



Organisational Management

Research review 2022-23



Contents

Introduction	4
Safeguarding and inclusion	5
Rights of the child	5
Safeguarding	5
Policies and procedures	6
Sexual abuse and violence	6
Inclusion	6
Equality	6
SEND	6
Data protection	7
Managing staff	8
Recruitment	8
Initial teacher training	8
Early career teacher induction	8
Retention	8
Flexible working	9
Equality, diversity and inclusion	9
Timetabling	10
Pay and performance-related pay	10
Performance management	11
School admissions	13
The School Admissions Code	13
Appeals process	15
School admission appeals code	15
Exclusions	16
Overview	16
Statutory guidance	16
Offrolling	17
Health and safety	18
Risk assessment	18
First aid	18

Budgeting and finance	19
Governance	20
MATs	20
Skills audit	20
Implementing change	21
Implementation	22
Toolkits	22
References	23

Introduction

A good place to start in organisational management for schools is with what are known widely as the Nolan Principles: the seven principles of public life. Public office holders, which includes those appointed to work in education, are both servants of the public and stewards of public resources.

The seven principles are:

1. selflessness
2. integrity
3. objectivity
4. accountability
5. openness
6. honesty
7. leadership

(Committee on Standards in Public Life, 1995)

Safeguarding and inclusion

Safeguarding and promoting the welfare of children is **everyone's** responsibility. To fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred: they should consider, at all times, what is in the best interests of the child.

Staff working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned.

(DfE, 2021b)

Rights of the child

The UK is a signatory to the United Nations Convention on the Rights of the Child.¹ This is intended to ensure that the best interests of the child remain a top priority in all decisions and actions that affect children (article 3). All safeguarding procedures and other policies should take account of the relevant articles of the UNCRC.

Safeguarding

The statutory framework of legislation relevant to safeguarding and promoting the welfare of children should be read alongside the statutory guidance, *Keeping Children Safe in Education* (2020). All staff should read part 1 at least, and the whole guidance should be read by:

- governing bodies of maintained schools (including maintained nursery schools) and colleges
- proprietors of independent schools (including academies, free schools and alternative provision academies) and non-maintained special schools. In the case of academies, free schools and alternative provision academies, the proprietor will be the academy trust

- management committees of pupil referral units (PRUs) (DfE, 2021b).

The statutory framework encompasses:

- Children Act 2004
- Education Acts
- Children Act 1989
- Childcare Act 2006
- Crime and Disorder Act 1998
- Housing Act 1996

(DfE, 2018c).

Leaders have a duty of care to both staff and pupils. All staff have a responsibility to provide a safe environment in which children can learn and are part of the wider safeguarding system for children. Safeguarding should be the first priority of every member of staff.

Safeguarding and promoting the welfare of children includes:

- protecting children from maltreatment
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes (DfE, 2021b)

Serious case reviews (SCRs) were established by the Children Act (2004) in cases of death or serious harm due to known or suspected abuse or neglect. In 2018 the structure of these reviews was changed and they became known as child safeguarding practice reviews (SPRs). Responsibility lies with a national panel and with local safeguarding partners. Schools in these cases are seen as a 'relevant agency' rather than a statutory partner.²

Statutory guidance on inter-agency working to safeguard and promote the welfare of children also applies to schools and outlines a child-centred approach. This means that anyone

¹ https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_summary.pdf [accessed 21/03/2022]

² <https://www.scie.org.uk/safeguarding/children/education/serious-case-reviews> [accessed 05/05/2022]

working with children should see and speak to the child, listen to them and take their views seriously. The guidance emphasises the importance of early intervention and recognising needs. For schools it indicates the importance of recognising mental health problems as a sign of children suffering from, or being at risk from, abuse or neglect or exploitation. Whilst they should not attempt a diagnosis, school staff are well placed to observe behaviour on a daily basis that might indicate such issues (DfE, 2018c).

Policies and procedures

Governing bodies and proprietors must ensure there are appropriate policies and procedures in place that include:

- an effective child protection policy (updated annually)
- staff behaviour policy/code of conduct
- appropriate safeguarding responses for children who go missing from education (DfE, 2021b, p. 18)

An appropriate senior member of staff from the school or college leadership team should be appointed as designated safeguarding lead. They are responsible for liaising with partners and other agencies (DfE, 2021b).

Sexual abuse and violence

Following publicised accounts of sexual violence in schools, Ofsted carried out a rapid review in 2021. It identified a worrying level of sexual harassment and online sexual abuse among children and young people. Some teachers and leaders underestimated the scale of the problem. Children and young people felt that the RSHE received was too little, too late and that it did not adequately equip them with the information and advice they needed (Ofsted, 2021).

Inclusion

The Equality Act 2010 protects every individual in Britain and specifically references nine protected characteristics:

- age
- disability
- gender reassignment

- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

It is unlawful to discriminate, harass or victimise somebody due to one (or more) of these characteristics (UK Government, 2010).

Equality

Disability under the Equality Act 2010 covers mental or physical impairment with a substantial and long-term (over a year) impact on the ability to carry out day-to-day tasks. This includes learning difficulties, mental health conditions, medical conditions and more hidden impairments such as autism or speech and language difficulties.

Schools have a duty not only to not discriminate against a child by not offering a place, or by restricting an offer to specific terms and conditions. They must ensure the child has full access to education, facilities and services – in all aspects of school life, such as trips or clubs (Conlon, 2020).

Responsibility for compliance with the Act lies with the governing body in a maintained school, the academy trust in an academy and the proprietor in an independent school. However, all teachers have legal and professional responsibilities under the Teachers' Standards (DfE, 2013).

SEND

A workplace that supports and encourages inclusion and diversity can be a more successful one (DfE, 2015). Employees will be more motivated and happier. Supporting inclusion and diversity can prevent or diminish bullying and harassment, improve problem solving and innovation, and attract and keep good staff (ACAS, 2021).

