

DIRECTORS' REPORT

ALL SCHOOL GOVERNING BOARDS

SPRING TERM 2026

This term's report is prepared by BDSIP for the London Borough of Barking and Dagenham, and includes the following items:

For Action

1. Governors' responsibilities regarding 'Off-site Direction and Managed Moves'
2. Martyn's Law — formally the Terrorism (Protection of Premises) Act 2025 — how this applies to education settings in England.

For Information

1. Religious Education, Collective Worship and the Supreme Court's JR87 Decision
2. London Governors' Newsletter Spring 2026

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1	Governors' responsibilities regarding 'Off-site Direction and Managed Moves'
Introduction: The guidance document produced by Barking and Dagenham Local Authority Inclusion team serves as a detailed resource for school Governors and School staff to understand and implement offsite directions and managed moves within the legal framework, ensuring proper procedures, monitoring, and safeguarding of pupil welfare and educational progress throughout the process. Legislation and Regulatory Framework followed in the guidance: The document references several key legislative instruments and guidance, including: • Section 29A of the Education Act 2002, granting Governing Boards the power to direct pupils off site for behaviour improvement. • Education (Educational Provision for Improving Behaviour) (England) Regulations 2010 and its 2012 amendments. • Alternative Provision Statutory Guidance for Local Authorities (February 2025). • Suspension and Permanent Exclusion Guidance for maintained schools, academies, and pupil referral units (August 2024). • School Governance (Roles, Procedures and Allowances) (England) Regulations 2013. Governing Board Powers and Responsibilities This document outlines the responsibilities of school governors in overseeing offsite education, emphasising the need for proper notice to parents and local authorities, regular review meetings involving all relevant stakeholders, and adherence to lawful procedures. It highlights the importance of quality assurance for alternative provision, ensuring placements are time-limited and aimed at improving future behaviour. The document also stresses the significance of planning for pupils' reintegration or transition at the end of placements, as well as the need for thorough record-keeping and effective monitoring of progress. Academy Governing Board Powers Academies do not have explicit statutory powers like maintained schools but rely on their Trust's general powers under their Articles of Association and Funding Agreement. Academies must ensure clear delegation of the power to direct offsite and provide clear information to parents and Local Authorities, including objectives, assessments of needs, and provision suitability. Regular reviews are recommended, and parental involvement is encouraged. Managed Moves The document outlines the process for managed moves in Barking and Dagenham, emphasising that such moves must be voluntary and require agreement from all parties, including parents and admission authorities. It details the importance of prior information sharing, such as attainment records and risk assessments, to support	

integration. The document also notes that parents have the right to raise complaints about undue pressure, which could prompt investigations by Ofsted. All managed moves are overseen by Fair Access/Hard-to-Place Panels, with a standardised form used by schools for both approval and ongoing monitoring.

Recommendations:

Governors should read the full guidance '**Guidance to Governors and Schools regarding directing pupils off site for the purpose of improving behaviour and Managed Moves**'* (provided separately) thoroughly and put an action plan in place to ensure that processes are being followed.

***Full Guidance title below:**

(Guidance to Governors and Schools regarding directing pupils off site for the purpose of improving behaviour and Managed Moves (including offsite direction to Alternative Provision to Support medical and Mental Health Needs).

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2	Martyn's Law — formally the Terrorism (Protection of Premises) Act 2025 — how this applies to education settings in England.
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Purpose: Martyn's Law — formally the Terrorism (Protection of Premises) Act 2025 will apply to education settings in England. The Act became law on 3 April 2025 and is intended to improve protective security and preparedness at public premises which includes schools. This report provides an overview of the act and, non statutory guidance issued by the Department of Education.

Summary: Headteachers and Governing bodies should understand that:

- Martyn's Law will create a new statutory duty for schools
- Expectations are proportionate and focused on preparedness
- Existing emergency and critical incident planning will form a strong foundation
- There is time to prepare, but early awareness is encouraged

Recommendation: Headteachers and Governors are asked to note implications of Martyn's Law and ensure that appropriate actions are taken so that schools will be compliant with the Act.

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Background Information:

1.01 Martyn's Law — formally the Terrorism (Protection of Premises) Act 2025
— will apply to education settings in England. The Act became law on **3 April 2025**

and is intended to improve protective security and preparedness at public premises, including schools and college.

1.02 Why the law was introduced. Martyn's Law is named in memory of Martyn Hett, who was killed in the 2017 Manchester Arena terrorist attack. The legislation responds to an "enduring and evolving" terrorism threat in the UK, where attacks are difficult to predict in location or form. The aim is to ensure organisations think about how they would respond to a terrorist incident and take reasonable, proportionate steps to reduce harm.

