

School & Academy Governance

A policy overview

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Department for Education

High quality governance is crucial

- **To ensure that children get the best possible chances in their education, and in their lives**
- **As a key part of the accountability system for holding heads and schools to account**
- **To making the most of the time and energy of hundreds of thousands of dedicated volunteers**
- **To considering whether conversion to Academy status is right for each school**

Yet Ofsted find that around 40% of schools have mediocre governance that does not drive improvement or hold leaders to account sufficiently well

Three principles underpin our approach to the reform of maintained school and academy governance

High Expectations

- We have high expectations of governing bodies and their role in school improvement and accountability; we want to give them greater freedom in how they constitute and operate to meet these expectations

Accountability

- A clear and robust system of accountability is as vital to driving up the quality of governing bodies as it is to driving improvement in the quality of the schools they govern

Transparency

- Transparency is fundamental to empowered leadership and accountable decision making; transparency is also needed on what is expected of governors and on the performance of their schools

All governing bodies should focus on three core strategic functions – as reflected in inspection criteria

Setting strategic direction

- clarity of vision and ethos
- engaging stakeholders
- meeting statutory duties

Creating robust accountability

- accountability for teaching, achievement, behaviour and safety
- performance management of the headteacher
- contributing to school self-evaluation

Ensuring financial probity

- solvency and effective financial management
- use of Pupil Premium and other resources to overcome barriers to learning

The accountability system is the key incentive for better governance; under-performance will be addressed

Inspection

- Explicit focus by Ofsted on quality of governance as central to overall judgement on leadership and management
- Ofsted may recommend an external review in Category 3 schools where governance is weak – learning from pilots to support an open market
- Re-inspection of Category 3 schools within 2 years and move to Category 4 if no improvement

Intervention

- SoS and LAs may issue warning notice if serious breakdown in governance
- SoS and LA can impose IEBs in under-performing maintained schools
- SoS can terminate funding agreement for under-performing Academies
- Help for failing schools to find high quality Academy sponsor

All governing bodies need the skills to carry out their demanding functions

Rationale

- Governing bodies are best placed to determine the skills they need and the most appropriate constitution
- 'Categories' of governor do not in themselves guarantee good community engagement or strong LA relationship
- Community and parent engagement is key and Ofsted will inspect for it, it can also be secured e.g. via Parents' Forums
- Recruitment and training should focus on where skills are missing, but recruiting skilled governors can be a challenge

Policy Framework

- For maintained schools, 2007 regulations set min size, min/max proportions of different categories of governor, and the means of their appointment
- From Sept 2012, maintained schools may opt into less prescriptive regulations with a min size of 7 rather than 9, simplified min/max proportions, and a new rule for skills-based appointment of LA governors
- Academies have greater freedom to determine GB constitution
- DfE funding to SGOSS who help recruit highly skilled new governors

We are cutting back central prescription and equipping governors with better data

Reducing bureaucracy

- New Roles, Procedures and Allowance Regulations from Sept 13
- Zero-based review of all policies affecting governors
- Less prescriptive model Academy Articles remove Government's ability to interfere in Academy Trusts

Improving data

- Objective, high quality data on school and pupil performance crucial to holding heads to account
- Ofsted's school performance dashboard
- RAISE online remains key source of data to inform inspection
- Work to procure new data warehouse and portal for all DfE data

We are supporting leaders and improving information for all governors

National College offer

- Peer-support from 150 National Leaders of Governance
- Licensed training for chairs and aspiring chairs since
- Good practice information and resources on website

Better information for governors

- EFA's Academies Financial Handbook
- Governor's Handbook for all governors in place of Guide to Law
- DfE funding for GovernorLine information and advice service

For more information please visit
www.education.gov.uk/governance



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Annex

Governors have a crucial role to play in the process of converting to Academy status

Setting the vision

- Appreciating and communicating to parents and others the benefits of Academy status to realising the overall strategic aims of the school

Understanding the implications

- Researching and accepting the additional role and responsibilities of governing an Academy

Making the decision

- Voting by majority to convert, consulting parents, staff and other key stakeholders about the decision

Adapting to be fit for purpose

- Selecting the most appropriate governance model, and reviewing constitution against necessary skills

Academy governors have additional responsibilities – e.g. on finance, and there are structural differences

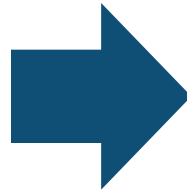
The Academy Trust

A charitable company limited by guarantee

Members

Strategic and ultimate control over the Academy Trust, e.g.

- Achievement of company objectives
- Appointing some governors
- Signing off company accounts and annual report
- Power to amend Articles remove governors/ directors



Governors

Company directors and charitable trustees responsible for operation of the Academy Trust, including:

- The 3 core functions common to all governing bodies
- Ensuring compliance with charity and company law and Funding Agreement agreed with SoS

Academies have a range of structural options

Single Academy Trust

- One school governed by one set of Articles and a funding agreement between the Academy and the Secretary of State

Multi-Academy Trust

- One legal entity accountable for all schools in chain, each Academy may have a local governing body or advisory body to which some matters may be delegated

Umbrella Trust

- Academies as separate legal entities with own Articles and funding agreement, with an Umbrella Trust that ensures collaboration through majority or minority control of individual academies

Collaborative partnership

- Optional MOU but no shared governance arrangements required between Academies that each have their own Articles and funding agreement

National Leaders of Governance

Who are NLGs?

- 3+ years as a chair in a school with a good leadership team and good and improving standards
- Leadership of governing body has contributed to school improvement
- Supported by their headteacher and governing body
- Able to commit 10 – 20 days/year and to travel when necessary

What do they do?

- Use their skills and experience to support chairs in other schools and academies
- Increase leadership capacity to help raise standards
- Help chairs develop their relationship with the headteacher, with effective support and challenge
- Develop chairs' leadership, effectiveness and confidence
- School receives £2K p.a.grant for NLG expenses and governance development