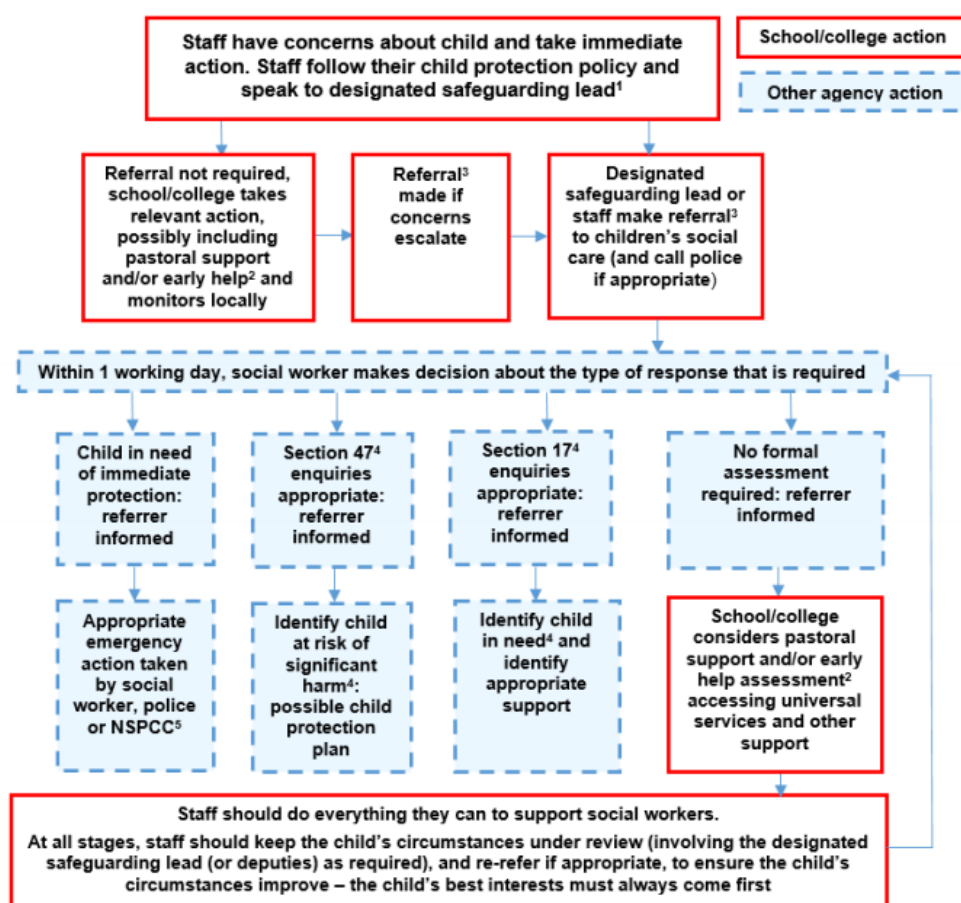
The Equality Act 2010 provides for 'reasonable adjustments' to be made for disabled people, and for equal pay (UK Government, 2010).

Data protection

The DfE has produced a detailed *Data Protection Toolkit* to support schools. This includes

information around data in relation to safeguarding and GDPR (DfE, 2018a).

Actions where there are concerns about a child



(Source: DfE, 2021b, p. 17)

Managing staff

Recruitment

Enrolments in postgraduate ITT in 2020 were 20% higher than the previous year, a trend continued in 2021, suggesting an easing of the teacher supply challenge in the short term. Further research suggests that the number of teachers planning to leave had dropped by around half in July 2020 with senior leaders reporting decreasing teacher turnover, bolstering short-term teacher supply (Worth and Faulkner-Ellis, 2021).

Recruiting diverse teachers is one way to tackle the lack of representation in schools. Black, Asian and Minority Ethnic Educators, also known as BAMEd, ran a session on how to increase representation in school recruitment.³

Hive Learning provides resources to support inclusive interview and recruitment practices. For interviews they emphasise the importance of consistency in questioning so that you are comparing candidates fairly rather than making judgements based on personal connection and rapport.

They suggest seven 'must-dos':

1. Clearly communicate logistics to candidates in advance – this should include asking about any accessibility needs or adjustments required.
2. Ask the right questions and consider tests – make sure these are directly related to the competencies of the role.
3. Ask each candidate the same questions, in the same order.
4. Show up to the interview on time – this is about respect and fairness.
5. Send positive non-verbal symbols – interaction and body language are important to enable candidates to rise to the level of expectation.
6. Compare candidates horizontally – compare strength of responses to each

question rather than each candidate one by one to avoid the halo effect bias.

7. Account for level of experience and cost in your final assessment.

Be mindful of avoiding illegal discriminatory questions that might relate to a protected class such as age or race (Hive Learning, no date).

Initial teacher training

The new ITT core content framework provides information for providers, but employment/ placement schools should be aware of the entitlement of trainee teachers. This includes clear, consistent and effective mentoring (DfE, 2019b).

However, despite robust recruitment to ITT programmes, the impact of COVID-19 has caused some schools to reduce their ITT placement provision leading to shortages. This is linked to leaders' concern about the burden that supporting trainees puts on school staff. A lack of available mentors poses a challenge for both ITT and ECT support (Worth and Faulkner-Ellis, 2021).

Early career teacher induction

The induction for early career teachers (ECT) (previously known as newly qualified teacher – NQT) will now last for two years. ECTs are entitled to a programme of support and training based on the Early Career Framework (DfE, 2019a) and an assigned suitable mentor and induction tutor at their employment school. Further details of the assessment requirements can be found in the Induction guidance (DfE, 2021a).

Retention

Teacher working conditions appear to play a major role in retaining teachers, and in their ability to teach well (Weston, Hindley and Cunningham, 2021). The quality of leadership is an important factor in teacher retention (Jerrim and Sims, 2020).

³ BAMEd (2020): [Courageous Conversations about Race and School Recruitment](#)

Work by RAND Europe has highlighted how these factors interact, with teachers willing to trade-off higher pay/rewards to work in supportive environments. Whilst significantly averse to losses in pay and rewards, these do not drive retention choices alone. Workload levels impact significantly on choices as does working in a situation where teachers receive support from school leadership and peers. Teachers also valued greater investment in professional development and having access to part-time or flexible working arrangements. All else being equal, there was a strong preference to stay in their current job. Ultimately, a supportive school culture and teaching environment (where student behaviour is good) are key to retention (Burge, Lu and Phillips, 2021).

The experiences of diverse staff may also impact retention. Racism was a commonly cited reason why BAME (Black, Asian and minority ethnic) teachers would leave the profession – with some BAME teachers citing that coping with racism was a ‘hidden workload’ (Tereshchenko, Mills and Bradbury, 2021)

Further, Tereshchenko, Mills and Bradbury (2021) found that many BAME teachers experienced ‘stalled opportunities’ and would be denied progression opportunities. This meant BAME teachers would leave the school and move to other sectors where they would be able to pursue these ambitions (Tereshchenko, Mills and Bradbury, 2021)

Flexible working

The teaching profession is under strain, and flexible working is often seen as one way of addressing the challenges around recruitment and retention by contributing to improved work–life balance. Around 17% of secondary school teachers work part-time, well below the 27% national rate for all workers and significantly behind the 42% rate for women. Part-time work at senior level is even less common. Structural barriers such as timetabling are often seen as the biggest barrier to flexible working, along with covering for absence and ensuring staff:student

ratios. Many of the other issues are related to perception and beliefs that it will incur greater costs or add to workload (Timewise, 2019).

Timewise has developed a 6-step framework to support schools in addressing the barriers to flexible working. To make a role flexible, three elements can be altered:

- where an individual works (home, one or more places)
- when they work (staggered start / finish times, compressed hours)
- how much they work (part-time, job share, unpaid leave)

Part of the design process must consider which tasks can only be done by a particular individual and which could be allocated elsewhere, and to whom.

Timewise’s six-step process:

1. Build a team to lead and drive change.
2. Determine feasible goals.
3. Communicate, consult and challenge perceptions.
4. Explore options for job design and timetabling.
5. Pilot your chosen approach.
6. Integrate flexible principles across the school (Timewise, 2019).

Flexibility is about more than part-time work. Consideration should be given to allowing staff to work from home where possible, for example during PPA time. It is also about cultural attitudes towards enabling earlier finishes or later starts, or time off without penalty for family events such as children starting school, or for caring responsibilities.

