

Education Scrutiny Committee

Meeting to be held on Thursday, 6 December 2018

Electoral Division affected:
(All Divisions);

Governance of Schools

(Appendices 'A' to 'C' refer)

Contact for further information:

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Executive Summary

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance.

This report provides background information on the governance of schools, the role of the local authority and the provision of support to Lancashire schools.

Recommendation

The Education Scrutiny Committee is requested to:

- i. Note and comment on the report.
- ii. Discuss and formulate recommendations in relation to the information provided.

Background and Advice

Governance of Schools

- There are currently 8500+ governors in Lancashire schools.
- Number of Schools:

Area	Primary	Primary Short Stay	Primary Special	Secondary	Secondary Short Stay	Secondary Special	All age	Total Primary	Total Secondary	Total Schools
North	119	1	0	18	2	1	5	120	21	146
South	206	1	3	37	3	4	4	210	44	258
East	158	1	4	30	2	4	1	163	36	200
Central			1			1	2	1	1	4
Total	483	3	8	85	7	10	12	494	102	608

1. The purpose of governance

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance.

All Governing Bodies/Boards, no matter what type of school or how many schools they govern, have three core functions:

1. Ensuring clarity of vision, ethos and strategic direction;
2. Holding executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff; and
3. Overseeing the financial performance of the organisation and making sure its money is well spent.

The governing body provides non-executive leadership. Its role is to operate as a board akin to the board of trustees of a charity, or the board of directors of a company. In all matters, the 'board of governors' should operate at a strategic level, leaving the headteacher and senior school leaders responsible and accountable for the operational day-to-day running of the school.

Governing Bodies review their constitution annually to distinguish whether their governing body membership is enabling them to work effectively. Alongside constitution, governing bodies will complete their annual skills audit and identify any gaps in the skills occupied by the governing body. If a governing body have a complete set of skills and are carrying excess vacancies they are able to remove these through reconstitution.

All appointing bodies have a responsibility to appoint governors based on the skills that individual would bring in order to contribute to effective governance and the success of the school. Governing bodies review their skills audit on an annual basis to determine where their skill gaps are (as at Appendix A). The purpose of the audit is to ensure that each of the skills is covered across the governing body. It is not to be expected that any individual is going to have all the skills listed, however some skills and attributes are considered 'core skills' for effective governance.

“Governors have to be perceptive people who can challenge and support in equal measure and know when and how to do this. They must never overstep the mark and try and run the school themselves”
Sir Michael Wilshaw HMCI, Ofsted

2. Role of the governing body and headteacher¹

A clear understanding of, and distinction between, the role of the board and the headteacher is crucial to effective governance. The regulations² make clear that the headteacher is responsible for the educational performance of the school and for the internal organisation, management and control of the school – which includes the performance management of staff. The board's role is to hold the headteacher to account for exercising their professional judgement in these matters and for the performance of all of their other duties.

