Working effectively with a Governing Body

Management units for school leaders and aspiring headteachers
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1 Introduction

This unit is concerned primarily with working effectively with the Governing Body. While the headteacher is responsible for the day-to-day management of the school, the governing body has general responsibility for the conduct of the school with a view to promoting high standards of educational achievement. It is the governing body who is responsible for the strategic direction of the school even though it is the headteacher’s role to ensure this direction is implemented.

This unit sets out the knowledge and skills that headteachers need to work with the governing body productively to ensure that every child succeeds. The unit is relevant whether the school is a single school or part of a larger federation.

Schools are accountable to their local communities and governors play a key role in this process. The headteacher is appointed by the governing body. Governors are responsible for the standards and performance of the school and must hold the headteacher and professional staff to account for this. The relationship between headteacher and governors is critical to the success of the school.

In essence the governors’ role should be about setting strategic direction with the school and monitoring progress against these intentions. The role of the headteacher is to work with the governing body on the strategic development of the school and to take full responsibility for the operational enactment of the strategy. Effective schools operate with trust and mutual support and respect between the school and the governing body with a clear understanding of their respective and complementary roles.

This management unit is one in a suite intended to support aspirant and serving headteachers and others in managerial elements of their role. Management is addressed both operationally and strategically and when reading the unit it is important to reflect on how operational tasks are determined and affected by the strategic direction and vision of the school.

The amount of time taken to complete the unit will depend on:

— Prior experience, competence and confidence in the subject area
— The amount of time spent following up specific web references and associated reading
— The number of activities undertaken
— The thoroughness of completion

The module is entirely voluntary but those seeking management positions or undertaking some form of qualification in management may find it useful to keep their thoughts and activities in an organised way, perhaps as part of a portfolio. For others, it may be useful to keep some reflections and references to support ongoing learning. For those partaking in the National Professional Qualification for Headship (NPQH) these Units are designed to complement the existing strategic units which form the foundation of the online learning for NPQH. You may find it beneficial to retain your work on the activities in your Learning Log.

There is a close link with:

— Management unit on recruitment, selection and induction of staff
— Interactive study unit on governor roles, responsibilities and relationships
2 Aims

The aims of this management unit are to prepare and support the aspirant headteacher or a serving headteacher to:

— understand the roles and responsibilities of the governing body
— establish a productive relationship with the governing body
— develop and maintain effective processes for working with governors and especially the chair of governors
— work with the Governing Body so that it can undertake its responsibilities.
3 Outcomes

By working through the materials, participants will:

— deepen their knowledge and understanding of the role of governors
— be aware of the relative roles and responsibilities of the headteacher and Governing Body
— understand the reciprocal relationships between headteacher and the Governing Body.
— be able to lead and manage appropriate procedures in partnership with the Governing Body
— be able to work in harmony with the Governing Body
— know how to develop the role and performance of the Governing Body in partnership
4 Links to the National Standards for Headteachers:

References fall in a number of key areas including Key Area 1 – Shaping the Future, Key Area 3 – Developing Self and Working with Others, Key Area 4 – Managing the Organisation, Key Area 5 – Securing Accountability and Key Area 6 – Strengthening Community.

Key specific references are:

**Actions**

| Key Area 1 – Shaping the Future | — ensures the vision for the school is clearly articulated, shared, understood and acted upon effectively by all  
|                               | — ensures that strategic planning takes account of the diversity, values and experience of the school and community at large |
| Key Area 5 – Strengthening Accountability | — fulfils commitments arising from contractual accountability to the governing body  
|                               | — works with the governing body (providing information, objective advice and support) to enable it to meet its responsibilities |