Equality, diversity and inclusion

In the 2019 workforce survey, 14.3% of all teachers who provided ethnicity information described themselves as being in an ethnic minority group (any ethnic group excluding White British), up from 11.2% in 2010 (Office of National Statistics, 2019).

Race discrimination and inequality is a known factor affecting the progression of Black, Asian and minority ethnic heritage teachers in England (Miller, 2019).

Research by the IOE into the employment and retention of BAME teachers includes a number of recommendations relevant to school leaders in charge of recruitment and retention policies in schools:

- School leaders should be required to demonstrate the skills, experience and training that allow them to develop equitable environments to support diverse learners and BAME teachers.
- High-quality mentoring and opportunities for career development should be in place for BAME teachers, without focusing on stereotypical roles.
- All staff claims of racism, overt or covert, should be investigated and reported, with all leaders encouraged to identify practices that have negative effects (unintended or otherwise) on BAME teachers.

(Tereshchenko, Mills and Bradbury, 2021)

Timetabling

A teacher employed full-time must be available for work on 195 days, on which 190 they may be required to teach pupils and perform other duties, and 5 they may only be required to perform other duties. They must be available to perform such duties for 1,265 hours, to be reasonably allocated throughout those days in the school year on which they are required to work (or proportional for part-time employees). In addition, they must work 'such reasonable additional hours as may be necessary to enable the effective discharge of the teacher's professional duties' (DfE, 2020b, p.49).

All teachers are entitled to planning, preparation, and assessment time (PPA) as part of their directed hours. It should be provided in units of not less than half an hour during the timetabled week, and amount to not less than 10% of the timetabled teaching time (DfE, 2020b).

Early career teachers (ECTs) are entitled to an additional 10% reduction in their timetabled teaching hours in the first year of induction, and 5% in the second (DfE, 2021a).

Pay and performance-related pay

Pay levels are currently in line with the pay of similar professionals, but the 2021/22 pay freeze may lead to less competitive levels of teacher pay in the short-term. This is likely to pose a continued challenge to teacher supply despite current positive recruitment and retention levels. It also calls into question the Conservative manifesto pledge to raise teacher starting salaries (Worth and Faulkner-Ellis, 2021).

Since September 2014 all schools have been required to have a performance-related pay (PRP) system, but schools are left to determine the nature of the scheme themselves (DfE, 2018b). This is despite the evidence that PRP does not motivate teachers and has no significant impact on student outcomes (Marsden, 2009) (EEF, 2020). There is some evidence that a bonus system (rather than PRP linked to progression) had some positive impact but it was unclear whether it demonstrated a positive response to direct financial incentives in terms of extra effort, or that effort was diverted from other activities. The report concluded that cohort variation was a far more significant indicator of performance variation than teacher effectiveness or incentive schemes (Atkinson *et al.*, 2004).

A look at the overall picture reveals no relationship between average student performance in a country and the use of performance-based pay schemes (OECD, 2012). Not only that, but further research suggests that the use of PRP can lead to discriminatory outcomes, with an NEU survey published in 2018 finding that the teachers most likely not to have received a cost-of-living pay increase were female, disabled, LGBT+, non-White British and part-time teachers (NEU, 2019b).

A DfE report into teachers' pay reform found that whilst a majority of teachers were positive towards the implementation of their school's pay policy, it also revealed that 40% did not agree that it treated all staff equally without favouritism, 43% didn't agree it was clear and easy to understand and 48% thought that it was not applied consistently across all teachers. More importantly, only 27% agreed that it helped to motivate

underperforming teachers and 38% that it helped to motivate teachers already performing well. A further concern was that a majority of teachers (66%) thought that their school's current pay policy had added to their workload and 58% thought that it had made no difference to the way they worked (Sharp *et al.*, 2017).

After numerous reports of demoralised staff following denial of progression (Whittaker, 2019), a number of schools and trusts have now ended the use of performance-related pay due to the anxiety it caused for teachers and the lack of impact on student performance (Roberts, 2020).

Performance management

Performance management has a statutory basis which outlines what an employer must do by law. The mandatory provisions are set out in two documents:

- the Education (School Teachers' Appraisal) (England) Regulations 2012 (Secretary of State for Education, 2012)
- the School Teachers' Pay and Conditions Document (STPCD) (DfE, 2020b)

The appraisal process is intended to be supportive and developmental, enabling teachers to continue to develop their professional practice. Objectives should contribute to plans for improving educational provision and performance and improving the education of pupils at the school (DfE, 2012b).

Too often the appraisal process is used judgementally, holding teachers to account, often for outcomes over which they have limited control. But we know that great teaching leads to improved student progress (Coe, Aloisi, Higgins, Major, *et al.*, 2014):

1. pedagogical content knowledge (strong evidence of impact)
2. quality of instruction (strong evidence of impact)
3. classroom climate (moderate evidence of impact)
4. classroom management (moderate evidence of impact)
5. teacher beliefs (some evidence of impact)
6. professional behaviours (some evidence)

The difficulty is finding an effective means of assessing teacher quality and ensuring that the system adopted has a positive impact on both teacher development and pupil outcomes. Professional development is most effective when there is continuous formative assessment, rather than high stakes summative judgements (DfE, 2016). There must be a range of measures from different sources, using different methods, as there is a high risk of over-interpreting the evidence. In fact, when determining whether a teacher is above or below average in effectiveness, the research suggests we would be right only 60% of the time – a coin toss would give you 50% (Strong, Gargani and Iu, 2011).

Sustained professional learning is most likely to result when:

1. the focus is kept clearly on improving student outcomes
2. feedback is related to clear, specific and challenging goals for the recipient
3. attention is on the learning rather than the person or on comparisons with others
4. teachers are encouraged to be continual independent learners
5. feedback is mediated by a mentor in an environment of trust and support
6. an environment of professional learning and support is promoted by the school's leadership.

Appraisal/capability

The DfE has provided a model that schools may choose to adapt and adopt, which outlines the sorts of questions schools need to ask in order to determine their policies, for example setting objectives (DfE, 2012b). Importantly, the guidance to implementing policy highlights that objectives 'should not be based on teacher-generated data and predictions, and school and trust leaders should not make pay progression for teachers dependent on the assessment data for a single group of pupils'. (DfE, 2018b). Further guidance from the Workload Advisory Group explains that 'Suitable teacher performance goals include those related to their classroom instructional practices, their contributions to the development of school curriculum and the relationships they uphold with pupils, colleagues and parents'. (Teacher Workload Advisory Group, 2018) p.17. Where

targets are set in relation to pupil performance, the data must be robust and they should not be used in isolation from other factors (DfE, 2018b). The NEU advises against setting objectives relating to specific percentage targets or outcomes from tests or examinations (NEU, 2019a), and NASUWT calls on teachers to resist the Imposition of such targets (NASUWT, 2018).

Capability procedures should only be used in cases of serious underperformance which the appraisal process has been unable to address. Appraisal reviews should contain no surprises, so there should have been informal efforts to support before moving to capability (DfE, 2012b).

School admissions

Schools' websites must include:

- admission arrangements, including how to apply
- details of the curriculum
- behaviour policy
- links to Ofsted reports
- links to performance data
- the school's latest Key Stage 2 and 4 attainment and progress measures
- their policies for children with SEND
- the amount of money they get for taking underprivileged children (the 'pupil premium'), what they do with it and the effect it's had (gov.uk, no date)

Research by SchoolDash shows that competition for places is a poor indicator of educational effectiveness, particularly for primary schools (Hannay, 2021).

