, how much children benefited from participating in extra-curricular activities and whether activities with an associated cost affected participation:

- The majority of parents said there was between a fair to large range of extra-curricular activities available to their children at both primary and secondary schools.
- Sports, both indoor and outdoor, were by far the most popular extra-curricular activities for children in both primary and secondary schools.
- Parents felt much more informed about the extra-curricular activities available to their children in primary schools than in secondary schools.
- More than half of the parents said that the extra-curricular activities their children participated in were something completely different to their classroom studies. Typically any overlaps were with music, arts, maths clubs and sports.
- Although the majority of parents said associated costs of extra-curricular activities had not prevented their children participating in activities, costs were twice as likely to be a barrier to children accessing extra-curricular activities in primary school than in secondary school.
- The majority of parents felt that both primary and secondary schools gave the right amount of encouragement to their children to take part in extra-curricular activities.
- The majority of parents said extra-curricular activities benefited their children.



## Early Years inspection reports

Panel members were invited to complete a survey about their experience of early years reports and to share their views on some specific aspects of a real example of a recent inspection report. More than **eight** out of **ten** parents panel members who responded said that all of the information given in the report was relevant to them, the report was the right length and they found it easy to understand.

While the parents said that they would not fundamentally alter the structure of reports, they did comment that:

- the language in the report was sometimes overcomplicated and contained jargon/ technical terms that parents found hard to understand
- there should be an even balance in the report on text relating to children's care and to their education; in particular reports should include more reference to children's emotional development and to nurturing
- reports should be written for parents, not for the setting; some parents said the report read as if it was meant for staff in the nursery rather than for parents.

## Homework

The panel was asked if homework helps their children in both primary and secondary schools and whether 'prep' at school would be a better alternative.

- The majority of parents said homework is helpful to their children, more so in secondary (**87%**) rather than primary schools (**64%**).
- More than a third of parents (**36%**) said homework isn't helpful at all to their children in primary school while only **12%** said it wasn't helpful in secondary school.
- The majority of parents (**72%**) thought prep at school (allowing pupils' time to plan and get ready for lessons through research) was a better alternative to homework.

Parents gave some very clear messages about homework, both positive and negative. Those who spoke positively said that homework enables them to feel part of their child's learning and that it helps them to support that learning with other activities, such as visits to museums and home projects. The discipline, planning and time management skills that homework gives children were welcomed and they viewed homework as a way of promoting independent learning.

For some though, homework was a problem. Many parents said homework was a huge cause of stress for the whole family and had a negative impact on home life.

## **The impact of homework on children with SEND**

Some parents highlighted the negative impact that homework can have on children with disabilities or special educational needs. These parents said their children often:

- struggle with the concept of homework
- have to put in more effort than their peers just to get through a school day, so homework can become exhausting for them
- find that the stress homework causes is overwhelming and becomes detrimental to their health, self-esteem and confidence.

## **Transition from primary to secondary school in maths and English**

### **Preparing for Year 7**

Parents of children who had recently left Year 6 reported on their child's experiences of learning English and mathematics in Year 6 of primary school and how they were being prepared to continue with their studies in Year 7.

- Around half of the parents who responded felt that their children were being well prepared to continue their learning of mathematics and English in Year 7 at secondary school. A common measure for their conclusion was good SATs results.
- Some parents felt that SATs had hindered preparation for the next level of study. Their view was that teaching had concentrated solely on passing the exams.
- Very few parents said that their children had taken part in activities (e.g. sample lessons) relating to their future learning of mathematics and English during their official visit to their future secondary school.
- Few parents said that their child had completed pieces of work to take with them to secondary school.

## **Building on Year 6**

Later in the year, the same parents reported on their child's experiences of learning English and mathematics in Year 7 and how well their previous studies were being built on.

- The majority of parents described their child's learning in both mathematics and English as challenging, although in most cases this was mixed with easier work
- Their view was that secondary schools were more likely to group their children into ability sets for learning mathematics whereas children were more likely to be taught in mixed-ability classes or tutor groups for English
- Ability sets were chosen based on test results, including but not always exclusively, from key stage 2 SATs.

