

Education Headaches

1. Mrs Markle is a part-time teacher who works three days a week. Mrs Crown, the Headteacher of Windsor Academy, has asked her to spread her hours over five days, rather than three, starting from September. This will not involve any overall increase in the number of working hours. Mrs Markle's contract states that her hours are "subject to variation, depending upon the requirements of the school timetable". However, Mrs Markle is resistant to this change.

How should Mrs Crown proceed?

If an agreement cannot be reached, can the school unilaterally impose the change?

2. Mrs McClusky, Headteacher, is not happy with the quality of the cleaning at Strange Hill by the cleaning contractor, Tye Deeit Ltd. The contract is coming to an end and Mrs McClusky wants to bring the cleaning in-house and employ new cleaners.

Is Mrs McClusky able to do this?

3. Mr McKenzie, Headteacher at Rudge Park School, has just been informed that Phil Gilbert, English Teacher, has been arrested for having indecent images on his laptop. He denies the allegation and has been bailed.

What action, if any, can Mr McKenzie take?

4. Ms Bones, head of the Jeffersonian School in Washington, Tyne and Wear, was recently informed that a Facebook user called "Bug Boy" had posted a comment about the school on the Washington Community Facebook page.

The comment stated: "*Working at the Jeffersonian and under Ms Bones was a miserable experience of micromanagement, negativity, bullying and stress. There is a lack of understanding of the basic governance and risk principles by the school. I don't regret my time at the Jeffersonian as it helped me see my worth, not before it took its toll on my health as a result of working practices of such rare ineptitude. Don't place your kids here*".

The Facebook page has over 15,000 members, many of whom are parents of students at the school. Ms Bones suspects that an ex-employee, Mr Jack Hodgins, posted the comment.

What can Ms Bone do?

5. Angela, the new marketing manager at the Jeffersonian School received an invoice for £5,000 plus VAT from a company called "D Goodman Services". The invoice was for 12 months of marketing services. Angela called the company to query the invoice. She found out that her predecessor had engaged the company last year.

The company sent a copy of their terms and conditions to Angela and referred to clause 1 of the terms and conditions, which stated: "*the term of this agreement will be for one year and automatically renew for further periods of one year unless either party gives written notice of at least six months ending on the last day of the one year term*".

The company informed Angela that as no notice was provided, the contract was automatically renewed for a further year, and they have invoiced accordingly.

Angela noted that the company did not notify the school that the contract would auto-renew. The school does not want the services and do not want to pay the invoice.

What can the school do?

6. David Boreanaz is a student at Sunnydale High School. He is a particularly troubled young man and he, along with the majority of his friendship group, has an extensive disciplinary record held by the school. Mrs Summers, the headteacher of Sunnydale High School, has had a telephone call from the local police station requesting sight of David's pupil file in connection with a criminal investigation.

Can the School disclose this information to the police and what, if any, safeguards should the School undertake if the pupil's file is to be shared with the police?

7. Mr and Mrs Stewart are parents of Roo, Heath and Josh who attend Summerbay High School. They have recently become estranged and the divorce proceedings have become increasingly acrimonious. Mr Stewart has asked to receive copies of all school reports and all other relevant correspondence regarding the children's education. All three children remain living with their mother who has asked that the school do not share any information regarding her or the children with Mr Stewart.

What are the School's obligations to Mr Stewart?

Does the School have to comply with Mrs Stewart's request?

Do the School's obligations to Mr Stewart alter if he is Heath and Josh's stepfather rather than their biological father?

8. Doris Johnson has been a teacher at Conservatory School for 18 months and has been absent from work for the last 6 months with Long Covid. Mr Sunak, Headteacher, has had enough and wants to sack Doris for long-term sickness absence.

Can Mr Sunak just dismiss Doris Johnson?

9. Mr Jones, Headteacher at Scooby-Doo Academy, has implemented a restructure of the SLT. As part of the restructure, only 2, rather than 3, Deputy Head roles are required. Daphne, Velma and Scrappy all apply for the new roles. Daphne is currently on maternity leave.

How should Mr Jones proceed?

10. Sherlock and Moriarty are ground staff at Baker Street School. They are involved in a fight in the staff room. As a result, Moriarty is dismissed on the grounds of gross misconduct but Sherlock is only given a final written warning. Moriarty claims unfair dismissal.

Will Baker Street be able to defend his claim?

11. Mrs Ahmed, Headteacher at Inclusive High, has just chaired a disciplinary hearing with Mr Griffin, Pastoral Support Worker, who admitted having racially offensive comments and pictures on his Facebook page. However, Mr Griffin insists that the posts had been put on there by others who had

access to his Facebook account. He also says that he thought his Facebook page was private and that it would be a breach of his human rights if he could not have his own beliefs.

Mrs Ahmed wants to dismiss but is she safe to do so?

12. James is a pupil at Peach High School. He has ADHD and Autism and has an ECHP, which the School comply with. There has been a history of behavioural problems with James and he has been subject to various different types of sanctions. During morning break, James had an altercation with John and there was name calling on both sides. They were not together for the next two lessons but, at lunchtime, James went looking for John and hit him on the head several times with his mobile phone, severely injuring John. James was issued with a fixed term exclusion pending an investigation. Having carried out a full investigation, Mr Dahl, headteacher, permanently excluded James. Mr and Mrs Trotter, James' parents, have appealed to the Governors and have alleged that the permanent exclusion was unlawful as discriminated against James on the grounds of his disability.

Mr Dahl has asked you to advise the Governors, what are the risks and potential consequences?

13. Mr Ramsey is the headmaster of Swearalot Academy a secondary school for boys and girls aged 11-16. On 1 June 2022 Swearalot are the subject of a routine inspection by their regulator. The feedback on inspection day is generally positive with a few areas to improve, which are dealt with there and then in the feedback session. The provisional grades seem to be satisfactory. However, when the draft report is received it concludes that the school has not met a number of the criteria and Requires Improvement. Mr Ramsey is very upset and disagrees with the report.

Can Swearalot Academy do anything to challenge or change the findings?

Can Swearalot delay the publication of the report?

14. Gates Technology College have fallen victim to a cyber-attack. The IT department have confirmed that a hacking group named "Golden Delicious" have installed ransomware on the system and are demanding that the college pay several thousand pounds to remove it. Golden Delicious claim to have obtained personal details for staff and students, along with passwords and other security details. An email from a hacker calling himself "Steve J" seems to confirm that the system has been compromised as it contains personal details for the Principal Bill and some of the students. The IT system appears to have crashed irretrievably.

What should Gates Technology College do?

15. Darkside Academy is holding a school drama night one evening in late October. The event is open to the staff, pupils, family members and friends. The event was being held at 8pm and, to get to the main school hall, visitors must walk through the car park and past the old church building. Unfortunately, a pupil's family member, Mrs Ren, was walking through the walkway on her way to the main hall and tripped over a small retaining wall due to the area being poorly lit, sustaining a serious head injury and broken arm.

What could the school have done to eliminate the risk of this accident?

What are the consequences for the school?