The School Admissions Code

Maintained schools, free schools and academies in England are required by their funding agreement to abide by the Code and the law relating to admissions (DfE, 2014). Where a school is the admissions authority, the responsibility to ensure that admission arrangements are compliant with the code falls to the governing body or academy trust (p.5).

Type of School	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at a school?
Academies	Academy Trust	Schools Adjudicator	Academy Trust
Community Schools	Local Authority	Schools Adjudicator	Local Authority
Foundation Schools	Governing body	Schools Adjudicator	Governing body
Voluntary aided schools	Governing body	Schools Adjudicator	Governing body
Voluntary controlled schools	Local Authority	Schools Adjudicator	Local Authority

(Source: DfE, 2014, p. 6)

All schools must have fair, clear and objective arrangements that clearly set out how children will be admitted, particularly when there are more applications than places available at the school. These should be determined annually and any

proposed changes must first be publicly consulted upon. If no changes are made, consultation should take place every seven years (p. 7).

Parents have the right to appeal against an admission authority's decision to refuse admission. The reasons for the decision must be set out, and an independent appeals panel established which will uphold or dismiss the appeal (p. 8).

Published admission number (PAN)

This figure must be set for each relevant age group – usually reception, Year 7 and Year 12 (p. 9).

Oversubscription criteria

The policy for oversubscription must be set out clearly. All children whose EHCP names the school must be admitted. Highest priority must be given to looked after children and all previously looked after children, and then to others in the order set out in the arrangements. These must not disadvantage unfairly, directly or indirectly, a child from a particular social or racial group or with a disability or SEN. Other policies around uniform or trips must also not discourage parents from applying for a place for their child. This includes a fair tie-breaker to decide between two applications that cannot otherwise be separated. See also the list of things that cannot be part of admissions arrangements (p. 10–11). This list also prohibits the use of interviews as part of the decision-making process, including for sixth form.

Siblings

A definition of what is meant by 'sibling' is required along with how siblings will be treated in the oversubscription criteria (p.12).

Distance/catchment

The admissions authority must clearly set out how distance will be measured and include provision for where parents have shared parental responsibility and the child lives part of the week with each parent. Catchments should be reasonable and clearly defined and they do not prevent parents who live outside the area from expressing a preference for the school (p. 12).

Feeder schools

Admission authorities may name a primary or middle school as a feeder school. The selection of a feeder school as an oversubscription criteria must be transparent and made on reasonable grounds (p. 12–13).

Selection by ability or aptitude

Entry requirements must be published for a selective place, along with the process (p. 13).

Only designated grammar schools are permitted to select their entire intake on the basis of high academic ability. They are not required to fill all their places if applications have not reached the required standard (p. 13).

Pre-existing, partially selective schools must publish the entry requirements for a selective place and the process for selection. They must offer places to other children if there are insufficient applications who satisfy these entry requirements.

Selection by aptitude must not allow more than 10% of the total admissions intake to be allocated on this basis. The specialist subjects on which schools may select are:

- physical education/sports
- performing arts
- visual arts
- modern foreign languages
- design and technology and information technology

Only schools which selected on the basis of these specialist subjects in 2007/08 and every subsequent year may continue to do so (p. 14).

Banding is a permitted form of selection to ensure a proportionate spread of children of different abilities. Entry requirements must be fair and arrangements which favour high ability children must not be introduced and are only permitted in schools that have used them continuously since 1997/98 (p.14).

Faith-based oversubscription criteria

This criteria is covered on p.16.

Pupil premium

Priority may be given in oversubscription criteria (p.17).

Outside of normal age group

A child's parents may defer the date of admittance from the September following a child's fourth birthday until later in the school year but not beyond the point at which they reach compulsory school age.

Admissions authorities must make clear the process for requests for admission outside their normal age group. This may be as gifted and talented or due to experiencing ill health, or as a summer born child. Decisions should be made on the basis of each individual case (p. 25).

Research into delayed school admissions for summer born pupils was published in May 2021. It explores the number of requests and responses along with parent/carers views where possible. Data suggests a shift towards more requests being automatically accepted by LAs – almost a quarter had a policy of agreeing all. Requests and approvals have increased annually but the rate of increase has slowed over time. Approval rate is approaching 90%. Parents/carers delaying admission to reception are significantly more likely to have higher than national average incomes. Requests were also more common for boys than girls (62% and 37% respectively). There are financial implications for schools keeping places open in case of a change of mind, as requests are often submitted after a place has been offered with the usual age cohort (King and Hammond, 2021).

Children with challenging behaviour

Admittance must not be refused in the normal admissions round based on poor behaviour elsewhere. Where a child has been permanently excluded from two or more schools, admissions authorities do not need to comply with parental preference for a period of two years from the last exclusion. This does not apply to children with an EHCP (DfE, 2014, p. 29–30).

Every local authority must have a fair access protocol to meet the needs of unplaced children.

Schools should not be asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour (p. 30–31).

Children with a statement of special educational need whose parents appeal against a named school or the fact that no school has been named, are considered by the First-tier tribunal not a school admission appeal panel (p. 18).

Appeals process

Where a decision is made to refuse a child a place at a school, the reason must be given, along with information about the right to appeal. A school must not limit the grounds on which appeals can be made (DfE, 2014, p. 27).

School admission appeals code

There are two categories of appeals: parents and children (around admission to a school sixth form or a school for education other than sixth form once they have ceased to be of compulsory school age) and appeals by governing bodies of community/voluntary controlled schools against a decision by the local authority as admissions authority to admit a child who has been permanently excluded from two or more schools (DfE, 2012a p. 5).

Appeals panels perform a judicial function and must be transparent, accessible, independent and impartial (p. 7). The appeals procedure is explained on the following pages:

- Membership and training and responsibilities pp. 7–9
- Section 2: appeal hearings pp. 10–14
- Section 3: reaching decisions on appeals pp. 15–19
- Section 4: Infant class size appeals pp. 20–22

NB Where a child's entry has been deferred, the school is required to hold a place for that child and panels must treat it as if the place had already been taken up.

SEND appeals

In considering whether a child was refused admission on the basis of disability, panels must have regard to the Equality and Human Rights Commission's Code of Practice for Schools.

Exclusions

Overview

Only a headteacher/principal can exclude a pupil. Only two forms of exclusion are lawful: permanent and fixed-period. Legally, a pupil is either in school full-time or they are excluded from school and any exclusion must be formally and accurately recorded. Fixed-period exclusions are limited to 45 days in the school year.

A consultation on new behaviour guidance was carried out in 2022 by the DfE⁴ with new guidance released in July 2022 (DfE, 2022).

Statutory guidance

The principal legislation to which this guidance (DfE, 2017b) relates is:

- the Education Act 2002, as amended by the Education Act 2011
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- [The School Discipline \(England\) \(Coronavirus\) \(Pupil Exclusions and Reviews\) \(Amendment\) Regulations 2020](#)
- the Education and Inspections Act 2006
- the Education Act 1996
- the Education (Provision of Full-time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

A governing body has a duty to arrange education from the sixth day of a fixed-period exclusion that totals more than five consecutive days.

