

NGA News 23/4/10

The newsletter is also available in the members' only area of the website – as are previous versions. To access these you will need to log-on to the website.

Remember you can now log-on to the website using your email address and password.

[NGA News Briefings](#)

Given the election it has been a relatively quiet week for announcements – with the exception of the SATs boycotts.

SATs Boycott

The NAHT & NUT have announced that they will be going ahead with the boycott of this year's SATs. In effect this means that they will refuse to administrate the tests. It is not a strike and any members of the NAHT & NUT will be in schools during the SATs tests. In addition, the two unions have said that this is an 'enabling motion' which means that members of the two unions can boycott the tests, but not be viewed as acting against the wishes of the union if they choose not to do so.

As usual, the media reporting distorted some of what NGA said. The NGA's position has not changed, we do not support the boycott of the SATs, but our key issue is to keep members informed as to what action they should take if their headteacher does intend to boycott the tests.

The NGA has issued a briefing with answers to questions that have already been raised. The briefing document is on our special [SATs Boycott](#) page in the news section of the website. The Q&A is subject to continuous update as new questions are raised and more information becomes available from the DCSF.

Under Section 88(1A) of the Education Act 2002 (as amended by the Education and Skills Act) the governing body '...must exercise their functions with a view to securing... that the assessment arrangements specified for the time being in the National Curriculum for England are implemented.' Regulation 5 of the School Staffing (England) Regulations 2009 place a duty on the governing body to ensure that the headteacher 'complies with the duties imposed upon the headteacher...'.

It is the NGA's view that governing bodies also need to bear in mind The Education (School Government) (Terms of Reference) (England) Regulations 2000 which set out the respective roles of the governing body and the headteacher. These Regulations make clear that the governing body's role is 'largely strategic' and the headteacher '...shall be responsible for the internal organisation, management and control of the school...' The NGA would, therefore, caution members against taking any action other than enquiring of the headteacher whether they intend to administer the tests or not and possibly sending a letter to parents informing them of what is happening.

The above legal jargon is of particular importance because one of the biggest issues has been whether this is a lawful trade dispute. The NAHT & NUT's advice contend that it is, whereas the DCSF have said that headteachers have a statutory duty to

administer the tests and any boycott would be unlawful. This difference of opinion has not been tested in the Courts and unless it is the NGA's view is that governing bodies should treat the boycott as a lawful trade dispute and not try to put alternative measures in place if your headteacher is boycotting the SATs.

The NGA's Q&A brief can be found via the attached link – [SATs Boycott](#).

If you do have a question which we have not included please email either [Emma Knights](#) or [Gillian Allcroft](#) and we'll update the Q&A.

Volcanoes - Advice to Schools as a result of travel disruption April 2010

The Local Government Employers (LGE) has issued advice to local authorities in relation to the travel disruption caused by the volcanic eruption in Iceland and the impact on staffing in schools.

The advice on travel disruption can be found via the attached link - [LGE - Travel Disruption Advice](#)

Annual Joint Conference on Governance - Stakeholder School Governance Under Threat: What's Worth Fighting For? 17 June 2010 Bloomsbury Hotel, London

All the NGA's free places have now been allocated. If you do want to attend the conference and missed out on the NGA free places you may still be able to obtain a free place via your local authority governor services. Co-ordinators of governor services can access one free place for a governor if they also buy a place at the conference. For more information

- Governors should contact their governor services department for information.
- Co-ordinators of governor services should contact the Children's Services Network via email at - events@lgiu.org.uk or by phone on: 020 7554 2811

More details about this event can be found via the attached link - [Annual Joint Conference on Governance](#)

Clare's Blog

This week Clare talks about the SATs Boycott– read her blog here [Chair's Blog](#)

Contact NGA

By e-mail governorhq@nga.org.uk - or by phone at 0121-237 3780

This newsletter is distributed as a benefit of NGA membership.

If you think this news briefing is a valuable resource you should consider becoming a NGA member - more information on membership can be found by following this link - [Join NGA](#)