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| **newLDBS LOGO**  | **LDBS Governance Briefing****Spring 2019** |

This briefing highlights current and forthcoming issues which governors may wish to consider over the coming months. We also set out the support which LDBS can offer in particular areas.

#### 1. Declaring an Interest

We have had a number of recent queries about conflicts of interest. This guidance sets out the principles and legal requirements against which individual cases can be judged.

A governor, trustee or associate member is expected to be impartial with an overriding concern for the best interests of the school and the welfare of pupils. A conflict of interest is any situation in which personal loyalties, financial or other considerations could, or could be seen to prevent someone from fulfilling a role or making an impartial decision. Conflicts of interest relate to a person’s own interests and the interests of those connected to them. They occur if

* there is a potential financial or measurable benefit directly to a governor, or indirectly through a connected person or organisation
* a governor’s duty to the school may compete with a duty or loyalty they owe to another organisation or person

In the interests of transparency, governing boards are required to maintain a register of interests and to publish details on their website about each governor and associate member (maintained schools) and all members, trustees, LGB members and the AO in academy trusts. This information must include

* any relevant material business or pecuniary interests
* any governance roles in other educational institutions.
* any relationships between governors or relationships between governors and school staff (including spouses, partners and close relatives).

This is because such interests may increase the risk of:

* + an inappropriate concentration of control of a publicly funded service among a small number of related people
	+ inadequate safeguards against financial irregularity and the school not being governed solely in its best interests
	+ personal loyalties influencing decisions
	+ inhibition of free discussion
	+ negative external perceptions and damage to the reputation of the school / academy trust

As a further safeguard every board meeting (including committees and working parties) should have a standard agenda item to allow participants to declare any actual or potential conflict of interest or loyalty in an item to be discussed. If a person is uncertain whether or not he or she is conflicted, they should err on the side of openness by declaring the issue and discussing it with the other governors / trustees. Once a real or perceived conflict has been identified and declared, the person should withdraw from associated discussion or decision. If there is any doubt, the board / committee should decide, however it is always better to err on the side of caution.

The existence of a conflict of interest does not reflect on the integrity of the affected person, so long as it is properly addressed. Recruitment and induction arrangements should include discussion of the issue, which should also be covered in the code of conduct.

More detailed guidance can be found on the following links:

**School Governance Handbook**: <https://www.gov.uk/government/publications/governance-handbook>

**Academies Financial Handbook**: <https://www.gov.uk/government/publications/academies-financial-handbook>

**What schools /academies must publish on their websites** – statutory guidance <https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>
<https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online>

**The Charity Commission**: <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees>

**National Governance Association (NGA)** [https://www.nga.org.uk/Guidance/Legislation,policies-and-procedures/Model-Policies.aspx](https://www.nga.org.uk/Guidance/Legislation%2Cpolicies-and-procedures/Model-Policies.aspx)

In maintained schools the local authority’s Schools’ Financial Handbook may provide additional guidance and pro-forma.

#### 2. Development Training for Chairs and Clerks funded by DfE

The Department for Education (DfE) has contracted five organisations to provide a chairs’ and a clerks’ development programme until March 2020. The DfE is providing bursaries which will generally cover the cost of the courses.

**Chairs’ Development Programme**: is suitable for chairs, vice chairs or committee chairs. The programme aims for:

* increased capacity to improve board effectiveness in line with the [Governance Competency Framework](https://www.gov.uk/government/publications/governance-handbook) (particularly boards’ ability to provide strategic leadership and data-driven accountability for educational standards and financial performance)
* greater involvement of governance leaders in peer-to-peer networks for support and sharing good practice
* an objective assessment of participants’ and their board’s strengths and development needs
* an action plan for improving the effectiveness of governance and embedding best practice

**Clerking Development Programme:** is suitable for all school, academy or trust board clerks. The programme aims for:

* increased clerking expertise in line with the [‘Clerking competency framework’](https://www.gov.uk/government/publications/governance-handbook) to ensure efficient and effective functioning of governing boards
* greater involvement by clerks in peer-to-peer networks for support and sharing good practice
* an objective assessment of participants’ strengths and development needs

Each provider’s offer, including the location and duration, may be different and will be published on their website. Details of providers and the areas they cover are available on the DfE website. <https://www.gov.uk/guidance/school-governors-professional-development#governance-leadership-development-programme>

**3. Bi-borough governance training for LDBS schools.**

We have made an arrangement with the Bi-borough (Westminster with Kensington & Chelsea) governance support service whereby LDBS schools in other LAs can access the Bi-Borough governance training programme for £60 per person. The programme and registration details can be found on <http://webfronter.com/westminster/governors/>

**4. Liverpool Hope University Church School Governance Training Programme**

The Church School Governance Online Training Programme has been designed to raise awareness of the changing expectations of governing boards, and the challenges governors and trustees face, whilst still holding on to the mission and vision of their church school. This is an online programme with interactive discussions between participants and tutors.

Participants will be enrolled on an online module, with a minimum expected engagement of 12 hours (1 hour per week). The module will be collaborative and interactive and each participant will have access to a personal tutor as well as the ability to share with and learn from a group of other members. A Reflective Journal is submitted at the end of the module in order to receive a Certificate of Completion.

Key themes include the changing context, mission, vision and values, collaborative learning, decision-making and accountability.

The course runs between January – April 2019 at a cost of £125 - £250 depending on the numbers booked. For further information and/or to register please contact:

Fiona Gustard, CPD Projects Coordinator T: 0151 291 3061 E: cpd@hope.ac.uk

#### 5. Governor recruitment: the right people around the tableTo support governing boards in recruiting and retaining skilled governors or trustees, the NGA has updated and relaunched its guide [the right people around the table](https://www.nga.org.uk/Guidance/Workings-Of-The-Governing-Body/Chairs-of-Governors/The-right-people-around-the-table-a-guide-to-recru.aspx). This guide contains practical guidance for the recruitment of governors and trustees. Five short chapters cover:

* evaluating: skills, composition and current practice
* recruiting: attracting good candidates
* appointing: interviewing and references
* inducting: training and support
* succession planning: moving on and ensuring leadership

The Right People Around the Table emphasises that governing boards should carry out a skills audit to identify strengths and any gaps, states the importance of providing high-quality induction training, and highlights the need for boards to undertake succession planning. The guide also asks boards to consider whether they reflect the diversity of their community.

**6. LDBS support for governors**A reminder that as part of LDBS Core Service\* support, schools are entitled to one free school based governor training session. The areas you might consider include:

* Overview of roles and responsibilities and how to be effective
* Preparing for Ofsted
* Reviewing your committee structures and delegation arrangements
* Holding the school to account: asking strategic questions
* Understanding and using school performance data
* More useful governor visits
* What makes an outstanding governing board?
* Governance health check – a facilitated governing body self-evaluation session

As part of a Grow package we can arrange a review of governance which will review governance practice and make recommendations for strengthening governance in the school.  For more information or to arrange for whole governing body training, please contact Ann Foster ann.foster@london.anglican.org or speak to your link adviser

\*<http://schools.london.anglican.org/25/ldbs-core-school-support-service>