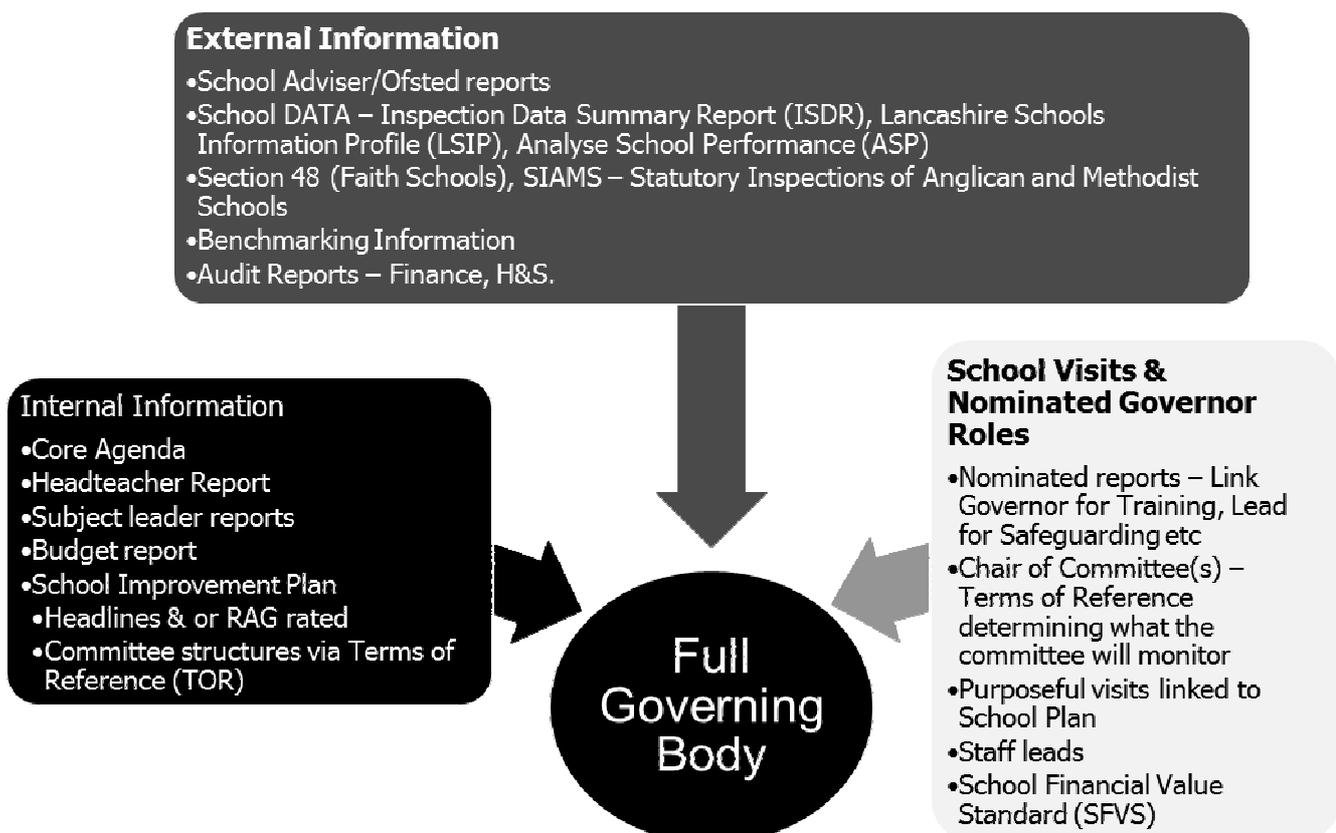
¹ School Governance (Roles, Procedures and Allowances) (England) Regulations 2013

In maintained schools the governing body sets and approves the budget, defines expectations, delegates powers, and verifies performance towards delivering the schools' strategic aims and objectives. The most important aspect is an appropriate division of responsibilities between strategic governance by the governing body and operational management by the senior leadership team led by the Headteacher.

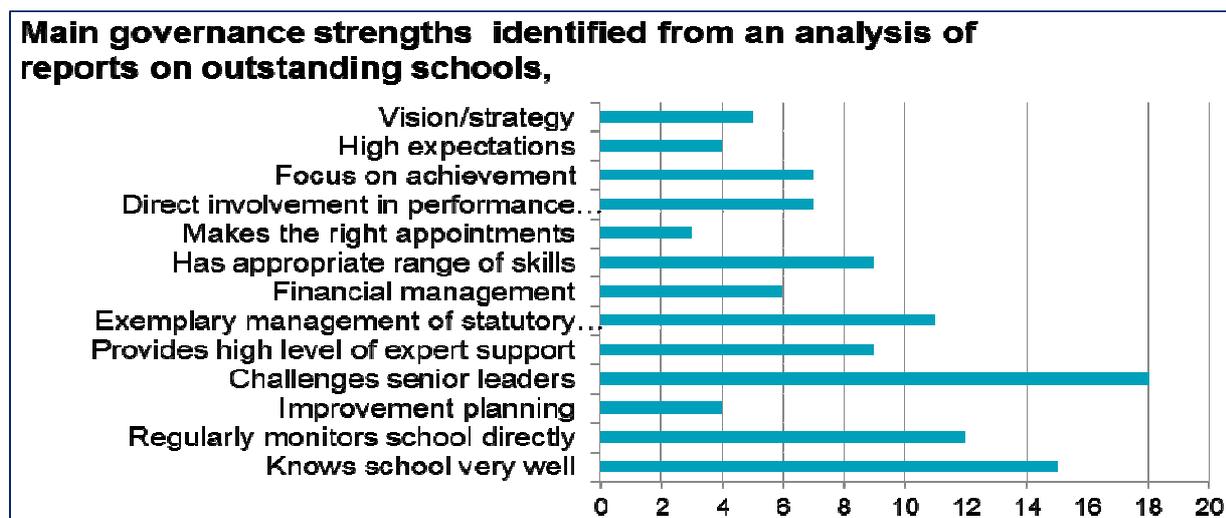
Governors need a robust process and framework for setting priorities, creating accountability and monitoring progress. This may be facilitated by a school development plan (SDP) or equivalent document that sets out strategic targets and key performance indicators (KPIs). The focus should be on significant strategic challenges and opportunities for school improvement in line with the board's core functions.