## **Private tutoring**

The Panel was asked whether information about extra tutoring, arranged privately by parents, should be considered during an Ofsted inspection.

Parents who believe that the levels of private tutoring should be considered during an Ofsted inspection commonly felt that high levels of private tutoring could reveal weaknesses in the education provided by schools.

Typically, their view was that private tutoring could inflate exam results and, by monitoring it, inspectors would get a more accurate reflection of the school. As parents, they too would be interested to have this information about any prospective school their children might attend.

Many of the parents who said that the level of private tutoring should not be considered during an Ofsted inspection considered the choice to be a private family matter. They felt that it had little bearing on the performance of the school, rather it reflected parents' affluence. These parents also said that the quality, and level of private tutoring, was out of the school's control and so the school should not be judged by this. They suggested that there were many reasons why parents opt for private tutoring, for example, specific coaching around the 11-plus examination.

A lot of parents also expressed concerns about practicalities around collecting the information and its accuracy. This concern came across regardless of their view whether Ofsted should consider levels of private tutoring or not.

## Teaching, learning and assessment graded judgement

Following an inspection, inspectors give an overall effectiveness grade on a four-point scale - outstanding, good, requires improvement and inadequate and also make the same graded judgements across the following areas:

- effectiveness of leadership and management
- quality of teaching, learning and assessment
- personal development, behaviour and welfare
- outcomes for children and learners.

It was suggested in the White Paper Education excellence everywhere that Ofsted should no longer grade teaching, learning and assessment but should instead report on the impact of teaching, learning and assessment as part of the other judgements.

Ofsted sought the views of parents about this suggested change. Over three quarters (**76%**) of the parents who responded said that a specific graded judgement on the quality of teaching, learning and assessment was important to them. They saw this as a core function of the school and the main purpose of Ofsted. Specifically, the graded judgement:

- helps ensure children are being taught well
- highlights progress and identifies areas for improvement
- holds teachers and leaders to account.

Around a quarter of the parents who answered the survey said that the specific graded judgement was not important to them. Typically, they viewed impact and outcomes as more important. The common reason being that the limited time an inspector has to measure quality and arrive at the judgement could not give an accurate picture, only progress over time could do that.

Ofsted has stated that this input will inform its thinking during any future reviews of the inspection framework.

# Protection of Biometric Information



The Department for Education (DfE) has updated its guidance on the protection of biometric information of children in schools.

## **What is biometric data?**

Biometric data is personal information about an individual's physical or behavioural characteristics that can be used to identify that person; this can include their fingerprints, facial shape, retina and iris patterns, and hand measurements. The Information Commissioner considers all biometric information to be personal data as defined by the Data Protection Act 1998; this means that it must be obtained, used and stored in accordance with that Act.

An automated biometric recognition system uses technology which measures an individual's physical or behavioural characteristics by using equipment that operates 'automatically' (i.e. electronically). Information from the individual is automatically compared with biometric information stored in the system to see if there is a match in order to recognise or identify the individual.

Processing of biometric information includes obtaining, recording or holding the data or carrying out any operation or set of operations on the data including (but not limited to) disclosing it, deleting it, organising it or altering it. An automated biometric recognition system processes data when:

- i. recording pupils' biometric data, for example, taking measurements from a fingerprint via a fingerprint scanner;
- iii. storing pupils' biometric information on a database system; or
- iv. using that data as part of an electronic process, for example, by comparing it with biometric information stored on a database in order to identify or recognise pupils.

