

Briefing Paper

To: Parochial Church Council and Deanery Synods

From: London Diocesan Board for Schools (LDBS)

Subject: Parochial Church Council and Deanery appointments of foundation governors in Voluntary Aided Schools

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www.london.anglican.org/schools

Introduction

We wrote in October last year to all PCCs and Deaneries with information on governing body reconstitution and the implications for appointing bodies. This briefing note is to update you on the latest government advice on and good practice in foundation governor appointments.

Background

As you know, Parochial Church Councils and Deaneries are responsible for appointing a number of foundation governors at local voluntary aided schools. The details are set out in the school's Instrument of Government.

A Foundation governor is defined in regulations* as a person appointed for the purpose of securing that:

- the character of the school including, where the school has a religious character, that such religious character is preserved and developed
- the school is conducted in accordance with the foundation's governing documents, including, where appropriate, any trust deed

with

“ in the opinion of the person entitled to appoint the foundation governor, the skills required to contribute to the effective governance and success of the school”

Update

The government strongly advocates that all governor appointments should be on the basis of the skills a person can contribute. They have issued guidance on the desirable range of skills (see Appendix A) and many schools have undertaken a governance effectiveness review and skills audit to inform appointments.

The latest statutory guidance** from the Department for Education (DfE) advises that

*The outcome of the audit will help the governing body or other appointing persons to formulate their opinion as to whether prospective governors have the skills to contribute to effective governance and the success of the school. **To make an informed decision on the***

matter an interview or detailed discussion will need to take place with each prospective candidate, with references (oral or written) taken as necessary and appropriate.

Next steps

PCCs and Deaneries have different systems for appointing foundation governors. In many cases there is already close liaison with the school and detailed knowledge of governing body strengths and needs. However you may like to consider whether to make any adaptations to current arrangements in light of the statutory guidance. The LDBS governor appointment process has recently been revised and in summary comprises:

- Volunteers complete an application form. They may be nominated by a school or identified from external sources.
- An appointments panel approves candidates who meet LDBS appointment criteria. They may then be allocated directly to a school if it has nominated them or entered into the Governor Pool which is shared with schools which are searching for governors.
- Schools select candidates from the Governor Pool based on skills, experience and location. The prospective governor visits the school and has a meeting with school representatives (eg chair and headteacher). This is a chance to share information and establish that the candidate is able to meet the expected commitment and support the ethos of the school. In some cases the prospective governor may also be invited to observe a governing body meeting
- The appointment is finalised when both sides confirm that they are happy for it to go ahead.

Full details are on our website

<http://schools.london.anglican.org/56/appointments-process>.

Contacts

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* The School Governance (Constitution) (England) Regulations 2012 and School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014

** DfE Statutory Guidance on the above

<https://www.gov.uk/government/publications/constitution-of-governing-bodies-of-maintained-schools>

The skills governing bodies need

Appendix A

18. The Regulations, as amended, create an explicit requirement that all appointed governors have the skills required to contribute to effective governance and the success of the school. The specific skills that governing bodies need to meet their particular challenges will vary. It is therefore for governing bodies and other appointing persons to determine in their own opinion, having regard to this guidance, what these skills are and be satisfied that the governors they appoint have them. They may interpret the word skills to include personal attributes, qualities and capabilities, such as the ability and willingness to learn and develop new skills.

19. Experience has shown that all governors need a strong commitment to the role and to improving outcomes for children, the inquisitiveness to question and analyse, and the willingness to learn. They need good inter-personal skills, appropriate levels of literacy in English (unless a governing body is prepared to make special arrangements), and sufficient numeracy skills to understand basic data. Foundation governors need the skills to understand the ethos of the school and its implications for the way it is governed.

20. Experience also shows that effective governing bodies seek to secure or develop within their membership as a whole expertise and experience in analysing performance data, in budgeting and driving financial efficiency, and in performance management and employment issues, including grievances. They seek to recruit and/or develop governors with the skills to work constructively in committees, chair meetings and to lead the governing body.

21. It is governing bodies' responsibility to identify and secure the induction and other ongoing training and development governors need. Governing bodies should set aside a budget for this purpose.

Source: DfE Statutory Guidance on The Constitution of Governing Bodies 2015

<https://www.gov.uk/government/publications/constitution-of-governing-bodies-of-maintained-schools>