1.03 When the law will come into force. Although the Act is now law, the government has confirmed an **implementation period of at least 24 months**. This means the requirements are not yet enforceable, giving education settings time to prepare. Further statutory guidance will be published before enforcement begins.

1.04 Which education settings are in scope. Martyn's Law applies to education premises where 200 or more people can reasonably be expected to be present at the same time. Education settings below 200 people are out of scope but are encouraged to follow good practice.

1.05 Special consideration for schools. Early years, primary, secondary and further education settings will always be treated as "standard tier" premises, even if they regularly host more than 800 people.

Events held at these premises will not be treated as qualifying events, but the premises itself remains in scope if numbers exceed 200.

1.06 The tiered approach explained.

Martyn's Law introduces **two tiers** of duties:

Standard tier

- Applies to premises expecting 200–799 people
- All in-scope education settings fall into this tier
- Focuses on simple, low-cost public protection procedures, not physical security measures.

Enhanced tier

- Applies to premises or events expecting **800+ people**
- **Does not apply to most education settings**, due to special exemptions.

1.07 What education settings will need to do. When the Act comes into force, schools in scope will be required to:

- Consider the risks of a terrorist attack occurring at or near their premises,
- Put in place reasonably practicable public protection procedures, such as:
 - Evacuation
 - Lockdown or invacuation

- Safe communication during an incident
- Ensure staff understand what to do if an incident occurs.

Importantly, there is no requirement to carry out physical alterations to buildings or install specialist security equipment. The focus is on planning, procedures, and staff preparedness.

1.08 Regulation and enforcement

- The **Security Industry Authority (SIA)** will regulate the Act.
- The SIA will:
 - Provide guidance and support
 - Act as the enforcement body if premises do not comply
- Enforcement will not begin until after the implementation period ends.

What Headteachers and Governing bodies take from this report.

Headteachers and Governing bodies should understand that:

- Martyn's Law will create a new statutory duty for schools,
- Expectations are proportionate and focused on preparedness,
- Existing emergency and critical incident planning will form a strong foundation,
- There is time to prepare, but early awareness is encouraged.

1.09 Key reassurance for schools

- This is not about turning schools into high-security environments
- The law focuses on staff confidence, clarity of plans, and sensible preparation
- Schools are given special consideration recognising their existing safeguarding and safety responsibilities.

The Department for Education (DfE) have published a policy paper at [How Martyn's Law will affect education settings - GOV.UK](#)

1.10 In addition, DfE) have updated their **non statutory guidance** ([Protective security and preparedness for the education sector](#)) to help education settings prepare for and respond to terrorism and other major incidents (such as violent attacks, bomb threats or hostile intruders). Below is a summary of the DfE guidance published and highlights what Headteachers and Governing Bodies need to know and do.

1.11 Key messages for Headteachers and Governing Bodies.

Security and preparedness are leadership responsibilities

- Headteachers are expected to ensure their school has clear leadership for security and incident preparedness, usually through a named security or incident lead.
- Responsibility includes ensuring plans are in place, understood, tested and reviewed, not just written.

1.12 Every setting should have a tailored protective security plan

- Schools should have a protective security and preparedness plan (or review existing emergency/critical incident plans against this guidance).
- Plans should be proportionate, reflecting:
 - Location and site layout
 - Age and needs of pupils
 - Staffing and supervision arrangements
 - Community factors (e.g. public access, shared sites)
- The DfE provides a self-assessment template to help schools review and strengthen their arrangements.
[Protective security and preparedness templates.odt](#)

1.13. Recommended response framework: “Run, Hide, Tell”

- Schools should base their response planning on the nationally recognised Run, Hide, Tell principles for violent incidents.
- Leaders must consider:
 - When evacuation (“Run”) is appropriate
 - Safe lockdown options (“Hide”)
 - Clear processes for contacting emergency services (“Tell”)

1.14. Clear procedures for specific incident types

The guidance highlights the importance of having clear, practiced procedures for:

- Bomb threats
- Marauding terrorist or aggressive intruder attacks
- Lockdown and evacuation decisions
- Supporting pupils and staff with Peeps (Personal Emergency Evacuation Plans) where needed

1.15. Staff awareness and training is essential

- All staff (including non-teaching staff and volunteers) should:
 - Understand basic security expectations
 - Know how to spot suspicious behaviour
 - Know how to respond during an incident

- DfE and police-led ACT for Education e-learning is recommended to embed a security-minded culture. [ACT for Education | ProtectUK](#)

1.16. Communication before, during and after incidents

Headteachers should ensure:

- Clear internal communication plans for incidents
- Agreed approaches to communication with:
 - Emergency services
 - Parents and carers
 - Local authorities
 - Staff and pupils
- Pre-prepared messages where appropriate, to reduce confusion during emergencies.