## Notification and Parental Consent

*What the law says:*

- i. Schools must notify each parent (ie any individual who has parental responsibility) of a pupil under the age of 18 if they wish to take and subsequently use the child's biometric data as part of an automated biometric recognition system.
- ii. As long as the child or a parent does not object, the written consent of only one parent will be required for a school to process the child's biometric information. A child does not have to object in writing but a parent's objection must be written.
- iii. Schools will not need to notify a particular parent or seek his or her consent if the school is satisfied that:
  - a. the parent cannot be found, for example, his or her whereabouts or identity is not known;
  - b. the parent lacks the mental capacity to object or to consent;
  - c. the welfare of the child requires that a particular parent is not contacted, for example where a child has been separated from an abusive parent who is not to be informed of the child's whereabouts; or
  - d. where it is otherwise not reasonably practicable for a particular parent to be notified or for his or her consent to be obtained.
- iv. Where neither of the parents of a child can be notified for one of the reasons set out above (which would mean consent cannot be obtained from either of them), section 27 of the Protection of Freedoms Act 2012 sets out who should, in such circumstances, be notified and who can give consent:
  - (a) if the child is being 'looked after' by a local authority or is accommodated or maintained by a voluntary organisation (i.e. a not-for-profit organisation), the local authority, or as the case may be, the voluntary organisation must be notified and their written consent obtained.
  - (b) if paragraph (a) above does not apply, then notification must be sent to all those caring for the child and written consent must be gained from at least one carer before the child's biometric data can be processed (subject to the child and none of the carers objecting in writing).

- v. There will never be any circumstances in which a school can lawfully process a child's biometric information (for the purposes of using an automated biometric recognition system) without one of the persons above having given written consent.
- vi. Under the Education (Pupil Registration) Regulations 2006, schools are required to keep an admissions register that includes the name and address of every person known to the school to be a parent of the child, including non-resident parents. Schools that wish to notify and seek consent to process a child's biometric information at any point after the enrolment of a child should have contact details for most parents in the admission register.
- vii. Schools should be alert to the fact that the admission register may, for some reason, not include the details of both parents. Where the name of only one parent is included in the admission register, schools should consider whether any reasonable steps can or should be taken to ascertain the details of the other parent. For example, the school might ask the parent who is included in the admission register or, where the school is aware of local authority or other agency involvement with the child and its family, may make enquiries with the local authority or other agency. Schools are not expected to engage the services of 'people tracer' or detective agencies but are expected to take reasonable steps to locate a parent before they are able to rely on the exemption in section 27(1)(a) of the Protection of Freedoms Act (i.e. notification of a parent not required if the parent cannot be found).
- viii. An option would be for schools to notify parents that they intend to take and use their child's biometric information as part of an automated biometric recognition system and seek written consent to do so at the same time as obtaining details of parents as part of the enrolment process. In other words, details of both parents would be requested by the school for both purposes (enrolment and notification of intention to process biometric information).
- ix. Notification sent to parents should include information about the processing of their child's biometric information that is sufficient to ensure that parents are fully informed about what is being proposed. This should include: details about the type of biometric information to be taken; how it will be used; the parents' and the pupil's right to refuse or withdraw their consent; and the school's duty to provide reasonable alternative arrangements for those pupils whose information cannot be processed.



## **The pupil's right to refuse**

*What the law says:*

- i. If a pupil under 18 objects or refuses to participate (or to continue to participate) in activities that involve the processing of their biometric data, the school must ensure that the pupil's biometric data are not taken/used as part of a biometric recognition system. A pupil's objection or refusal overrides any parental consent to the processing.

Also note:

- ii. Schools should take steps to ensure that pupils understand that they can object or refuse to allow their biometric data to be taken/used and that, if they do this, the school will have to provide them with an alternative method of accessing relevant services. The steps taken by schools to inform pupils should take account of their age and level of understanding. Parents should also be told of their child's right to object or refuse and be encouraged to discuss this with their child.
- iii. In addition to the required actions for notification and obtaining consent, schools may wish to include information in their privacy notices and explain how biometric data is to be processed and stored by the school. Further advice and suggested templates for privacy notices is available at [www.gov.uk/government/publications/data-protection-and-privacy-privacy-notice](http://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notice).

## **Providing alternatives**

*What the law says:*

- i. Reasonable alternative arrangements must be provided for pupils who do not use automated biometric recognition systems either because their parents have refused consent (or a parent has objected in writing) or due to the pupil's own refusal to participate in the collection of their biometric data.
- ii. The alternative arrangements should ensure that pupils do not suffer any disadvantage or difficulty in accessing services/premises etc. as a result of their not participating in an automated biometric recognition system. Likewise, such arrangements should not place any additional burden on parents whose children are not participating in such a system.

