

Report to: Performance Scrutiny Committee

Date of Meeting: 18th July 2019

Lead Member/Officer: Lead Member for Education, Children and Young People/
Head of Education and Children Services

Report Author: Education Planning and Resources Manager

Title: Management of School Governing Bodies

1. What is the report about?

1.1 The Authority's role in the management of School Governing Bodies.

2. What is the reason for making this report?

2.1 To clarify the scope, remit and empowerment of the Authority to ensure that school governing bodies are compliant in the areas of governor mandatory training, school governor vacancies, and governing bodies' compliance with statutory expectations in relation to policies, finance and procedures.

3. What are the Recommendations?

3.1 The Scrutiny Committee is invited to discuss the details of this report and discuss potential next steps. It is noted that in terms of school governance for many of the areas discussed, the Authority is able to influence and guide governing bodies, but it is ultimately the governing body themselves who have responsibility.

4. Report details: The Authority's Role

4.1.1 The Authority has specific powers in regard to certain areas of school governance; however, governing bodies are themselves autonomous organisations and they govern by virtue of the requirements of the School Standards and Framework Act 1998; through their own Constitution.

4.1.2 The Education Support team, in Education and Children Services, provides elements of support for those who volunteer to be Governors at their local schools. The support offered is complimented by that which Governors Cymru provide through their subscription service. This ensures that schools have access to immediate advice and guidance regarding any aspect of Governance. 46 of Denbighshire schools have already subscribed to Governors Cymru and 6 have chosen not to take their services.

Note: The Authority did have a Governor Support Officer until 2015 when this role was made redundant.

4.1.3 The Authority is required to provide access to mandatory training for Governors. This includes Induction and School Data training for all new Governors, as well as specific training for Chairs and Clerks. There is an

expectation that governors will complete this training within the timescales set and the governing body is expected to take action, which can include suspension, if governors are not compliant. All Governing bodies understand this requirement, and the Authority has reiterated this point through its guidance fact sheets and regular emails to Chairs, see Appendix 1.

4.1.4 There are timescales associated with the completion of this training; for which all Governors are expected to comply. These are:

- Induction for new governors (completed within 12 months of appointment)
- Chairs training (completed by chairs within 6 months of appointment)
- Clerks training (completed by clerks within 12 months of appointment)
- School data (to be completed by all governors within 12 months of appointment)

Note - For Governors in post prior to Regulation changes in 2011, the above criteria does not apply, on the presumption that they were appropriately trained before this date and have relevant experience. However the Authority has encouraged all Governors to complete the online training and regularly revisit it as refresher opportunity.

4.1.5 Across North Wales the authorities meet together (with GWE) on a regular basis to discuss Governor Support in the region. This group has developed on-line training, through Cynnal, for all mandatory units. Those Authorities in the east of the region also have reciprocal arrangements for face-to-face training with our Governors able to attend each other's sessions. However, more recently on-line training has been the primary focus due to low uptake of face-to-face training and cost of delivery.

4.1.6 The Authority is required to provide free mandatory training for all new Governors. However, the responsibility for ensuring Governors complete the training within the relevant timescales rests with the individual Chairs. A record of training and the status of each Governor must also be maintained by the Clerks. This ensures that Governors are able to discharge their duties on the governing bodies. **Note** – The Authority does maintain records for its own LEA Governors.

4.1.7 Annual Governor conferences are arranged by the Authority to provide additional specialist training and discussion in relevant areas. In Denbighshire these have been well received and uptake has been extremely good over the last few years; with regularly over 100 Governors attending to represent each school.

4.1.8 The Authority has an active Governors Association which meets at least twice a year. The Association is used to deliver additional training, updates and promote discussion. It is also an opportunity for Governors to challenge the Authority as well having input toward setting the forward work programme for the year ahead.

4.1.9 For those who are interested in becoming a Governor, the Authority has a robust process for encouraging people to become governors; with a facility on our website to register interest. The Authority has also used social media and undertaken recruitment exercises to promote becoming a governor. Where vacancies arise this list is used to fill those vacancies. Governing bodies have also been introduced to the practice of skill analysis, to ensure that their Governors have the right complement of skills across the governing body. The process of co-opting new governors on the basis of skill has also been a focus of discussion in Denbighshire.

