



So just what do governors do?

A guide for school staff

Contents

Introduction	3
Governing Boards and Governors – some definitions	4
The Core functions of Governance	5
Other Governance Roles	8
The Things Governors Shouldn't Do	9
Who Are the Governors?	10
The structure of Governing Boards	11
Staff Governors	13
Clerks to Governing Boards	13



Introduction

You may have seen them walking along a corridor or in the back of your classroom or even given a report at a meeting but do you know what governors actually do?

The Department for Education is very clear about what it expects and has set this out in [The Governance Handbook](#). Governors are volunteers who, as a group, are responsible in law for the school. They are collectively responsible for the three core functions of governance:

- Setting the vision, ethos and strategic direction of the school
- Holding the headteacher to account for the educational performance of the school and its pupils and the performance management of staff.
- Overseeing the financial performance of the school

This guide looks to explain what this means on the ground.



Governing Boards and Governors – some definitions

The term Governing Board is used to describe the group of people responsible in law for the school. In a maintained school the Governing Board is the “governing body” and in a federation it is the single, governing body that is accountable for all the schools in the federation. In a single or a multi-academy trust the Governing Board is the “board of trustees”.

Governing boards are free to organise in the way that best fits their circumstances so there is no prescribed organisational structure that all boards must follow. However, most delegate functions and decisions but **not** accountability to sub-committees, for example, a finance committee or a teaching and learning committee.

Governing Boards of formal school collaborations may also delegate functions and decisions to groups operating at the level of an individual school. The Governing Board of a multi-academy trust may delegate to a local governing body in each school. The Governing board of some federations delegate functions to school committees. Some academy chains are reviewing arrangements for local governing bodies and are considering replacing them with a regional body linked to groups of schools.

A governor is anyone who is responsible for delivering a governance function. This includes the governors of maintained schools, the trustees of academies and multi-academy trusts and, where appropriate, members of a local governing board or school committee.

Individual or pairs of governors are often tasked to take an interest in a specific area on behalf of the Governing Board, for example SEND, safeguarding, a subject or an objective within the school development plan. This is usually called a Link Governor role.

Governors carry out their duties through a mix of visits in school hours and after-school meetings; the exact balance will depend on the nature of their role.



The Core Functions of Governance

Setting the vision, ethos and strategic direction of the school

The Governing Board is the key strategic decision-making body; its role is to set the strategic framework and to ensure that all statutory duties are being met. The board must ensure that the school has a clear vision and that there is a strategy in place for achieving this vision.

The distinction between the board's strategic responsibilities and the senior leadership team's management responsibilities is often summed up by describing the board's role as "Eyes On – Hands Off".

It is the job of the board, in discussion with the whole school community, to agree a plan for the next three to five years. The plan describes what the school will look like at the end of this time span.

The senior leadership uses the strategic vision to develop the school development plan. This details how the strategy will be turned into reality. The plan has to be agreed by the board.

The implementation of the plan is the responsibility of the school staff. The board monitors the plan against the performance indicators it agreed with the leadership.

The board also sets and safeguards the school's ethos and values which determine the manner in which the school operates. These include expectations about pupils' behaviour, progress and attainment and for the conduct and professionalism of staff and also of governors. Governors, who are appointed by a church or diocese, have specific responsibility for developing the religious character of the school in line with the foundation's governing documents. These governors are called Foundation Governors.

Governors may visit the school to monitor if the plan has been implemented or to review an aspect of the school's daily operation. The visits should be arranged in accordance to an agreed protocol and scheduled at a time sensitive to the pressures of the school calendar (and also of the governor's other commitments).

Holding the head teacher to account

The Governing Board's role is to build a productive, respectful and supportive role with the head teacher but also to use appropriate challenge to hold them account for their own and the school's performance.

Appropriate challenge is largely about asking the right, sometimes difficult, questions. These may be questions about the agreed performance indicators set out in the development plan but will always include questions about pupil and staff performance data.



Governors will not ask questions about specific pupils or named members of staff but they will want to know information such as:

- Which groups of pupils are the highest and lowest performing and why?
- What is the school doing to narrow the gap?
- Which groups or subjects get the best and worse results and why?
- What is the link to the quality of teaching?
- How are you going to improve areas of weakest performance?

Governors will also ask questions about how the school is meeting its statutory duties, for example:

- Is the school compliant with the SEND code?
- How is the school ensuring that it keeps pupils safe; are safeguarding procedures securely in place?
- What arrangements are in place to implement the Prevent duty?
- Is the school offering independent careers advice and guidance?

The board will request information about broader aspects of school life:

- Is this a happy school? How do you know?
- Is the school offering a wide range of extra-curricular activities that engage all pupils?