To undertake the actions effectively you will need professional qualities and commitments such as:

| Key Area 1 – Shaping the Future | — Think strategically, build and communicate a coherent vision in a range of compelling ways |
| Key Area 3 – Developing Self and Working with Others | — collaborate and network with others within and beyond the organisation  
|                               | — accept support from others including colleagues, governors and the LA |
| Key Area 4 – Managing the Organisation | — prioritise, plan and work with others  
|                               | — make professional, managerial and organisation decisions based on informed judgements |
| Key Area 6 – Strengthening Community | — engage in a dialogue which builds partnerships and community consensus on values, beliefs and shared responsibilities |
And knowledge, especially:

| Key Area 1 – Shaping the Future | – Local, national and global trends  
|                               | – Ways to build, communicate and implement a shared vision  
|                               | – Strategic planning processes  
| Key Area 3 - Developing Self and Working with others | – building and sustaining a learning community  
| Key Area 4 – Managing the Organisation | – models of organisations and principles of organisational development  
|                               | – personnel, governance, security and access issues relating to the diverse use of school facilities  
| Key Area 5 – Securing Accountability | – statutory educational frameworks, including governance  
|                               | – stakeholder and community engagement in, and accountability for, the success and celebration of the school’s performance  
| Key Area 6 – Strengthening Community | – models of school, home, community and business partnerships  

# 5 Self evaluation

**Activity 1 - Self evaluation**

**Suggested time:** 30 minutes

**Outcome:** Awareness of the particular areas where you may focus your study

How confident and competent do you feel? Bear in mind that a key part of your role as a headteacher is to work with the governing body and others to create a shared vision and strategic plan which inspires and motivates pupils, staff and all other members of the school community.

Depending on your unique experience, arising from the places in which you have worked, your roles, your other interests and experiences, you may wish to complete this bearing in mind a major change agenda you have led. Complete the table below before you go through the unit to help you plan where you spend time and then revisit at the end of the unit in terms of further preparation for headship.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Preparing (excellent, good, adequate or poor)</th>
<th>Post – unit preparedness</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knowledge of the relationship between headteacher and Governing Body in general terms</td>
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<td>See sections 1, 6-7</td>
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<tr>
<td>Knowledge of the legal framework around governance</td>
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<td>See section 7</td>
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<tr>
<td>Ability to work in partnership with the Governing Body in relation to strategic and operational issues</td>
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<td>See sections 6-15</td>
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<tr>
<td>Knowledge of best practice in working with the chair of governors</td>
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<td>See sections 9-16</td>
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<td>Ability to develop effective meetings with school governors</td>
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<td>See sections 12-15</td>
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<td>Ability to involve governors in school self evaluation</td>
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<td>See section 9</td>
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<td>For those working in a school with a religious character, the ability to incorporate specific religious requirements</td>
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<td>See section 8</td>
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<tr>
<td>Ability to support governors in their role</td>
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<td>See sections 7-15</td>
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<td>Ability to recruit sufficient governors</td>
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If you are an aspiring headteacher or a senior leader in the school you may wish to discuss this with your headteacher or line manager. If you are a serving headteacher you may wish to discuss it with your School Improvement Partner or the Chair of the Governing Body.
6 Roles and responsibilities

For appropriate processes to be in place it is important that stakeholders are clear about their operational and strategic roles. The governing body, together with the headteacher and senior leadership team, is accountable for the leadership and management of the school. It is essential that the governing body becomes the vehicle for debating the approaches to education and the quality of standards obtained by pupils/students. The corporate view from the governing body should be a strategic one with more detailed views and actions determined within school as the strategic view is operationalised.