Reasonable steps should be made to set and mark work in the first five days, with alternative provision from the sixth provided.

The government supports headteachers in using exclusion as a sanction when warranted, but permanent exclusion should only be used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school (p.6).

The decision to exclude must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate on the basis of protected characteristics and should also be mindful of where behaviour may be the result of unmet needs. In this situation, the school should consider whether a multi-agency assessment beyond the pupil's educational needs is required.

Schools must have a strategy for reintegrating pupils returning to school following a FTE, and for managing their future behaviour (DfE, 2017b).

For guidance on the headteacher's power to exclude see DfE, 2017b (pp. 8–15).

For guidance on the governing board's and local authority's duties see DfE, 2017b (pp. 16–44).

COVID-19

Changes during the COVID-19 pandemic relate primarily to enabling remote meetings and some flexibility in timelines to recognise the context⁵.

Appeals

Parents can ask for an independent review panel to conduct a review of a decision by a governing body not to reinstate a permanently excluded pupil. Where there is an allegation of discrimination (Equality Act, UK Government, 2010), parents may also make a claim to the First-tier tribunal (SEND) for disability discrimination, or the county court for other forms of discrimination (DfE, 2017b, pp. 6–7).

⁴ <https://consult.education.gov.uk/school-absence-and-exclusions-team/revised-school-behaviour-and-exclusion-guidance/>

⁵ <https://www.gov.uk/government/publications/school-exclusion/changes-to-the-school-exclusion-process-during-the-coronavirus-outbreak>

For information about the local authority's/academy trust's duty to arrange an independent review panel see pp. 27–42 (DfE, 2017b).

SEND

Children with SEND are much more likely to be excluded from school than their classmates. However, pupils can only be excluded for disciplinary reasons, and not because the school or academy cannot meet their needs, or for something relating to their parents' actions or inaction. 'Informal' or 'unofficial' exclusions such as being sent home to cool off or being put on a reduced timetable are all unlawful, regardless of whether they occur with the agreement of parents/carers (IPSEA, no date).

Some organisations, in response to the racial disparities that exist in school exclusion rates, support pupils and their families in the appeals

process. The Traveller Movement has an [Education, Advice and Advocacy Support Unit](#) that aims to help Gypsy, Roma and Traveller (GRT) people navigate discrimination within the education system, including in school exclusion as they believe these exclusions are unfairly given. This was corroborated by research by the Office for the Children's Commission which found that 100% of appeals against the exclusion of GRT pupils were successful (Office of the Children's Commissioner, 2012).

Offrolling

Unexplained pupil movement between Years 10 and 11 has been studied by Ofsted. They found that a small number of schools had exceptional levels of pupil movement compared with schools with similar characteristics (Ofsted, 2019b).

Health and safety

Health and safety in a school is about taking a sensible and proportionate approach to ensure that the premises provide a healthy and safe environment for all who use them: the workforce, visitors and pupils⁶.

Risk assessment

During COVID-19 BAMEd (2020)⁷ advocated for schools to explicitly consider staff ethnicity in COVID-19 risk assessments⁸.

Written risk assessments are not required for every classroom activity, but the Health and Safety Executive has provided a checklist to use as required. School-wide measures should address the real risks. For specialist facilities and rooms, e.g. laboratories, art rooms, IT and sports facilities etc. appropriate risk assessment in relation to the activities should be carried out⁹.

HSE has guidance on school trips and outside learning¹⁰.

First aid

The Key provides some support for schools on what their first aid risk assessment should include and provides some case studies as examples¹¹.

Government guidance outlines responsibilities and duties (DfEE, 2000).

⁶ <https://www.hse.gov.uk/services/education/sensible-leadership/sensible.htm>

⁷

<https://www.bameednetwork.com/resources/article/courageous-conversations-about-race-school-recruitment-1/>

⁸

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/annex-a-health-and-safety-risk-assessment>

⁹ <https://www.hse.gov.uk/risk/classroom-checklist.pdf>

¹⁰ <https://www.hse.gov.uk/services/education/school-trips.pdf>

¹¹ <https://schoolleaders.thekeysupport.com/administration-and-management/risk/pupils-risk-assessments/sample-first-aid-risk-assessment/>

Budgeting and finance

Funding mechanisms

Information about funding mechanisms can be found in the *Academies Financial Handbook* (Education and Skills Funding Agency, 2020).

Pupil premium

Pupil premium allocations and conditions of grant for 2021 to 2022 require schools to demonstrate how spending decisions are informed by research evidence, and to publish their pupil premium strategy by the end of December 2021, to take account of the needs of the new intake.

The EEF guide encourages an evidence-informed approach to enable schools to understand the strength of evidence between alternative approaches and consider the cost-effectiveness of a range of approaches. The tiered approach encourages teaching quality as the important lever to improve outcomes, in ways that will benefit all pupils, not just those who are disadvantaged:

1. teaching
2. targeted academic support
3. wider strategies

(EEF, 2019)

PE and sport premium

The premium must be used to fund additional and sustainable improvements to the provision of PE and sport for primary-aged pupils. The intention is to encourage healthy, active lifestyles. It cannot be used for capital expenditure or staffing. Schools must publish information about the amount received and how it is to be spent (Education & Skills Funding Agency, 2021).

Charity law

Schools can be charities on the basis of education as the charitable purpose. Guidance is available for governors as to what this may entail (Charity Commission, 2012)

Procurement

The government provides a guide for schools to support them in buying goods and services to

ensure they get value for money and comply with procurement law:

<https://www.gov.uk/guidance/buying-procedures-and-procurement-law-for-schools>

Further resources and DfE-recommended suppliers are available.

<https://www.gov.uk/guidance/buying-for-schools>

Estate management

The government provides a manual of advice for schools to manage buildings and land.

<https://www.gov.uk/guidance/good-estate-management-for-schools>

Governance

Under the Ofsted Education Inspection Framework, those responsible for governance are expected to understand their role and carry it out effectively. This includes ensuring the provider has a clear vision and strategy and that resources are managed well. They must also ensure that the provider fulfils their statutory duties under the Equality Act (2010) and 'Prevent' strategies, for example (Ofsted, 2019a)

The *Governance Handbook* highlights the responsibility of governance to hold executive leaders to account for educational performance of the organisation and the effective and efficient performance management of staff. Key features include being ambitious for children and young people and being infused with a passion for education and a commitment to continuous school improvement. The *Handbook* identifies six features of effective governance:

1. strategic leadership
2. accountability
3. people
4. structures
5. compliance
6. evaluation

(DfE, 2020a)

The governing body should oversee the plan for providing careers guidance as a regular agenda item and monitor and evaluate the impact of the plan. The statutory guidance states that a member of the governing board should take a strategic interest in careers and work with the careers leader (NGA, 2021).

There is a lack of diversity within governors. The National Governance Association (2020) found that only 5% of governors in state schools are from a Black, Asian or minority ethnic background. This has not changed for 20 years.