# Who governs our schools?



*The need for better public understanding of governance, the importance of local expertise and the value of the participative spirit of governance are amongst the key findings in 'Who Governs Our Schools? Trends, Tensions and Opportunities', a report on the future of school governance.*

## **Why does school governance matter?**

The report asserts that effective school governance is a driver of educational change: pushing up levels of achievement, participation and inclusion, defining the vision and values that a school or group of schools holds dear, holding the professional leadership team – and notably the headteacher or executive headteacher – to account, ensuring the probity of financial decision making, and strengthening the bridge and bond between a school and its community.

Moreover, effective governance can provide both a protection and an enabler for senior leaders, and the headteacher or executive headteacher in particular. On the one hand, a recently appointed headteacher driving through a difficult transformation agenda focused on, for example, raising attainment levels at a previously “coasting” school or federation is strengthened and protected by the support of an effective governing board. Likewise, a headteacher committed to action that does not place the latest demands of educational policy at the heart of his or her professional and pedagogical practice, or goes significantly beyond these demands, is enabled by the backing of a governing board that shares these aspirations.

In short, the board – because of its responsibility for a school’s or federation’s strategic direction, its broader oversight and its legal responsibility – can lift the risk of innovative practice from the shoulders of the head, empowering and emboldening the head in the process.

In this context, the relationship between a governing board and the professional leadership team, and notably the head, is constructed over time through an iterative process of discussion, debate and co-production, within both the professional leadership team and the board and, critically, between both the leadership team and the board. Expressed often as a bilateral of “support and challenge”, it is perhaps better thought of as a triangulation of mutual vision, trust and evaluation.

Finally, the governing board, in a sense, transcends the professional leadership of the school or group of schools because of its institutional permanence and over-arching responsibilities. While individual governors and heads come and go, the institution of the governing board remains a permanent feature, appointing successive heads and carrying the organisation's ethos and tradition over time.

High quality governance ought to be an aspiration of any education or schooling system that seeks to be "world class". Governance is not a distraction from the core business of schooling – raising achievement, developing the creativity and confidence of learners, building inclusion, transmitting values and ensuring the safety of young people – but rather a route to excellence in these areas.

The centrality of governance to the school improvement agenda is also underlined in Ofsted's Framework for the Inspection of Schools. Governance is a key and specific component of the Leadership and Management strand of the framework, one of four strands that inspectors consider in coming to a judgment about a school's performance. Indeed, given that a school cannot be graded at a higher level than that granted for Leadership and Management, and the prominence of governance within this strand, it follows that the formal position is that a school cannot achieve a higher inspection grade than that accorded for the quality of its governance.

In short, effective governance can raise the prospect of an "outstanding" judgment. Weak governance, in spite of a strong professional team and outstanding classroom practice and student outcomes, can deny that possibility. Such is the responsibility that rests on the shoulders of the modern school governor.

A strength of the current Ofsted framework is that governance is a specific element of the Leadership and Management strand. However, it may be that separating out governance might render it more explicit, both to schools and to those involved in their inspection. Indeed, the so-called 'Trojan Horse' affair involving a group of schools in the West Midlands that came to light in March 2014 revealed both the power of governing boards, and the impact of the misuse of this power. As such, the case underlined why high quality school governance matters and what can happen when the broader principles and responsibilities of governance are ignored.

## **Can governance make a specific impact on the progress and attainment of pupils or students?**

The report answers this in the affirmative, on four levels: first, the governing board (working with the head, executive head or CEO) sets the vision, the mission and, in secular settings, the values of the school, federation or trust. As such, those responsible for governance define strategic direction and key priorities, and oversee resource allocation and staffing arrangements such that they reflect these priorities. These priorities, in turn, are then translated into a set of clear objectives, especially (but not solely) in terms of the progress and attainment of pupils or students, typically articulated in a School Development Plan.

Second, boards are aware of national “floor” targets and areas for action identified in inspection reports or by local authority or academy trust reviews and have access to school, local and national data and the duty to ask questions of the leadership team about this data, especially when particular groups, or the school as a whole, appear to be underperforming, either in terms of progress or attainment.

The quality and variety of performance data now available to governing boards is stronger and wider than it has ever been, but it is vital that boards have the data-literacy to make best use of this information and critically the ability to identify that which really matters – not just to the visiting inspector or the parent body, but to the values, vision and mission of the school, federation or trust.