This approach should be underpinned by the right level of checks and balances of key performance metrics, via its scheme of delegation and its governance committee structures.

The diagram below illustrates where a Governing Body/Board may receive its intelligence from to support the discharge of its duties.



Analysis of the most effective schools shows there is robust challenge to senior leaders by governors who know the school well, but who also have a secure grasp of their basic duties.



3. The different types of Governors

All appointing bodies have a responsibility to appoint governors based on the skills that individual would bring in order to contribute to effective governance and the success of the school. Governing bodies review their skills audit on an annual basis to determine where their skill gaps are.

At Appendix 'B' further information is provided on the different types of Governors.

4. Local Authority (LA) Role

4.1. Statutory functions – LA Governor

A panel has been established to consider and determine the selection of local authority governors to all educational establishments. Applicants are nominated/reappointed upon the basis of what contribution they can bring to the school and the governing body in terms of commitment, experience, knowledge and skills.

Current number of (LA) governor positions: 601

October 2018 vacancy report:

	District 1	District 2	District 4	District 6	District 7	District 8	District 9	District 11	District 12	District 13	District 14	Total
	Lancaster	Wyre	Fylde	Preston	South Ribble	West Lancs	Chorley	Hyndburn & RV	Burnley	Pendle	Rosendale	
No of Schools	66	51	28	78	50	66	59	70	46	47	40	601*
Vacancies	14	3	2	11	11	18	18	19	7	13	13	129
Vacancy %	21.21%	5.88%	7.14%	14.10%	22.00%	27.27%	30.51%	27.14%	15.22%	27.66%	32.50%	21.4%

* Represents schools where a LA Governor applies.

Historically there has been a difficulty recruiting governors in area East (District 11, 12, 13 and 14).

4.2. LA Governor Recruitment

Governor vacancies reduce the effectiveness of governing bodies because they limit the range of experience available to the school and increases the workload of other governors. Schools serve their local community and it is therefore important that the governing body reflects that community.

A governor recruitment campaign was established in October 2017 to manage Local Authority governor vacancies in particular.

The following methods have already been undertaken to address the volume of vacancies in Lancashire schools.

- access to Inspiring governance to search for volunteers
- area based news releases
- staff notices
- Facebook and Twitter post

Since the campaign was established 200+ volunteers have been matched to vacancies. This campaign is ongoing.

5. Supporting Governing Bodies

5.1. The Governing Body Adviser (GBA)

"High quality professional clerking is crucial to the effective functioning of the board. The clerk should be the boards' 'governance professional'. This is crucial in helping the board exercise its functions expediently and confidently, so that it can stay focused on its core functions."