MATs

Nearly half (44%) of volunteers in school governance are now governing academies, with 85% of those within multi-academy trusts (MATs). MATs remain the government's preferred vehicle

for securing school improvement, particularly for struggling schools. The diversity of governing boards remains a key issue with 65% of MAT trustees reporting difficulties in recruitment resulting in a uniformity of individuals on the board. Several groups remain underrepresented, particularly people from Black, Asian and minority ethnicities (4%) and people under the age of 40 (9%) (Collins, Henson and Knights, 2021).

Research by LKMCo (now CFEY) and Ambition Institute looks at the evidence base on MATs by exploring different methods of operation and how they choose their approach. They found that many MATs were still developing their operating models but that importantly that they do not only make decisions once. Strategies are constantly adapted and adjusted resulting in shifts in strategic or operational approaches, often associated with changes in scale, or in response to policy context, geographical factors and the type of schools within the MAT (Menzies *et al.*, 2018).

Skills audit

The DfE competency framework is intended for boards of LA maintained schools and academy trusts in England and training providers designing and delivering governance training and development. The framework comprises 16 competencies based on six features of effective governance outlined in the *Governance Handbook* (DfE, 2020a). Those elected or appointed to boards should fulfil their duties in line with the Nolan principles (Committee on Standards in Public Life, 1995) and also be:

- committed
- confident
- curious
- challenging
- collaborative
- critical
- creative

The framework outlines key knowledge and skills and behaviours to fulfil the various roles on the board (DfE, 2017a). Ask a clerk provides free

templates for governing bodies to carry out skills audits to identify training needs.¹²

Implementing change

Decision making over an extended period of time creates a high cognitive demand. This is then linked to a preference for the 'default' option – whatever involves relatively little cognitive effort. Examples from a range of sectors show that this can have real-life impacts in terms of cost implications. For example, in the finance sector, loans were decreasingly likely to be approved throughout the working day (Baer and Schnall, 2021).

¹² <https://askaclerk.co.uk/governor-skills-audit/> [accessed 06/05/2022]

Implementation

The EEF implementation guidance has six recommendations:

1. Treat implementation as a process, not an event; plan and execute it in stages.
2. Create a leadership environment and school climate that is conducive to good implementation.
3. Define the problem you want to solve and identify appropriate programmes or practices to implement.
4. Create a leadership implementation plan, judge the readiness of the school to deliver that plan, then prepare staff and resources.
5. Support staff, monitor progress, solve problems, and adapt strategies as the approach is used for the first time.
6. Plan for sustaining and scaling an intervention from the outset and continuously acknowledge and nurture its use.

(EEF *et al.*, 2019)

Outcomes from educational intervention often relate more to the quality of the implementation than the intervention itself. Barriers in the system, decisions to adapt elements, rejection by participants, all mean that the quality of the programme or intervention itself depends heavily on the quality of its implementation. This has important implications for the development of evidence-informed teaching and ensuring desired outcomes are realised. Fidelity is the most measured implementation outcome in education studies, along with training and support – often part of ensuring fidelity (Albers and Pattuwege, 2017).

A systematic review looking at the use of research-based knowledge in schools sees implementation as the key concept in understanding the use of research-based

knowledge in practice. It identifies six factors related to implementation that can help or hinder the successful use of this knowledge:

- management and leadership
- professional development
- support systems
- fidelity
- attitudes and perceptions
- sustainability

(Dyssegaard, Egelund and Sommersel, 2017).

A paper from 2011 looks at the issue of conceptualisation and evaluating successful implementation. It proposes eight conceptually distinct implementation outcomes:

1. acceptability
2. adoption
3. appropriateness
4. feasibility
5. fidelity
6. implementation cost
7. penetration
8. sustainability

(Proctor *et al.*, 2011).

Toolkits

Muijs highlights some of the issues with toolkits as being seen as a checklist or pick-and-mix model for educational intervention. As a summary of meta-analysis there are challenges created by the weaknesses of educational research in general which make the evidence of impact hard to generalise. Therefore he concludes that whilst toolkits, such as the EEF toolkit for teaching and learning, can be useful as an entry point for thinking about teaching and learning, they must be considered in light of the school's capacity, content and culture and viewed critically (Muijs, 2021).

References

Aarons, G. A. (2006) 'Transformational and Transactional Leadership: Association with Attitudes Toward Evidence-based Practice', *Psychiatric Services*, 57(8), 1162–1169. doi: 10.1176/ps.2006.57.8.1162.

ACAS (2021) *Improving Equality, Diversity and Inclusion in your Workplace*. Available at: <https://www.acas.org.uk/improving-equality-diversity-and-inclusion> (Accessed: 17 February 2021).

Albers, B. and Pattuwege, L. (2017) *Implementation in Education Findings from a Scoping Review*. Available at: <https://www.ceiglobal.org/application/files/2514/9793/4848/Albers-and-Pattuwege-2017-Implementation-in-Education.pdf> (Accessed: 20 May 2021).

Atkinson, A. et al. (2004) *Evaluating the Impact of Performance-related Pay for Teachers in England: Evaluating the Impact of Performance-related Pay for Teachers in England*. Available at: <http://www.bris.ac.uk/media-library/sites/cmpo/migrated/documents/wp113.pdf> (Accessed: 28 February 2020).

Baer, T. and Schnall, S. (2021) 'Quantifying the Cost of Decision Fatigue: Suboptimal Risk Decisions in Finance', *Royal Society Open Science*, 8(5). doi: 10.1098/rsos.201059.

Brugha, R. (2000) 'Stakeholder Analysis: A Review', *Health Policy and Planning*, 15(3), 239–246. doi: 10.1093/heapol/15.3.239.

Burge, P., Lu, H. and Phillips, W. (2021) *Understanding Teacher Retention: Using a Discrete Choice Experiment to Measure Teacher Retention in England*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/958634/Understanding_Teacher_Retention_Report_by_RAND-February_2021.pdf (Accessed: 11 June 2021).

Charity Commission (2012) *Charities and Charity Trustees— An Introduction for School Governors*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/350448/intro-for-school-governors.pdf (Accessed: 26 August 2021).

Coe, R., Aloisi, C., Higgins, S., Major, L. E., et al. (2014) *What Makes Great Teaching? Review of the Underpinning Research*. Sutton Trust, London. Available at: <http://www.suttontrust.com/researcharchive/great-teaching/>.

Collins, C., Henson, S. and Knights, E. (2021) *Moving MATs Forward: The Power of Governance*. Available at: [https://www.nga.org.uk/getmedia/88e9fcaa-0b91-4639-bba8-61847f77b7c1/MATs-40pp-Report-June-2019-\(WEB\)-AW-\(1\)-FINAL-27-06-2019.pdf](https://www.nga.org.uk/getmedia/88e9fcaa-0b91-4639-bba8-61847f77b7c1/MATs-40pp-Report-June-2019-(WEB)-AW-(1)-FINAL-27-06-2019.pdf).

Committee on Standards in Public Life (1995) *The Seven Principles of Public Life*. Available at: <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2> (Accessed: 21 April 2022).

Conlon, M. (2020) *How Does the Equality Act 2010 Affect SEN Practice in Schools?* Impact Education Software. Available at: <https://www.impacteducationsoftware.com/post/how-does-the-equality-act-2010-affect-sen-practice-in-schools> (Accessed: 11 March 2021).