Third, boards usually identify designated governors or establish sub-committees to better understand and address performance in specific areas of the curriculum, such as literacy, numeracy and science; and amongst particular cohorts, for instance those with special educational needs and learning difficulties, potential high achievers, those in receipt of pupil premium funding or those from minority ethnic groups. responsibilities of governance are ignored.

More recently, the safeguarding agenda – and a range of areas focused less overtly on attainment and progress and more on wellbeing and personal development – has come to take on a special significance for governing boards, spurred by a range of agenda including the mental health of children and young people, the threat of radicalisation, the opportunities and threats posed by the internet and social media, and ongoing concerns about child protection. These emergent areas of responsibility have made new demands on governor expertise, and some are likely to require specialist training.

Finally, given the critical importance of the relationship between the governing board and the headteacher, effective boards are likely to retain effective and “in-demand” heads for longer, precisely because the head and the senior leadership team are likely to feel supported in their work. This, in turn, is likely to feed through to sustained success in terms of student or pupil attainment and progress, and wider staff contentment and retention. At a time when school leaders are in short supply, such a benefit should not be lightly overlooked.

Through the interplay of these four factors, governing boards drive progress and attainment, and school improvement more broadly. Governors and boards need to be clear on values and strategic direction, clear on the direction of education policy and in their responsibilities, and confident in the analysis and interpretation of performance data and the range of formats in which this is presented.

**Given the increasing demands on those involved in school governance, should we move towards a system in which governors, or specific post-holders on governing boards, are paid, or remunerated in some other way?**

There have been various calls for governors to be paid, not least by the former Chief Inspector of Schools, Sir Michael Wilshaw. The National Governance Association, on the other hand, argues cogently against the payment of school governors. The report feels there may be a case for exploring this and allied issues, especially when we know that:

1. There are shortages of governors – and, notably, governors with particular skills – in particular geographic areas or socio-economic settings.
2. The social composition of governing boards suggests that those from disadvantaged backgrounds find it hardest to participate in an activity that makes considerable demands on an individual’s time, without remuneration, and (more importantly) may involve increased childcare costs and/or loss of earnings, especially for those in hourly paid employment.
3. As noted above, the quality of school governance is sometimes at its weakest where it needs to be at its strongest because of the uneven distribution of social capital across and within different communities.
4. The contribution of school governors is at least loosely quantifiable in cash terms.
5. Lessons from the payment of some post-holders on some interim executive boards (put in place where a governing board has failed in its statutory responsibilities) suggest that the impact in terms of securing positive outcomes can be enhanced.

Arguably, a precedent has been set with recent reforms to charitable law whereby charities may pay trustees where they offer a specific professional service that the charity would otherwise have to procure from elsewhere at a cost. In academy settings, schools are now ultimately governed by trustee boards that have exactly this facility.

The report asserts that there is a tendency to hold on to the notion of the 'governor as volunteer' as a sacred cow of school governance, often accentuated by a culture in which expenses are not claimed. It goes on to recommend that the Department for Education encourage the establishment of one or more small-scale pilot projects in which there is some aspect of remunerated governance. Such pilot projects to also explore:

- Particular measures, which may have a financial dimension, to encourage participation in governance in disadvantaged areas.
- The payment of specific post holders.
- Funding the release of individuals from their employment without loss of pay through a framework whereby the employer is remunerated.
- Allowing participation as a school governor with access to personal and professional development that has a demonstrable value to the individual beyond their work on the governing board.

## Conclusions

The report makes the following conclusions:

1. Effective governance is not just a vital driver of school improvement; engagement as a school governor is one of the most popular means of formal volunteering in the UK. Any move which undermines either this purpose or this participative spirit should be viewed with caution.
2. There is rightly a strong focus on the need for better induction and training for school governors, but training for governors alone is insufficient. We need a better understanding of governance across the teaching profession and amongst others who work in and with schools, especially amongst school leaders and those who aspire to such roles.
3. Too often governors are left to navigate a changing landscape that is not of their making and which has not been crafted with governance, or at least locally based governance, in mind. It is common for changes to school governance arrangements to emerge as the unintended consequences of change elsewhere in the system. How we govern our schools should be an education policy priority, not an afterthought.
4. There is a false dichotomy in the minds of policymakers and in DfE documentation that assumes stakeholders cannot be experts. Building on the locally contextualised knowledge of parents, staff, students and members of the local community is not a block on good governance; it is often the route to it – and it may have significant benefits in terms of personal and community development for the individuals and neighbourhoods concerned.
5. Whilst there are undoubtedly benefits to the kind of strong, formal school partnerships that a system based around federations, multi-academy trusts, umbrella trusts and other arrangements that cluster schools into groups might deliver, we need to understand the impact of this shift, locally and system-wide, especially in terms of the recruitment and retention of head teachers, senior leaders and governors.
6. We need to share lessons about what is and isn't good governance across and between sectors. Those involved in school governance may have lessons to learn about governance from elsewhere in the public sector, the voluntary and community sector and the business world, but they also have much to offer, not least in terms of a universal commitment to values-driven leadership that places transparency and community service at its core.

*Who Governs Our Schools? Trends, Tensions and Opportunities* is published by the RSA and can be viewed or downloaded [here](#)



# Liverpool Governance Forum



## LGF Needs You!

As school governors and trustees we have a most important role in the education of our children. The LGF is effectively an umbrella organisation set up to represent the views of governing boards from all sectors of Liverpool schools and has representatives on all the key strategic educational committees, which operate within our city. For example; LLP's Executive Board, LLP's strategic groups: (a) All Learners and (b) Learners Who Need More; the LLP Maths and Numeracy Focus Group, Liverpool Safeguarding Board, Liverpool Schools' Forum, the Liverpool Promise Committee and when required sit on various interview panels for key appointments. A new Employment and Skills Group is being established and once again the LGF has been asked to provide a representative on this important committee.

It will, therefore, be appreciated that through the LGF, governors have the opportunity to influence decision making at the highest possible level.

The LGF meets on a regular basis in order to plan and coordinate this important work. We take our meetings to schools around the city so that local governors have the opportunity to attend. Our meetings are more interesting and informative than most committee meetings because we don't just do business, but try to have a speaker or look round the host school. Furthermore, we also organise a range of events which contribute to the support and development of governors and trustees.

We are keen to attract more governors and trustees in the work of the LGF. There are currently about 1890 on school boards across our city schools. However, those involved in our committee work and who attend our events are relatively small in number. For example, we have now held 5 conferences, (these are free for all Liverpool schools registered through their Headteacher Associations). The attendance at these meetings has been rather disappointing as follows:

DATE	NUMBER ATTENDED	PERCENTAGE OF TOTAL (%)
October 2015	46	2.43
October 2016	20	1.05
March 2017	41	2.16
October 2017	32	1.70
April 2018	42	2.22

We have engaged some excellent speakers and the feedback from the evaluations forms has been extremely positive with members attending gaining considerable benefit from attendance.

The conferences have tackled important topics like head teachers' welfare, which brought it to the notice of many governors who had not considered it. We then worked with Heads to raise awareness of the need to engender a culture in schools where mental health is taken seriously.

We also looked at the importance of touch and attachment in school. This conference was led by Professor Francis McGlone of John Moores University and Rohit Naik of Hope School. LGF hopes this may be the start of a change in school policy, as touch and attachment are so important in the development of the brain, particularly in disadvantaged pupils.

Being engaged in the work of the LGF offers many benefits:

- You can gain experience working at a strategic level and influencing decision making
- You are kept up to date on the broader educational issues and have a greater understanding of decision making which impacts on your individual school board
- It supports your continuous professional development
- Your own GB is enriched by sharing and learning from others

These are just a few to mention in what is most interesting work. We are keen to engage more governors and feel sure you will find the work satisfying and enjoyable. If you would like to learn more and become involved, please do not hesitate to contact us at the email address above.

# LGF Meeting Schedule Summer Term



**Archbishop Blanch CE High School, 80 Earle Road,  
Liverpool L7 6HQ**

**Tue 8th May 2018**  
17:00 to 19:00

Guest speaker: Jamie Riley, LCC Environmental and Emergency Resilience Unit Team Leader, to discuss schools' responsibilities in relation to emergency planning.