4.2 **Governing Bodies: Policies, Finance & Procedures**

4.2.1 To ensure Governance compliance in schools, a facility has been developed by Governors Cymru in conjunction with Cynnal. This online 'Audit Tool' has been made available to all Denbighshire schools who subscribe to Governors Cymru; since the tool has quick links to relevant guidance on their website. The Authority has, for the last 2 years, paid for this facility to ensure those schools are compliant. Estyn are also aware of its use in our schools; in that it provides a quick and detailed way to assess a number of areas of compliance at inspection. **Note** - Recent Estyn inspections in Denbighshire schools have been very positive in regard to the input which Governors and good governance has in our schools. Some excerpts from their reports are shown in Appendix 2.

4.2.2 The Authority has read-only access to the audit tool to obtain an overview of all schools. This permits targeted support for schools or clusters if they are not yet compliant in certain areas. Relevant template policies and guidance are also provided by the Authority on our website for schools to adopt. A list of these is shown in Appendix 3. The audit tool itself covers a number of elements of Governance in schools and these are shown in Appendix 4.

4.2.3 Governing bodies are still in the process of fully populating the audit tool for their school. Current uptake of the audit tool is 98% and most schools and Governing Bodies are using it effectively. The audit tool covers statutory requirements in areas such as policy, safeguarding, health and safety and finance. Schools also have access to a very comprehensive checklist and audit of effective governance requirements to ensure they are compliant with current legislation.

4.2.4 Under the Government of Maintained Schools (Wales) Regulations 2005, each governing body must develop their Constitution and Instrument of Governance, and submit this for ratification to the Local Authority. This process sets out the calculation of how many Governors, and the designations of those Governors, for any given school.

4.3 **Governor Data**

4.3.1 The Authority does presently maintain data on Governors; however, this is not a mandatory requirement and is an extra measure taken by the Authority to ensure that we are aware of their individual status. Maintaining this information is often difficult across all of Denbighshire's schools since the total number of Governors in Denbighshire is 778. **Note** - The Authority is currently

trailing a new method of accessing Clerks records, securely and remotely, via the school HWB Learning Platform which will improve access to their information in the future.

4.3.2 Out of 778 there are 59 governor vacancies (plus 4x Clerk vacancies) split as follows

LEA	19	Additional Community	6
Community	11	Foundation	4
Staff	10	Teacher	2
Parent	7	Clerk	4

The total represents 7.5% posts vacant across all schools.

4.3.3 As mentioned in 4.1.9, the Authority has over recent months had a dedicated campaign to reduce LEA vacancies and match new governors with vacancies. This campaign is still in process and the Authority has approached governing bodies with these potential candidates, following which their appointments will be ratified. There are currently 159 LEA posts, of which 140 are filled.

4.3.4 The number of Governors currently in post who are required to have undertaken the mandatory training is 566, i.e. these are Governors who took up their post after Sept 2011. Those who have completed the training (according to Authority records) is as follows:

Induction Training – 249 out 566 have completed the training (44%)

School Data Training – 237 out of 566 have completed the training (42%)

Chairs Training – 37 out of 48 (4x vacancies) have completed the training (77%)

Clerks Training – 33 out of 48 (4x vacancies) have completed the training (69%)

Note: The Authority is not required to keep records as this is a role of the Clerk; however, in order to ensure the Authority has an overview of training we do monitor status throughout the year. These figures above represent the Authority's most current overview, although exact figures will be available from the governing bodies.

5. How does the decision contribute to the Corporate Priorities?

This is associated with the priority 'Younger people want to live and work in Denbighshire, and have the skills to do so'.

6. What will it cost and how will it affect other services?

Not applicable.

7. What are the main conclusions of the Well-being Impact Assessment?

A well-being impact assessment is not required as this does not relate to a policy change.

- 8. What consultations have been carried out with Scrutiny and others?**
This is a first stage discussion.
- 9. Chief Finance Officer Statement**
Not required.
- 10. What risks are there and is there anything we can do to reduce them?**
The report highlights the risk of governors not being trained correctly in order to discharge their duties on the Governing Body as required under legislation.
- 11. Power to make the Decision**
Government of Maintained Schools (Wales) Regulations 2005
School Standards and Framework Act 1998
Education Act 2002
The Education (Wales) Measure 2011
Scrutiny's powers with respect of policy development and review is outlined in Section 7.4.1 of the Council's Constitution.

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