Governing bodies have a statutory duty to “conduct the school with a view to promoting high standards of educational achievement” (School Standards and Framework Act 1998) and this responsibility was strengthened by the Education Act (2002). Their three principal roles are to:

— provide a strategic view
— act as a critical friend
— ensure accountability

The Education Act 2002 enables governors to focus more on their strategic role and their key task of raising standards by:

— giving them greater scope to choose arrangements more suited to the school’s particular circumstances
— freeing them from activities that are incidental to their primary strategic role
— creating a new legislative framework that is more flexible and reflects expectations in changing circumstances

The Governing Body:

— sets the school’s vision and strategic aims, agrees plans and policies and makes creative use of available resources
— monitors and evaluates performance and acts as critical friend to the headteacher to support and challenge him or her in leading and managing the school on a day-to-day basis
— ensures that the school is accountable to the children or young people and parents it serves, to its local community and to those who fund and maintain it as well as to the staff it employs or hires

In a well-managed school, the headteacher and governing body work in close partnership as set out in the regulations. The headteacher has responsibility for the internal organisation of the school and its management and for the implementation of the strategic framework established by governors. Governors are not expected to be involved in the detail of day-to-day operations. An effective governing body will delegate enough powers to allow the headteacher to perform the management duties required as effectively as possible. It will be confident that these are being enacted within an agreed strategic framework. The governing body takes forward its strategic responsibilities through:

— setting aims and objectives for the school
— adapting policies for achieving those aims and objectives
— setting targets for achieving those aims and objectives
The chair of governors is likely to meet regularly with the headteacher, and probably also with the School Improvement Partner (SIP) who plays a critical role in holding the school to account. The School Improvement Partner will report regularly to the school's governing body on his/her findings and may well meet with the chair and headteacher together as part of his/her days in school. The SIP is also responsible for advising the governing body panel on the headteacher’s performance management and plays an important role in developing the targets for the following year. The SIP will also advise the governing body panel on the current year’s targets helping the panel to make a decision on salary issues with regard to the headteacher.


Critical to the governing body being effective is it having accurate information about how well the school is performing in a number of ways. This allows the governing body to carry out its monitoring and evaluation brief and to review the framework for school governance in the light of such activity. It should consider advice from the headteacher and the School Improvement Partner. This information will range from finance to pupil/student performance data, for example. This information is of little value unless it is understood by the governing body in broad terms so that governors know the questions that they should be asking of the school. For example, a school that has in its catchment a majority of its pupils/students at or above national expectations can present information about pupil/student performance that looks very positive. Governors need to know that with such pupils/students that are merely meeting national expectations is unlikely to be a cause for celebration and that it needs to examine the progress of pupils/students along with actual results. (This aspect is considered further in section 9.)

The governing body needs to take a role in the school’s self evaluation as the development of the school is likely to be based heavily on the school’s assessment of its current strengths and areas for development. Although there may be specific acts of self evaluation, it is in effect a process and should integrate with all activities. The headteacher can support or impair governors’ ability to contribute effectively to this process. Amongst strategies that might be used by governors are:

— contributing to the SEF with some nominated governors being linked to teams responsible for aspects of the writing of the SEF

— twinning of governors with staff with lead responsibility and thus meeting them regularly and looking in more detail at performance

— joining in classroom observations or tracking pupils but without any expectation that they will give feedback to staff

— attending staff development sessions

— examining / discussing pupil/student results at a group but not individual level

— joining particular working parties

— the target-setting process in headteacher performance management – this is a legal requirement

— contributing to, and evaluating performance against, the School Improvement Plan

— undertaking its own self evaluation of its performance as a Governing Body

A good headteacher will discuss all main aspects of the school with the governing body and expect challenge as well as support.
7 Background Information and Research

Working with one governing body, or in one particular type of school or part of the country, it can be difficult to obtain an overall picture of the issues around governance broadly. In this section a few recent surveys are used to provide such a picture as a backdrop for further thinking at the school level.

In the most recent research on governance undertaken by the then DCSF (now DfE) in 2008 the following were reported:

— there are between 235,000 and 350,000 governors in England
— 11% of the posts are vacant
— there is under-representation of minority groups within governors in terms of minority ethnic groups, the disabled, young people, lone parents, those on low incomes, the unemployed and those working in business
— many governing bodies have an established and committed core group with less active peripheral members. The core group is less likely to be representative of the community it serves
— many governors find it hard to challenge the headteacher
— the majority of school governance is at least “satisfactory” according to Ofsted with over half of primary schools good or better
— according to headteachers around 20% of governing bodies are “very effective” but a similar proportion is “ineffective”
— where governors are effective they undertake a strategic role
— there is a positive relationship between good governance and pupil/student achievement.