1.17. Grab kits, testing and reviewing plans

- Schools are encouraged to maintain basic grab kits (e.g. contacts lists, site maps).
- Plans should be:
 - Tested through exercises or desktop reviews
 - Reviewed regularly and after incidents or near misses
- Post-incident welfare and review are emphasised to support staff and pupils and strengthen future practice.

1.18 What Headteachers are expected to do now

In practical terms, Headteachers should:

1. Identify or confirm a named security/incident lead.
2. Review existing emergency or critical incident plans against the DfE guidance.
3. Use the self-assessment template to identify gaps.
4. Ensure staff awareness and training, including ACT for Education.
5. Check arrangements for:
 - Lockdown, evacuation and communication.
 - Vulnerable pupils and PEEPs.
 - Post-incident support and recovery.

Information items

1	Religious Education, Collective Worship and the Supreme Court's JR87 Decision
Purpose: This note summarises the UK Supreme Court's decision in setting out practical implications for schools and academies in England. It focuses on what schools should do now to ensure that Religious Education (RE) and collective worship fully respect pupils' and families' rights under the European Convention on Human Rights (ECHR). 1. Background: RE and Collective Worship in England Schools in England must provide: • Religious Education (RE) for all pupils; and • A daily act of collective worship, "wholly or mainly of a broadly Christian character," unless a determination applies. • Academies and free schools hold equivalent duties under their funding agreements. RE in community schools must reflect that: • Religious traditions in Great Britain are "in the main Christian", • But teaching must also take account of other principal religions represented in Great Britain, and • Modern non-statutory guidance encourages inclusion of non-religious worldviews. 2. The JR87 Judgment: Key Points JR87 concerned a Northern Irish school but the Supreme Court applied ECHR principles as binding across the UK. The Court found that the school's RE and worship breached pupils' rights because they were: • Confessional rather than educational, • Presented Christianity as absolute truth, • Lacked sufficient information about other religions or non-religious beliefs, and • Required parents to rely on a withdrawal mechanism that imposed risk of stigma and undue burden. The Supreme Court reaffirmed that where the State provides teaching in religion or belief, it must be: "Objective, critical and pluralistic." Teaching that does not meet these standard risks amounting to indoctrination, which is prohibited. Crucially, the Court confirmed that: • The right to withdraw is not an adequate safeguard where the core teaching itself breaches the pluralism requirement.	

3. Implications for Schools in England

The judgment does not change legislation in England, but it strengthens expectations around how RE and worship must be delivered in non-faith schools.

Schools should now ensure that:

A. RE is educational, not confessional

- Teaching must explore multiple religions and non-religious worldviews, taught in a balanced and respectful way.
- Faith claims should be presented as beliefs, not facts.
- Classroom activities should never encourage pupils to adopt a religious commitment.

B. Assemblies are inclusive and non-coercive

- While collective worship must be “broadly Christian”, it should not resemble evangelism or require pupils to adopt a religious identity.
- Values-based assemblies, incorporating a range of religious and secular perspectives, are entirely compatible with the law.

C. Withdrawal is not the only safeguard

- Schools should aim for RE and assemblies that all pupils can attend without feeling pressured or marginalised.
- Where withdrawal is requested, arrangements must avoid stigma and ensure meaningful alternative activity.

4. Recommended Next Steps for Schools

1. **Leadership review:** audit RE schemes of work and assembly content. Ensure that school is using the [B&D Agreed Syllabus](#) for RE and all its high quality supports in school. Schools use and reference [B&D SACREs advice on Collective worship](#).
2. **Update policies:** RE, worship and equalities policies should explicitly reference pluralism and inclusion.
3. **Staff training:** ensure understanding of the “objective, critical, pluralistic” standard. Ensure you curriculum leader is attending the RE network meetings termly that the LA provides to all B&D schools.
4. **Governor briefing:** include JR87 implications on the next governing body/trust agenda.
5. **Communication with parents:** be clear about inclusive practice and respectful of diverse beliefs.

Summary

JR87 does not remove RE or collective worship from schools, nor does it prevent schools from teaching Christianity as part of a balanced curriculum. It does, however, require schools to ensure that all teaching relating to religion or belief is **inclusive, educational and non-indoctrinatory**, and that reliance on withdrawal is not used to compensate for unlawful provision.

Recommendation:

Governors are asked to:

- a) Update RE and collective worship policies to reflect the pluralism requirement.
- b) Governors/trustees should receive assurance that RE and assemblies are inclusive, balanced and properly monitored.
- c) Staff should receive training on presenting belief content objectively and sensitively.

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2	London Governors' Newsletter Spring Term 2026
The Spring Term newsletter produced by London Association of Governance Advisory Services (LAGAS – formerly LCOGS) is attached. This term's report includes the Child Poverty Strategy, funding for National Professional Qualifications, and SEND support and reform.	
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