

Ward Hadaway – Lawyers for Education

Insight: Education

Your monthly education sector news roundup

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Welcome

Welcome to the January edition of our new monthly newsletter for those in the education sector. We hope you will find this a useful summary of latest developments in schools, further and higher education and the training and apprenticeships arena. If you have any comments on the format or want more detail about a particular subject, please do not hesitate to contact any of us.

Mental health problems among young people: the role of education

On 9 January 2017, Prime Minister Theresa May announced a package of mental health reforms including new initiatives for schools to provide mental health support. In a [speech](#) at the Charity Commission the Prime Minister announced:

- » the piloting of mental health first aid training for teachers and staff which will help them to identify and assist children experiencing problems; and
- » the trial of approaches to ensure that schools and colleges work closer together with local NHS services to provide dedicated children and young people's mental health services.

In September last year, the Public Accounts Committee said that it was "sceptical" about the Government's attempts to improve mental health services without a significant amount of extra money. Yet, ahead of her speech announcing the reforms the Prime Minister stated that "it is always wrong for people to assume that the only answer to these issues is about funding", indicating that there will not be any major funding injection. To this extent, the mental health school reform remains "an unresolved part of the mental health agenda".

Education leaders have welcomed the focus on young people but have expressed concern at the viability of the plans in the absence of funding.

The announcement of the reforms follows the launch of a new [inquiry](#) by the Education and Health Committees, examining the role of education in promoting emotional wellbeing in children and young people and preventing the development of mental health problems. The focus of the inquiry includes building resilience in young people, developing skills for professionals and social media and the internet. The inquiry is currently accepting written submissions with a deadline of 20 January 2017.

"Local mental health services are a vital lifeline for young people who need specialist help. The Government's plans have to be backed up with the funding needed to better support the provision of mental health services both in and outside school."

MALCOLM TROBE, GENERAL SECRETARY
ASSOCIATION OF SCHOOL AND COLLEGE LEADERS

"While there's a better acknowledgement of the extent of mental illness among children and young people than ever before, the services that schools, families and children rely on are under pressure from rising demand, growing complexity and tight budgets."

RUSSELL HOBBY, GENERAL SECRETARY
NAHT

Primary assessment inquiry kicks off

2016 was a tumultuous year for primary assessment. The Government introduced "more rigorous" tests in 2015, declaring that the previous expectations for children were too low. The unpopular reforms led to a national "stay at home" protest by parents in May. In October the Government backtracked on its plan to impose secondary school resits for those pupils who did not attain the required levels. The system was hit with further controversy when a spelling, punctuation and grammar test was accidentally published online, with answers, causing the test to be made non-compulsory.

In September 2016, the Education Committee launched an [inquiry](#) into primary assessment to "scrutinise reforms to primary assessment and their impact on teaching and learning in primary schools". On 14 December 2016, the first oral evidence session was held, with MPs hearing submissions from teachers, school leaders and union representatives.

Some interesting thoughts emerged from the panel and the following summarises some of the key matters discussed:

» *Too much focus on accountability rather than learning*

The assertion was made that the end of the key stage testing process is not really about assessment for educational purposes. While it is reasonable to have accountability systems, it was argued that this is distinct from, and can have a negative impact on, the things that could and should be happening in the classroom.

» *Poor communication from the Department for Education (DfE)*

The communication to schools by the DfE was described as "diabolical" and was blamed for the increased workload on "already overburdened teachers". Piloting tests with subsequent adaptation and/or redesign was considered as a more effective method by which the reforms could be introduced.

» *Sample assessment or comparative judgment v teacher assessment*

It was suggested that sampling from the pupil population would be a better performance tracker since it "strikes the right balance between having a reasonable volume of assessment...but not each of those assessments being high-stakes".

Comparative judgment on the other hand was advocated as a potential way in which primary schools and pupils could be ranked, according to who are the better writers and mathematicians and who are the weaker ones, without narrowing teaching.

» *A pass/fail system is demotivating for SEND pupils*

The pass/fail system was recognised as being particularly demotivating for SEND pupils. As an example, while dyslexic pupils might flourish creatively, the secure fit system curbs their ability to succeed. The assessment of children with special educational needs was described as an "afterthought" in the design process.

The next oral evidence session will be held on 18 January 2017.

As announced by Education Secretary Justine Greening last year, a consultation on primary assessment can be expected later this year. This is likely to ask questions on "the best starting point to measure the progress that children make in primary school", the role and operation of teacher assessment and the Rochford Review recommendations.

Brexit impacts: Higher education – the future of Erasmus+

The Education Committee has published the [written evidence](#) it received as part of its inquiry into the impact of exiting the European Union on higher education. Submissions were received from universities, businesses, individual students and academics. A common concern among the responses was the future of the UK's participation in the Erasmus+ programme. The Government has been called on to "prioritise negotiating continued participation in the Erasmus+ programme and its successor". As an alternative, the Government has been urged to establish a "replacement fund...to support the mobility of UK students and staff in Europe and beyond". The maintenance of international cooperation and exchange in the higher education sector is viewed by many as important to providing students with the "international skills and experience necessary to support the UK as a global trading nation".

Need to know – your policy and guidance quick read

Guidance: School census 2016 to 2017: guide for schools and Local Authorities

An updated guide to assist schools and local authorities complete and submit their autumn 2016 to summer 2017 school census data has been published by the DfE. For more information please [click here](#).

Guidance: Further education area reviews: standards colleges can expect

Guidance has been published which sets out the standards which area review teams will follow when carrying out their reviews of further education and sixth form colleges. For more information please [click here](#).

Guidance: National Reference Test 2017 - Information for Schools

On 5 January 2017, Ofqual published information provided by NFER to assist schools which have been selected to participate in the statutory National Reference Test, which will take place in the spring term of 2017. For more information please [click here](#).

Guidance: COLLECT guides for schools and local authorities

The DfE has issued guides that will help schools and local authorities complete and submit data using COLLECT. The guides include information on: accessing COLLECT, uploading and submitting data and error queries. For more information please [click here](#).

Open consultation: Institute for Apprenticeships: draft strategic guidance

The Government is seeking views on its draft strategic guidance to the Institute for Apprenticeships for the 2017 to 2018 financial year. The deadline for submitting responses is 31 January 2017. For more information please [click here](#).

Purchasing opportunity: New deal to help schools save cash on computer equipment

Schools (maintained schools, academies, university technical colleges and free schools) considering buying new computer equipment this year could save thousands of pounds by taking advantage of a new deal developed by the DfE and the Crown Commercial Services. To take advantage of the aggregation scheme a customer requirement template must be completed by 10 February 2017. For more information please [click here](#).

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Meet the team

Meet the Education Team

As the evolving educational landscape continues to open up new opportunities and present challenges, you need to be confident that you are getting the right legal advice, at the right time and, of course, at the right price. Ward Hadaway's Education Team is recognised as a leading national player. Our friendly, commercial and pragmatic approach allows you to be reassured that you are in safe hands.

Whether you are a maintained school, academy, multi academy trust, free school, studio school or UTC, our team have an in-depth, up-to-date knowledge of the sector, making us ideally placed to offer the best possible advice to all those involved in the delivery of educational excellence for pupils, students and their communities. [Click here](#) to read about how we can work with you.

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