This study, based on an overview of a range of research evidence, indicates that, in addition to their formal role relating to strategy, governors have a role that:

— provides local knowledge
— democratises through representation of local people.

However the survey noted insufficient links between governors and local groups

Recruitment has often been an issue and in an internal Ofsted report (2002) entitled ‘The Work of School Governor’ it was noted that retention was also an issue and linked to the roles that governors liked least, which were:

— lengthy meetings
— large amounts of paperwork
— time commitment
The same report found that in some schools where leadership and management were good, that governance was weak. This occurred as a result of a number of factors including:

— governors not being well informed about the day to day running of the school
— over dependency on the headteacher to provide information on how the school is performing
— failure to meet one of its statutory requirements
— a lack of training such that the governing body was unaware of its responsibilities.


The PricewaterhouseCoopers’ report (2007) on leadership and management suggested that governing bodies were viewed as effective when they:

— communicate well
— are supportive of the headteacher
— take a pragmatic approach
— demonstrate commitment to the role


A more recent report by Dean et al (2007) on governance in disadvantaged areas found that:

— many governors found it difficult to challenge the headteacher and some offered uncritical support
— many governors preferred to work collaboratively with headteachers
— governors did not feel able to challenge decisions made by local authorities
— governors had a strong sense of working in the interest of pupils/students and support for the headteacher was conditional on how s/he was viewed in this regard
— some governors reported that headteachers withheld information to minimise the opportunities for effective challenge.


The most recent National Governors’ Association (NGA) survey reinforced many of the points in this section, stressing the importance of training for governors, with 90% feeling that this should be mandatory for all new governors. Governors were generally confident about their ability to carry out the role effectively, whilst voicing the usual concern about the workload and responsibility.

The full report is available at: [www.nga.org.uk/Research.aspx](http://www.nga.org.uk/Research.aspx)
A Business in the Community report was based on research carried out by Bath University during June and July 2008 which concluded that:

— greater clarity is needed about the role of the governing body
— governors need to be better supported in their role
— training for governors should be mandatory
— there should be a fully professional and qualified Clerking service
— governance should be properly recognised and celebrated.

The report is available at: http://www.nga.org.uk/uploadfiles/Research/bath.pdf

It is clear from this research that the behaviours demonstrated by the headteacher are crucial in developing relationships with the governing body. Governors, particularly those external to the school, wish to contribute in any positive way that they can. Where headteachers are open and transparent staff governors also wish to make a positive contribution, even when controversial discussions are taking place. Where headteachers understand the role of the governing body and welcome this role, the governing body can be a powerful agent in supporting the headteacher and ensuring change happens.

Where the headteacher attempts to block the governing body or place barriers in the way of the governing body it is likely to react in a way that is detrimental to the operation of the school. The most important relationship on the governing body is that between the chair of governors and the headteacher. This remains the relationship that is worth spending time on nurturing.
The NGA is the national representative body for school governors in England and aims to help governors work with school leaders. In the autumn of 2008 ASCL, NAHT and NGA issued a joint guidance paper setting out how school leaders and governing bodies should work together. This is available at: http://goo.gl/ZSNfB and stresses the need for:

— effective joint working practices between the governing body and the school
— mutual support
— respect for each other’s position.

Particular advice is provided on visits to school, use of delegation, and the power of the chair, meeting timing and organisation and clerking. The governing body has a responsibility not just to set the strategic direction for the school but, having done so, to monitor progress against the objectives set. As critical friend, the governing body provides:

— support
— constructive advice
— second opinions on proposals made
— help as required
— challenge and questioning
— interrogation of information.