DfE (2012a) *School Admission Appeals Code: Statutory Guidance for School Leaders, Governing Bodies and Local Authorities*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/275897/school_admission_appeals_code_1_february_2012.pdf (Accessed: 31 March 2021).

DfE (2012b) *Teacher Appraisal and Capability: A Model Policy for Schools*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/786143/Teacher_appraisal_and_capability-model_policy.pdf (Accessed: 28 February 2020).

DfE (2013) *Teacher's Standards*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665520/Teachers_Standards.pdf (Accessed: 20 December 2019).

DfE (2014) *School Admissions Code Statutory Guidance for Admission Authorities, Governing Bodies, Local Authorities, Schools Adjudicators and Admission Appeals Panels*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf (Accessed: 31 March 2021).

DfE (2015) *Special Educational Needs and Disability Code Of Practice: 0 to 25 years Statutory Guidance for Organisations which Work with and Support Children and Young People who have Special Educational Needs or Disabilities*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf (Accessed: 8 October 2020).

DfE (2016) *Standard for Teachers' Professional Development: Implementation Guidance for School Leaders, Teachers, and Organisations that Offer Professional Development for Teachers*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/537031/160712_-_PD_Expert_Group_Guidance.pdf (Accessed: 14 February 2020).

DfE (2017a) *A Competency Framework for Governance: The Knowledge, Skills and Behaviours Needed for Effective Governance in Maintained Schools, Academies and Multi-academy Trusts*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583733/Competency_framework_for_governance_.pdf (Accessed: 13 April 2021).

DfE (2017b) *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England: Statutory Guidance for those with Legal Responsibilities in Relation to Exclusion*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf (Accessed: 31 March 2021).

DfE (2018a) *Data Protection: A Toolkit for Schools*. Open Beta: Version 1.0. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf (Accessed: 14 April 2021).

DfE (2018b) *Implementing your School's Approach to Pay Advice for Maintained Schools, Academies and local authorities*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/786098/Implementing_your_school_s_approach_to_pay.pdf (Accessed: 28 February 2020).

DfE (2018c) *Working Together to Safeguard Children Statutory Framework: Legislation Relevant to Safeguarding and Promoting the Welfare of Children*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942455/Working_together_to_safeguard_children_Statutory_framework_legislation_relevant_to_safeguarding_and_promoting_the_welfare_of_children.pdf (Accessed: 25 March 2021).

DfE (2019a) *Early Career Framework*. Available at: <https://www.gov.uk/government/publications/supporting-early-career-teachers>.

DfE (2019b) *ITT Core Content Framework*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/919166/ITT_core_content_framework_.pdf (Accessed: 4 November 2019).

DfE (2020a) *Governance Handbook: Academy Trusts and Maintained Schools*. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925104/Governance_Handbook_FINAL.pdf (Accessed: 13 April 2021).

DfE (2020b) *School Teachers' Pay and Conditions Document 2020 and Guidance on School Teachers' Pay and Conditions*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920904/2020_STPCD_FINAL_230920.pdf (Accessed: 29 March 2021).

DfE (2021a) *Induction for Early Career Teachers (England) Statutory Guidance for Appropriate Bodies, Headteachers, School Staff and Governing Bodies*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/972316/Statutory_Induction_Guidance_2021_final__002____1__1_.pdf (Accessed: 29 March 2021).

DfE (2021b) *Keeping Children Safe in Education (2020) Statutory Guidance for Schools and Colleges*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/954314/Keeping_children_safe_in_education_2020_-_Update_-_January_2021.pdf (Accessed: 2 March 2021).

DfE (2022) *Behaviour in Schools - Advice for headteachers and school staff*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089687/Behaviour_in_Schools_guidance_July_2022.pdf (Accessed: 14 July 2022).

DfEE (2000) *Guidance on First Aid for Schools: A Good Practice Guide*. Available at: <https://www.gov.uk/government/publications/first-aid-in-schools> (Accessed: 9 April 2021).

Dyssegaard, C. B., Egelund, N. and Sommersel, H. B. (2017) *What Enables or Hinders the Use of Research-based Knowledge in Primary and Lower Secondary School: A Systematic Review and State of the Field Analysis*. Available at: https://edu.au.dk/fileadmin/www.dpu.dk/danskclearinghouseforuddannelsesforskning/Clearinghouse__Research_Series_-_June_2017_-_Number_31_-_e-bog.pdf (Accessed: 20 May 2021).

Education & Skills Funding Agency (2021) *PE and Sport Premium: Conditions of Grant 2020 to 2021 (academies)*-. GOV.UK. Available at: <https://www.gov.uk/government/publications/pe-and-sport-premium-conditions-of-grant-2020-to-2021/pe-and-sport-premium-conditions-of-grant-2020-to-2021-academies> (Accessed: 26 August 2021).

Education and Skills Funding Agency (2020) *Academies Financial Handbook 2020*. Available at: https://assets.publishing.service.gov.uk/media/5f4754ac8fa8f5362e74ba76/Academies_Financial_Handbook_2020.pdf (Accessed: 13 April 2021).

EEF (2019) *The EEF Guide to the Pupil Premium*. Available at: https://educationendowmentfoundation.org.uk/public/files/Publications/Pupil_Premium_Guidance_iPDF.pdf (Accessed: 26 August 2021).

EEF *et al.* (2019) *Putting Evidence to Work: A School's Guide to Implementation*. Available at: https://educationendowmentfoundation.org.uk/public/files/Publications/Implementation/EEF_Implementation_Guidance_Report_2019.pdf (Accessed: 4 December 2019).

EEF (2020) *Performance Pay*. Available at: [https://educationendowmentfoundation.org.uk/pdf/generate/?u=https://educationendowmentfoundation.org.uk/pdf/toolkit/?id=141&t=Teaching and Learning Toolkit&e=141&s=](https://educationendowmentfoundation.org.uk/pdf/generate/?u=https://educationendowmentfoundation.org.uk/pdf/toolkit/?id=141&t=Teaching%20and%20Learning%20Toolkit&e=141&s=) (Accessed: 28 February 2020).

Evidence for Learning (2020) *De-implementation Guide*. Northern Territory. Available at: <https://evidenceforlearning.org.au/assets/NT/De-implementation-Guide.pdf> (Accessed: 8 June 2021).

gov.uk (no date) *School Admissions*. GOV.UK. Available at: <https://www.gov.uk/schools-admissions> (Accessed: 31 March 2021).

Hannay, T. (2021) *Learning from The Schools Guide*. SchoolDash. Available at: <https://www.schooldash.com/blog-2111.html#20211130> (Accessed: 3 December 2021).

Hive Learning (no date) *7 Must-dos for Inclusive Interviews*. hivelearning.com. Available at: <https://www.hivelearning.com/site/resource/diversity-inclusion/7-must-dos-for-inclusive-interviews/> (Accessed: 6 May 2022).

IPSEA (no date) *Exclusion from School*. (IPSEA) Independent Provider of Special Education Advice. Available at: <https://www.ipsea.org.uk/pages/category/exclusion-from-school> (Accessed: 31 March 2021).

Jerrim, J. and Sims, S. (2020) *Teacher Workload and Well-being. New International Evidence from the OECD TALIS Study*. Available at: www.nuffieldfoundation.org. (Accessed: 18 March 2021).