The head will answer most of these questions but where responsibility has been delegated to another member of staff, for example, the SENCo or a subject lead/department head, they may be asked to attend a board meeting or to meet with a link governor for a discussion.

The school is not the only source of information for the board; governors also make use of data published by Ofsted and the Department for Education and RAISEonline. There is even legislation that ensures all governors are entitled to access to the RAISEonline system for their school. The board may also use other tools such as the Fischer Family Trust's Governor Dashboard.



Overseeing the financial performance of the school

The role of the board is to ensure that the school has the necessary resources so that all staff members are able to do their jobs well. It must check that the school's financial management system is robust and achieves best value for money. The proposed school budget needs the approval of the board to become operational.

The board will consider a number of factors before agreeing the budget, for example:

- Is the allocated funding in line with development and improvement priorities?
- Is the proposed spending prudent/in line with 3 year budget forecasting?
- If there are reserves, is there a clear plan in relation to spending them?
- If a deficit budget is proposed, is there a clear plan to eliminate it?
- Are there any specialist facilities and equipment needed or needing maintenance e.g. laboratories, ICT equipment?
- What are the staff training needs?

The board will monitor spending at fixed points throughout the year. It will consider:

- Any areas of over- or under-spend and the reasons for these
- Any areas where the school may obtain better value for money

The board will also review financial procedures such as procurement procedures and fraud prevention.

Much of the information needed by the board for the finance function will be provided by the head and/or the business manager/finance officer. The board also has access to a range of external benchmarking websites provided by the Department for Education.

The board also reviews the outcomes of school spending. Staff members, who lead departments or designated areas such as the Pupil Premium Grant or the Sports Premium Grant, may be asked to report how the funds have been spent and their impact monitored.

Other governance roles

As well as their duties around the core governance functions, governors may be required to serve on a panel. Some panels have a regular schedule of meetings, for example those that meet to:

- Appraise the headteacher;
- Set the head teacher's pay and agree the pay recommendations for other staff

Others meet if required, for example panels to

- Appoint the headteacher and other senior leaders;
- Hear the second stage of staff grievances and disciplinary matters;
- Hear appeals about pupil exclusions.

A Governing Board may also set up working parties to research or monitor an exceptional aspect of its work.

Some governors have additional roles outside their 'home' boards. For example, there is a range of statutory bodies such as the Somerset [Schools Forum](#), Somerset [SACRE](#) or the county council's [scrutiny committee](#) that must include governor representatives. Others sit on the governance body of collaborative structures such as Community Learning Partnerships and the Somerset Compact.

The things governors shouldn't do

In order to maintain the distinction between their strategic role and the operational role of school staff, there are things that the National Association of Governors recommends that governors should **not** do.

- Write school policies – A policy details how a school intends to deliver its responsibilities in a given area and is therefore largely an operational document. However, policies need to be approved by Governors who will check that they meet any statutory requirements and that the procedures they outline reflect the school's vision and ethos.
- Undertake audits of any sort e.g. financial or health and safety, even if the governor has the relevant professional experience. However, the Governing Board may ask a governor with relevant professional experience to lead on its response to audit outcomes.
- Spend much time with the pupils of the school – governance is about working for young people rather than with them
- Fundraise –the Governing Board considers income streams and the potential for income generation, but does not carry out fundraising tasks.
- Undertake classroom observations to make judgements on the quality of teaching – the Governing Board monitors the quality of teaching in the school by requiring data from the senior staff and from external sources. If a governor visits your classroom it will be to monitor an aspect of the school development plan against a performance indicator agreed with the senior leadership team, not to make a judgement about the quality of your teaching.
- Do the job of the school staff – if there is not enough capacity within the paid staff team to carry out the necessary tasks, the Governing Board should consider and rectify this.

Sometimes, particularly if the school is a small one, governors may also do one of the “shouldn't” roles by volunteering within the school community. For example, governors may run an after-school club or listen to children read. However, this is extra to, and not part of, their governance duties.



Who are the governors?

There are over 3,000 governors working in Somerset, together they make up the largest volunteer workforce in the county.

Anyone aged 18 or over and living in the UK can be a governor. They don't need to have children or be a parent of a child at the school. They do need an interest in the education and the future of young people, to be able to meet a skills profile drawn up by the Governing Board and have the equivalent of between 10 and 15 days available per year to meet their governance responsibilities.

If the majority of your governors are towards the grey end of the age spectrum it's probably because many younger people without children don't know they are eligible to be a governor and other would-be governors don't know that they have the right to time off to carry out this public duty. (Unfortunately, there is no requirement that their employer pays them for this time, although many do).