Two essential tools in place to enable appropriate monitoring include:

— headteacher objectives as part of appraisal
— the headteachers’ reports to governors.

In their undertaking of the setting and review of performance objectives of the headteacher, the governing committee (usually comprising three governors) are currently supported by the school’s School Improvement Partner. Governors need not only to set targets relating to the school’s current performance and future planned development but also to determine accompanying performance indicators and success criteria so that proper monitoring, evaluation and review can take place. Headteacher pay is considered as part of the process but the precise link between performance against targets and pay will be determined by the governors who make a recommendation to the governing body as a whole.
The Governing Body is a corporate body and has a legal identity that is separate from individual members. This acts as a protection for individual governors in terms of personal liability emanating from governing body discussions and actions provided that individual governors act reasonably, honestly and in good faith. Individual governors have no power or right to act on behalf of the governing body as a whole unless this power is delegated in specific terms within regulations and where this function is to be exercised in a particular way. (The decision maker on www.governornet.co.uk is a useful tool to understand this process. Look under Roles and responsibilities).

Governors’ powers and duties are described in Section 21 of the Education Act, 2002. Governors have no automatic right of entry to school but must agree such access with the headteacher.

Governors must have a complaints procedure that is in line with national legislation and local procedures. (Each local authority will have its own complaints procedure and there must be accord at local and school levels.) Complaints can also be raised about individual governing bodies to the Secretary of State where there is a belief that the governing body or local authority is acting unreasonably or failing to carry out statutory duties properly (Sections 496 and 497 of the Education Act, 1996).

The Governing Body and headteacher of a school with a delegated budget have autonomy in terms of staff recruitment and selection processes. They must, of course, operate within the framework of legal regulations. The governing body is likely to delegate the major part of responsibility to the headteacher but it is important that the governing body and headteacher take a strategic view of the whole process. The governors will be integral to the wider picture in terms of the creation of the school improvement plan and finance neither of which can be separated from staffing. They will play a key role in selection of senior staff in most instances. The headteacher is likely to play the key role in taking a strategic overview of staffing in the school and determining how individual decisions accord with the current and planned future direction of the school. On occasions, external advisers may also be involved if this is deemed helpful to the school. To understand more the potential impact of recent legislation on appointments, view a ‘A Guide to the Law for School Governors’ at www.governornet.co.uk/publishList.cfm?topicAreaId=26.

A further element in the strategic process concerns who will be involved in the recruitment and selection process. The Governing Body will have agreed to what extent it will participate with a likely differentiation according to the nature of the vacancy and with regard to the level of delegation given to the headteacher. Apart from the appointment of a headteacher, which is exclusively with the Governing Body, there is likely to be some representation from the Governing Body in most appointments. For further details see the management unit on staff recruitment, selection, appointment and induction.

**Dealing with difficult issues**

A number of issues will arise for you, some more frequent than others. So what might you face over a period of time in a school:

- disagreement over a significant issue with the Governing Body
- interference by the Governing Body or individual governors in operational matters in the school
- an inactive Governing Body
- major differences over an appointment of a member of staff
- ineffective Governing Body meetings
- an accepting Governing Body who do not challenge
- a Governing Body found ineffective in an Ofsted inspection
- a disciplinary action against a member of staff
- a governor who has acted outside the collective brief of governors
- a governor whose behaviour has required that s/he be suspended
- vacancies on the Governing Body
Some of these issues may prove complex and time consuming and some are totally unpredictable. It is important that the school is very transparent in its governance. This acts as a protection to all involved and that governors work with a clear remit from a base of agreed decision making. The relationship between the chair and the headteacher is especially critical not least as matters may need to be addressed beyond the timetable of agreed meetings.

**Activity 3 – Roles and Responsibilities**

Time suggested: 1-2 hours

Outcome: Greater knowledge of the relative roles and responsibilities of the headteacher and governing body

Look at the table below and complete the columns. Be as precise as you can, outlining the extent especially of powers with the headteacher. (You may find that the school’s instruments of governance and an annual decision making grid are of help).