King, J. and Hammond, C. (2021) *Delayed School Admissions for Summer Born Pupils (2020) Surveys of Local Authorities and of Parents and Carers*. Research report. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988662/Final_Report_-_Delayed_school_admissions_for_summer_born_pupils_-_May_2021.pdf (Accessed: 28 May 2021).

Marsden, D. (2009) 'The Paradox of Performance Related Pay Systems: "Why do we Keep Adopting them in the Face of Evidence that they Fail to Motivate?"', in Hood, C. and Margetts, H. (eds) *Paradoxes of Modernization: Unintended Consequences of Public Policy Reforms*. Oxford University Press. Available at: [http://eprints.lse.ac.uk/23639/1/The_paradox_of_performance_related_pay\(LSERO\).pdf](http://eprints.lse.ac.uk/23639/1/The_paradox_of_performance_related_pay(LSERO).pdf) (Accessed: 28 February 2020).

Menzies, L. et al. (2018) *Building Trusts: MAT Leadership and Coherence of Vision, Strategy and Operations*. London. Available at: https://s3.eu-west-2.amazonaws.com/ambition-institute/documents/MAT_ResearchReport_LKMco_v12.pdf (Accessed: 21 April 2021).

Miller, P. W. (2019) "'Tackling" Race Inequality in School Leadership: Positive Actions in BAME Teacher Progression – Evidence from Three English Schools', *Educational Management Administration & Leadership*, 48(6), doi: 10.1177/1741143219873098.

Muijs, D. (2021) *The Problem with Toolkits, Education Ruminations*. Available at: <https://educationruminations.com/2021/04/29/the-problem-with-toolkits/> (Accessed: 29 April 2021).

NASUWT (2018) *Taking Control of your Performance Management NASUWT: A practical Guide for Teachers*. Available at: www.nasuwt.org.uk/performance-management (Accessed: 1 December 2020).

NEU (2019a) *Appraisal*. Available at: <https://neu.org.uk/advice/appraisal> (Accessed: 1 December 2020).

NEU (2019b) *Performance-related Pay for Teachers*. Available at: <https://neu.org.uk/policy/performance-related-pay-teachers> (Accessed: 1 December 2020).

NGA (2020) *Governance continuity in unprecedented times*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/916875/Governance_continuity_in_unprecedented_times.pdf (Accessed: 23 September 2020).

NGA (2021) *Providing an Effective Careers Programme*. Available at: <https://www.nga.org.uk/getmedia/dcb97308-58aa-412b-9a0f-1be92ae9f4a8/nga-careers-guide-20211001.pdf> (Accessed: 20 October 2021).

OECD (2012) *The Effects of Performance-based Pay for Teachers on Student Performance*. Available at: <http://www.oecd.org/dataoecd/58/37/50282932.xls> (Accessed: 28 February 2020).

Office of the Children's Commissioner (2012) *'They never give up on you': School Exclusions Inquiry*. Available at: <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/07/They-never-give-up-on-you-final-report.pdf> (Accessed: 5 August 2022).

Office of National Statistics (2019) *School Workforce in England, Reporting Year 2019*. DfE website. Available at: <https://explore-education-statistics.service.gov.uk/find-statistics/school-workforce-in-england>

(Accessed: 16 February 2021).

Ofsted (2019a) *Education Inspection Framework for September 2019*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801429/Education_inspection_framework.pdf (Accessed: 9 September 2020).

Ofsted (2019b) *Off-rolling: An Update on Recent Analysis*. Ofsted blog: schools, early years, further education and skills. Available at: <https://educationinspection.blog.gov.uk/2019/09/06/off-rolling-an-update-on-recent-analysis/> (Accessed: 5 August 2020).

Ofsted (2021) *Review of Sexual Abuse in Schools and Colleges*. GOV.UK. Available at: <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges> (Accessed: 10 June 2021).

Proctor, E. *et al.* (2011) 'Outcomes for Implementation Research: Conceptual Distinctions, Measurement Challenges, and Research Agenda', *Administration and Policy in Mental Health and Mental Health Services Research*, 38(2), pp. 65–76. doi: 10.1007/s10488-010-0319-7.

Roberts, J. (2020) *Another Major Academy Trust Ditches Performance-related Pay*. TES. Available at: <https://www.tes.com/news/another-major-mat-ends-performance-pay-teachers> (Accessed: 1 December 2020).

Secretary of State for Education (2012) *The Education (School Teachers' Appraisal) (England) Regulations 2012*. Available at: <https://www.legislation.gov.uk/ukSI/2012/115/made/data.pdf> (Accessed: 1 December 2020).

Sharp, C. *et al.* (2017) *Evaluation of Teachers' Pay Reform Final Report National Foundation for Educational Research*. Institute for Fiscal Studies. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/652763/Evaluation_of_Teachers_Pay_Reform-Final_Report.pdf (Accessed: 28 February 2020).

Strong, M., Gargani, J. and İu, Ö. H. (2011) 'Do we Know a Successful Teacher when we See One?: Experiments in the Identification of Effective Teachers', *Journal of Teacher Education*, 62(4), 367–382. doi: 10.1177/0022487110390221.

Teacher Workload Advisory Group (2018) *Workload Advisory Group Report: Making Data Work*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/754349/Workload_Advisory_Group-report.pdf (Accessed: 28 February 2020).

Tereshchenko, A., Mills, M. and Bradbury, A. (2021) *Making Progress? Employment and Retention of BAME Teachers in England*. Available at: https://discovery.ucl.ac.uk/id/eprint/10117331/1/IOE_Report_BAME_Teachers.pdf (Accessed: 16 March 2021).

Timewise (2019) *Building Flexibility into Secondary Schools*. Available at: https://timewise.co.uk/wp-content/uploads/2019/07/Timewise-Now-Teach-Report_2019.pdf (Accessed: 24 September 2021).

Tompkins, T. C. and Rhodes, K. (2012) 'Groupthink and the Ladder of Inference: Increasing Effective Decision Making', *The Journal of Human Resource and Adult Learning*, 8(12). Available at: www.hraljournal.com/Page/11 Tompkins Rhodes-2.pdf.org (Accessed: 10 June 2021).

UK Government (2010) *Equality Act 2010*. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents/data.pdf> (Accessed: 17 February 2021).

Weston, D., Hindley, B. and Cunningham, M. (2021) *A Culture of Improvement: Reviewing the Research on Teacher Working Conditions*. Working paper: version 1.1 February. Available at: <https://tdtrust.org/wp->

content/uploads/2021/02/A-culture-of-improvement_-reviewing-the-research-on-teacher-working-conditions-Working-Paper-v1.1.pdf (Accessed: 15 March 2021).

Whittaker, F. (2019) *Schools Losing Teacher Goodwill over Performance-related Pay*. Schools Week. Available at: <https://schoolsweek.co.uk/schools-losing-teacher-goodwill-over-performance-related-pay/> (Accessed: 1 December 2020).

Worth, J. and Faulkner-Ellis, H. (2021) *Teacher Labour Market in England*. Available at: https://www.nfer.ac.uk/media/4382/teacher_labour_market_in_england_annual_report_2021.pdf (Accessed: 1 April 2021).