Clerking Competency Framework 2017

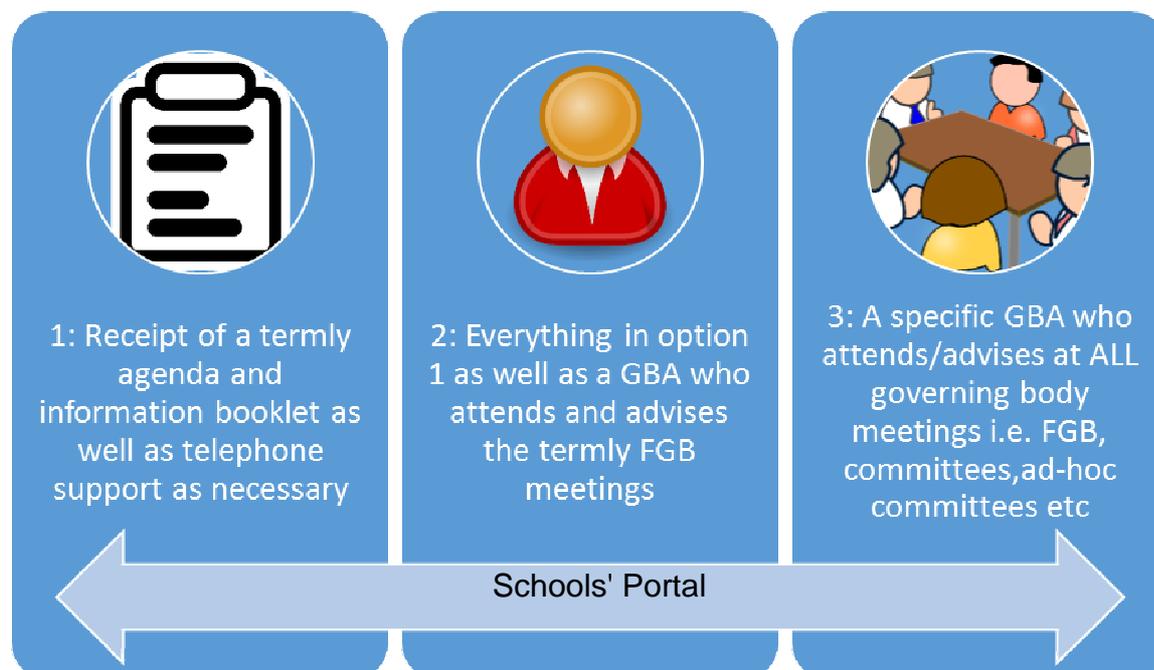
The Governing Body Adviser's role is multi-faceted and includes:

- good governance organisation;
- effective board administration;
- supporting the board understand its role and functions
- instructing and guiding governors in their legal duties;
- via the chair, enabling and facilitating strategic debate and decision making.

Governor Services provides this service to circa 90% of Lancashire maintained schools and around 45% of non-maintained academies in the county.

5.2. Level of support available to Lancashire schools

Governor Services provides a variety of levels of support to meet the varying needs of Lancashire schools. These include:



Types of governor meeting that the service supports:

- Full Governing Body meetings;
- Resources committee;
- Standards & Effectiveness committee;
- Curriculum committees;
- Health & Safety committee;
- Pay committee;
- Ad-Hoc committees:
 - Complaint Review meetings (parental complaints);
 - Pupil Discipline committee (to consider pupil exclusions);
 - HR-type meetings e.g. Attendance & Dismissal, Disciplinary, Grievance committee, appeal meetings.

5.3. Additional support available

The service also provides guidance and support in providing model policies and governance procedures which schools can adopt.

- Core Agenda for FGB (these are produced for academies, maintained school, PRUs) in full text and compact formats;
- supporting information booklet;
- Election procedures for every type of governor in every type/phase of school;
- Pay & Appraisal guidance;
- Pupil exclusion guidance;
- Complaints procedure;
- Governor Code of Conduct;
- Structures of Governance guidance;
- Governor Skills audit and associated matrix.

6. The Training and Development Offer

A key aspect of the Training and Development Offer is to support governors in understanding their role and responsibility in key areas. Appendix 'C' provides an overview of training available. All Lancashire courses remind governors of the three core functions of governance and the key elements of effective governance are highlighted:

1. The right people around the table.
2. Understanding the role and responsibilities.
3. Good Chairing and professional clerking.
4. Good relationships based on trust.
5. Knowing the school – the data, the staff, the parents/carers, the pupils/students, the community.
6. Ask challenging questions and have brave conversations.

The Service offers a Training and Development Service Level Agreement (SLA) to all Lancashire Schools and Academies (approx. 94.75% of Lancashire maintained schools and 38.39% of Lancashire academies). Schools and academies beyond the administrative border also access training.