Structure of governing boards

Maintained Schools

All maintained schools have a document known as the Instrument of Government that sets out how the governing board should be structured. All maintained schools should have a minimum size of 7 and include:

- At least 2 parent governors
- The head teacher, unless they chose not to be a member
- A staff governor
- A local authority governor

In addition, Voluntary Controlled schools must have

- At least 2 foundation governors

Voluntary Aided schools must have

- 2 more foundation governors than all the other governors combined

Foundation and Trust schools must have

- At least 2 foundation or at least 2 partnership governors

Ideally, parent governors and staff governors are elected by their peers. However, if the Governing Board receives insufficient nominations for parent governor it may appoint people to these positions. If there are no nominations to the position of staff governor, the position remains vacant.

The other places on the board are filled “by appointment” after nomination by the appropriate body. The Governing Board may reject a nomination if it feels that the nominee lacks the skills needed to contribute to the effective governance and success of the school.

There is no maximum size for a Governing Board and governors may be appointed by the board outside of the categories listed in the Instrument of Government. Co-opted governors are full members of the board; associate governors are appointed because they have specific expertise and experience relevant to an aspect of the board’s work, they are not full members of the board and do not usually vote at full board meetings.

School staff members may be appointed to the board but the number of staff members, including the head teacher, must never be more than a third of the board’s numbers.

Governors usually serve a four year term but appointed governors may be removed from office if they break the code of conduct; elected governors may not be removed from office.



Federations

The board of a federation must have at least seven members, including:

- one parent governor in respect of each school in the federation (this will be a maximum of 2 from all schools from September 2016)
- the headteacher of each federated school (or the executive headteacher of the federation, if there is one) unless they choose to resign as a governor
- one elected staff governor
- one local authority governor

In addition, federations comprising foundation and voluntary schools are required to have foundation or partnership governors.

Governors may be appointed by the board outside of the categories; the number of staff members, including the head teachers, must never be more than a third of the board's numbers

Academies

All academy trusts have at least two layers of internal governance:

- Members – who have ultimate responsibility for the trust achieving its charitable objectives. They sign off the articles of association and have power to appoint and remove the trustees.
- Trustees – who collectively as the board of trustees deliver the three core functions of school governance. The trustees must also ensure compliance with company and charity law and with the trust's funding agreement with the Secretary of State.

The structure of the trustee board of an academy is set out in its Articles of Association. These vary between academies but

- There should be least 2 elected parent governors (but in Multi-Academy Trusts, parents may be represented at local governing body level instead of the trustee board)
- No more than a third of board should be employed by the academy trust
- No more than 19.9% of the board may be associated with a local authority
- If there is a sponsor, the sponsor appoints the majority of trustees

Free Schools

The structure of the trustee board of a Free Schools is set out in its Articles of Association. The structures vary between schools but are similar to the academy model.



Staff Governors

Staff Governors bring specialist knowledge and skills to the governing board which help it to understand the likely effect of any proposal on pupils' learning or wellbeing and bring its attention to the likely effect of a proposal on the staff.

Staff Governors are representative staff members rather than representatives of staff. They act and vote according to their own conscience. With the board's agreement they may report to staff on items before the public minutes are published but they are required to follow the agreed rules of board protocol and confidentiality. A governing board holds collective responsibility for its decisions and staff governors must remain loyal to the decisions made by the board unless they have requested that that the public minutes record their dissent.

They have the same rights and responsibilities as other governors except they may not participate in discussions about individual colleagues' pay. However, Staff Governors are present when pay or performance management policies are discussed.

Like all governors, Staff Governors must withdraw from discussions if they feel they have a potential conflict of interest or when they have a personal interest in an agenda item greater than that of other staff.

Staff governors are strongly encouraged to attend governor training activities as the governance role requires skills in addition to their professional skills and experience.

Clerks to Governing Boards

Governance regulations say that "the governing body must appoint a clerk with a view to ensuring their efficient functioning and must have regard to advice from the clerk as to the nature of the governing body's functions."

A clerk works with the chair, the head teacher and other governors to prepare the agenda for the governing body meetings, ensures that the paperwork is sent out to governors in good time, attends the meeting, takes notes and writes formal minutes of what was discussed and decided. They also provide guidance on legal aspects of the governing body's role.

It is a paid role, appointed by the board and line-managed by the Chair of Governors and has an agreed time allocation.

Many clerks also hold another job within the school community and some report that their clerking time is often "squeezed" by the demands of the other role. This is probably because the distinction between the two is not fully understood by school staff.

Like Staff Governors, Clerks are required to follow the agreed rules of board protocol and confidentiality.