<table>
<thead>
<tr>
<th>Activity</th>
<th>Headteacher powers</th>
<th>Governing Body responsibilities</th>
</tr>
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<tbody>
<tr>
<td>Appointing teachers</td>
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<tr>
<td>Appointing a headteacher</td>
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<tr>
<td>Appointing supply staff</td>
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<tr>
<td>Purchasing minor items such as stationery</td>
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<tr>
<td>Purchasing major items of equipment</td>
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<tr>
<td>Disciplining a member of staff</td>
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<td>Permanent exclusion of a pupil/student</td>
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<td>Setting admissions numbers</td>
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<tr>
<td>Completing the SEF</td>
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<tr>
<td>Carrying out health and safety audits</td>
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<td>Dealing with the press on a school matter</td>
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Governors have a wide ranging brief and in any year may look at a number of aspects of education as they relate to school. This will always include matters such as:

- pupil/student performance
- budget, best value and value for money
- staffing including the staffing structure
- headteacher performance
- buildings and health and safety
- school policies
- national developments
- school planning
- curriculum
- staff development and staff performance
- self evaluation and completion of the SEF
- development
- pupil/student behaviour and discipline.

At any particular time they may look in detail at a very specific aspect of school life such as:

- new build
- the appointment of a specialist
- development of community provision
- the appointment of a new headteacher
- the sustainability agenda
- playground facilities
- purchase or leasing of equipment
- collaboration with other schools.

Within these areas there will be much information available and it is important that governors are able to use such information to save time and to build on expertise but to use it critically. Many web sites looking at particular aspects of education will include a dedicated area for governance, often with specific toolkits. There is a lot of useful information for governance on Teachernet.

Other sources of information are the Governornet, DfE, National College for the Leadership of Schools and Children’s Services (the National College) and the NGA web sites referred to in the text.
Federations

With increased opportunities for schools to work collaboratively, such options also exist within their governing bodies. These need to be reflected in the instruments of government. These possibilities are described in the School Governance (Procedures) (England) Regulations 2003. This allows schools to work jointly together as one body or to arrange joint meetings and committees.

The DfE’s definition of a federation is a governance structure whereby one or more schools share a single governing body under section 24 of the Education Act 2002.

It is also possible for schools to operate a statutory collaborative governance arrangement involving a joint committee(s) with delegated powers to the governing bodies of one or more schools under section 26 of the Education Act 2002.

For further information on federations see http://goo.gl/nhmOE.
The composition of the governing body is carefully framed to represent all the main stakeholders from the school and from the community it serves. There are four compulsory stakeholder groups for community and community special schools as well as maintained nursery schools. Foundation, voluntary aided (VA) and voluntary controlled (VC) schools have five compulsory stakeholder groups. Sponsor governors form an optional group. (Sponsors are defined as those who give substantial assistance to the school, either financially or in kind.) The maximum size of primary governing bodies is 24 including the possibility of 2 sponsor and 2 foundation governors and 28 for secondary schools including the possibility of 4 sponsor and 4 foundation governors. Schools are free within limits to choose the size of governing body that suits its purpose best.

Headteachers are automatically members of the governing body by virtue of their office. If they choose not to take up this role they must inform the clerk of the governing body by writing.

A table showing the proportion of places on the governing body that must be reserved for the different categories is shown in Chapter 2 of ‘A Guide to the Law for School Governors’ at www.governornet.co.uk.

Pupils/students themselves are not eligible to be formal governors of the school but it is becoming increasingly common practice for school governing bodies to include pupil/student representation for much of the meetings.

The position of community governors is interesting as this group is the least defined and allows participation from a wide range of people. Representation often includes those perceived as having specific skills that would supplement those of the governing body as a whole and might come from a number of professions including social work, commerce, business, the law, finance or education for example. Community members must be voted in by the whole governing body in line with the rubric above. In foundation and community special schools, the governing body is required to appoint as a governor a person nominated by one or more voluntary organisations nominated by the local authority.