In 2017/18 academic year we delivered 265 training courses to over 4,000 governors. 116 courses were delivered on the county wide programme and 149 school based and cluster courses which are custom-made for individual school needs.

The Tutor Team has a broad spectrum of Lancashire Officers, Teaching and Learning Consultants, Advisers, recently retired Headteachers, and National Leaders of Governance (NLGs). The team brings a wealth of knowledge and experience to ensure that up to date and relevant training is offered. The courses are reviewed at least annually and more frequently as there are changes to legislation and guidance documents. Additional dates for popular courses and new courses are added to the Training Programme during the year to respond to demand and changing needs. The course content ensures that it covers all phases and types of school. For example, any issues relating to church schools (e.g. Section 48 Inspections), the differences for academies (e.g. the Financial Handbook). For some courses, new versions are written for the different phases (e.g. the nursery phase and the Early Years Inspection criteria and expectations).

The Department of Education (DfE) in January 2017 published a non-statutory Competency Framework for effective governance. This set out the principles, personal attributes, knowledge and skills that are expected to be an effective governor.

The Training Programme identifies for each course what aspect of the Competence Framework it covers. In addition, the courses are linked to all areas of the Governance Handbook.

All courses are quality assured by the lead officer for Training and Development. Delegates are asked to provide feedback at the end of each course and these evaluations are analysed to assist the future planning as well as monitoring the tutor and course content. An update from Training and Development is supplied to Governing Boards via the termly Core Agenda and governors are encouraged by the Governor Advisers to give feedback on the training they have attended each term. All feedback is important and this has helped to shape the programme.

Online learning is available via National Governance Association (NGA) Learning Link. Over 50 modules of e-learning is available to governors that would prefer this learning style or are unable to attend the tutor led courses. This training is tracked by the NGA and evidence of learning and assessment is available following each module of learning.

To support continuing development a termly Governor Newsletter is also provided. This provides up to date information on current educational issues, updates from the County Council and suggests to governors what actions they should be taking. The themes of the Newsletter are often used in the termly Chairs' Forums that are organised across the County. Additionally, the Forums give an opportunity for Chairs' to share good practice and network with other schools. At the end of each financial year, a Conference for Chairs and aspiring Chairs is delivered. The key note speakers and supporting workshops focus on a theme. The 2018 theme was 'We are Reading' which supported the launch of the Lancashire initiative.

There is termly liaison with our partners the Diocesan/Church Authorities and Lancashire Association of Governing Bodies (LASGB) which includes the provision of Governor Training and Development. Discussion will cover emerging trends, issues and needs of Governors to inform training needs. Over half of schools in Lancashire are Voluntary Aided/Controlled.

7. Quality Standards in Lancashire Schools

Nursery		
Outstanding	20	83.33
Good	4	16.67
RI	0	0.00
Inadequate	0	0.00
<i>Good or better</i>	<i>24</i>	<i>100.00</i>
Total	24	100.00

Special		
Outstanding	13	44.83
Good	15	51.72
RI	0	0.00
Inadequate	1	3.45
<i>Good or better</i>	<i>28</i>	<i>96.55</i>
Total	29	100.00

Primary		
Outstanding	101	21.00
Good	344	71.52
RI	34	7.07
Inadequate	2	0.42
<i>Good or better</i>	<i>445</i>	<i>92.52</i>
Total	481	100.00

Short Stay		
Outstanding	2	22.22
Good	4	44.44
RI	2	22.22
Inadequate	1	11.11
<i>Good or better</i>	<i>6</i>	<i>66.67</i>
Total	9	100.00

Secondary		
Outstanding	19	22.35
Good	44	51.76
RI	16	18.82
Inadequate	6	7.06
<i>Good or better</i>	<i>63</i>	<i>74.12</i>
Total	85	100.00

All		
Outstanding	155	24.68
Good	411	65.45
RI	52	8.28
Inadequate	10	1.59
<i>Good or better</i>	<i>566</i>	<i>90.13</i>
Total	628	100.00

Consultations

N/A

Implications:

N/A

Risk management

There are no risks associated with this report.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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N/A	N/A	N/A
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Reason for inclusion in Part II, if appropriate

N/A