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**Tue 19th June 2018**  
17:30 to 19:30

**St Michael In the Hamlet Primary School,  
Neilson Road, Liverpool L17 7BA**

Guest speaker: TBC

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**Tue 10th July 2018**  
10:00 to 12 noon

**Dovecot Primary School,  
Grant Road, Liverpool L14 0LH**

Guest speaker: Terry Brown, School Improvement Liverpool, to facilitate discussion on Pupil Exclusions.

Our meetings are open to all governors/trustees - to attend a meeting, please book-in via [admin@livgovforum.org.uk](mailto:admin@livgovforum.org.uk)

We welcome offers from our city schools to host one of our monthly meetings. Please do let us know if your school can accommodate us.

# Governor training courses

## Summer 2018



**Wed 18 April, 6pm to 8pm**

*Ref: G18/21*

**Cost: Free**

### **Termly Meeting for Chairs**

This meeting is open to the Chairs, or a representative, of all Governing Boards. Councillor Nick Small, Assistant Mayor of Liverpool & Cabinet Member for Education, Employment & Skills and Steve Reddy, Director of Children's Services, will be present at the meeting.

There will be a presentation of the Director's Items for the term followed by opportunities for discussion and questions.

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**Mon 23 April, 6pm to 8pm**

*Ref: G18/22*

**or**

**Tues 24 April, 10am to 12pm**

*Ref: G18/23*

### **Ofsted Inspections**

This course will cover:

- The framework for inspections
- The inspection process
- How is Governance inspected?
- What will the Inspector ask me?

Presenter: Dave Cadwallader, School Governance Lead

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**Thur 26 April, 10am to 12pm**

*Ref: G18/24*

**Cost: Free**

### **Termly Meeting for Clerks**

Our termly meeting for clerks to governing boards and/or committees includes briefings and discussion on current issues as well as an opportunity to share good practice and raise queries.

Presenter: Terry Brown, School Governance Services

# Governor training courses

## Summer 2018



### **The Role of the School Governor**

An induction course for new governors (or a refresher course for not so new governors!) This course is an important element of a governor's induction and it is recommended that all new governors attend. It covers the essential aspects of a governing board's responsibilities and provides an opportunity for participants to discuss how best to approach their role as a governor.

**Wed 18 April, 6pm to 8pm**

*Ref: G18/21*

**Cost: Free**

The course is informal, non-threatening (you won't be put on the spot!) and provides a forum for you to ask questions about your new role. This course will cover:

- The core functions of governing boards
- The legal framework for meetings
- What is strategic? What is operational?
- How governing boards 'challenge' school leaders and hold them to account
- Monitoring and evaluating progress
- Complaints against the school

Presenter: Dave Cadwallader, School Governance Lead

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### **GDPR – General Data Protection Regulations**

The new data protection regulations replace the Data Protection Act 1998 and will bring more onerous obligations along with increased monetary fines for non-compliance. The session will cover:

- An overview of GDPR and why it is coming into force
- Key aspects of Data Protection to enable governors to challenge school leaders
- The role of the Data Protection Officer and how s/he will interact with governors
- Personal data breaches and schools' obligations under the law
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Presenter: Joseph Orme, Associate, Hill Dickinson LLP

**Thur 17 May, 10am to 11.30am**

*Ref: G18/29*

or

**Thur 17 May, 6pm to 7.30pm**

*Ref: G18/30*

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# Governor training courses

## Summer 2018



**Thur 24 May, 10am to 12pm**

*Ref: G18/31*

or

**Thur 24 May, 6pm to 8pm**

*Ref: G18/32*

### **Attendance, Attendance, Attendance**

With attendance under increasing scrutiny from Ofsted, this course will cover:

- What factors affect attendance in schools
- Your school Attendance Policy
- School processes
- The Role of Education Welfare Officer
- Governor Challenge
- Frequently asked questions by Ofsted

Presenter: Charlie Breen, Team Manager, Education Welfare

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**Thur 07 June, 10am to 12pm**

*Ref: G18/33*

or

**Thur 07 June, 6pm to 8pm**

*Ref: G18/34*

### **Pupil Premium**

This course will cover:

- The responsibilities of governors
- Ofsted expectations and requirements
- Questions for governors to ask
- How successful schools are using the Pupil Premium

Presenters: Terry Brown and Dave Cadwallader, School Governor Services

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**Thur 14 June, 10am to 12pm**

*Ref: G18/35*

or

**Thur 14 June, 6pm to 8pm**

*Ref: G18/36*

### **Minute Taking**

Minutes are an important source of evidence of the effectiveness of the Governing Board and its committees. This session is aimed at both clerks and governors who have taken on the role of minute-taker. The course will cover:

- The purpose of minutes
- Capturing 'challenge'
- Note taking and transcribing into minutes
- Formatting and presentation

Presenter: Terry Brown, Governor Services

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# Governor training courses

## Summer 2018



**Tue 19 June, 9am to 4pm**

*Ref: G18/37*

**Cost: This course is free with the Governor Training Service Agreement or £200 + vat if no Service Agreement.**

### **Safer Recruitment**

The School Staffing Regulations require governing bodies of maintained schools to ensure that at least one person on any appointment panel has undertaken safer recruitment training. Participants on this course will be awarded a Certificate of Accreditation upon successful completion of a short assessment paper on the day.

This course will:

- Provide an understanding and awareness of offender behaviour
- Identify key features of staff recruitment that help deter or prevent the appointment of unsuitable people
- Consider policies and practices that minimise opportunities for abuse or ensure its prompt reporting
- Help participants begin to review recruitment policies and practices with a view to making them safer

Presenter: Phil Cooper, Senior School Improvement Officer, Safeguarding and SEN

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**Tue 26 June, 6pm to 8pm**

*Ref: G18/38*

**or**

**Wed 27 June, 10am to 12pm**

*Ref: G18/39*

### **Pupil Exclusions**

The course will cover:

- Regulations and statutory procedures
- The role of the governing board in reviewing an exclusion
- Appeal hearings
- The role of the Independent Review Panel

Presenter: Terry Brown, School Governor Services



# Governor training courses

## Summer 2018



**Thur 05 July, 10am to 12pm**

*Ref: G18/40*

or

**Thurs 05 July, 6pm to 8pm**

*Ref: G18/41*

### Financial Benchmarking

The briefing will cover:

- Identifying historic trends and relationships over time
- Focusing on areas that are out of line with average
- Known changes and links to the current budget plan
- Identifying possible future areas for improvement
- Questions for governors to ask

Presenter: Dave Collins, Principal Finance Officer

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### The Role of the Link Governor

Link Governors help the Governing Body to understand, oversee, monitor and develop a particular area of responsibility within the school.

**Mon 09 July, 6pm to 8pm**

*Ref: G18/42*

or

**Wed 11 July, 10am to 12pm**

*Ref: G18/43*

This session will take a generic look at:

- The role and responsibilities of the nominated governor
- Establishing a protocol for governor visits to the school
- Reporting back to the governing body

Presenter: Dave Cadwallader, School Governance Lead

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**Booking information:** For more information or to book a place on a course call Jean Worrall on 0151 233 3944 or email [jean.worrall@si.liverpool.gov.uk](mailto:jean.worrall@si.liverpool.gov.uk). You will receive written confirmation of your booking by email or post. Our courses are available to all schools, whatever their status (maintained, academy, free, independent, UTC) and from any local authority.

**Cost:** Unless otherwise stated all sessions are FREE with the Governor Training Service Agreement or £100 excl vat per session if no Service Agreement. Longer sessions are priced individually. As a courtesy, please liaise with your school before booking onto a course if this will incur a fee. If you are unable to attend a course on which you have booked please tell us as soon as possible otherwise a fee, if applicable, will be charged.

**Venue:** The venue for all sessions is Toxteth Annexe Conference Centre, Aigburth Road, Liverpool, L17 7BN. Free car parking is available within the grounds of the building (please note that Aigburth Road is a dual carriageway). Bus routes 82 and 60 run regular services along Aigburth Road whilst St Michael's train station is located 600 metres away on Southbrook Road, L17 7BQ.

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## School Improvement Liverpool

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