The governing body can be extended to include associate members. They can attend committee meetings and full governing body meetings but are not governors and have no voting rights. They are not recorded in the instrument of government. They are chosen for particular expertise and skills that they bring to the group.

Governors are elected for a fixed term period of four years. They can be removed for non-involvement and for actions that are detrimental to the well-being of the school but have a right of representation to the governing body.
Education Trusts

The Education and Inspections Act 2006 brought about considerable changes to governance through the development of trusts. Trust schools are foundation schools supported by a charitable foundation or Trust which appoints governors to the school’s governing body. Funding for trust schools is no different from other schools maintained by the local authority. A Trust school, however, employs its own staff and manages its own land and assets and sets its own admission arrangements but these must be in line with the Schools Admissions Code. Currently the number of trust schools is low but increasing. Organisations interested in forming Trust schools include:

— universities and colleges of further education
— educational charities
— business foundations
— community groups
— local authorities
— other local stakeholders.

The decision to become a Trust school is with the school’s current governing body and the headteacher is likely to provide an influential voice in expressing to the governing body the potential advantages, disadvantages and issues involved. Where a school becomes a trust school the governing body decides who it wants to work with and the number of governors to be appointed by the Trust. Parents and other local stakeholders must be consulted before any decision is made and the governing body is responsible for drawing up formal proposals to move to its new trust status. For more information on trust schools see www.trustandfoundschools.org.uk/schools/latestnews/newtrustschools4.aspx.

Schools with a religious character

The governing body of a foundation, voluntary aided or voluntary controlled school is a body corporate with exempt charitable status. A body corporate is one with a legal identity separate from its individual members. These schools automatically have charitable status.

In both voluntary aided and controlled schools, there are foundation governors. These are appointed by the school’s founding body, church or other body named in the governing body’s constitution. One of their functions is to ensure compliance with the trust deed if there is one and to preserve the religious character of the school. It is, therefore, imperative that the headteacher has good relationships with the foundation governors amongst whom the local priest, minister or community faith leader is likely to be a key member. Foundation governors are normally appointed by the school’s founding body, church or other organisation as named in the school’s instrument of governance.

In voluntary aided schools, foundation governors outnumber all other categories of governor by two. A proportion of these governors must be parents so that, when taken together with elected parent governors, at least one third of the governing body is made up of parents. Usually, in a school with a religious character, the local priest, minister or community faith leader is an ex-officio foundation governor.

In voluntary controlled and foundation schools, foundation (or partnership) governors are in a minority. The local priest, minister or community faith leader may or may not be an ex-officio foundation governor in a school with a religious character.

In Voluntary aided (VA), foundation and trust schools the permanent staff are employed by the governors but are paid by the local authority through the school’s delegated budget. In Voluntary Controlled (VC) schools, the permanent staff are employed by the local authority directly. Details of appointment processes as relates to these schools are included in the management unit on staff selection, recruitment, appointment and induction.
Academies

Academies are independent schools that are publicly funded. This status allows them to work in more flexible ways and to be innovative in terms of their curriculum, staffing and governance and to increase the performance of pupils/students from what was normally a very low baseline prior to becoming an Academy.

Academies education is now a priority area for the DfE and the new arrangements mean that any school can apply to convert to academy status, although schools rated ‘outstanding’ by Ofsted will form the first tranche of those schools to convert under the new arrangements.

Under the new arrangements, academy trusts are charitable companies limited by guarantee and are the entities that enter into funding agreements with the Secretary of State to establish academies. The governing body of the school wishing to convert to academy status will be responsible for establishing the academy trust. The academy trust has a strategic role in running the academy and will be responsible for appointing the governors to the governing body of the academy.

It is the governing body that manages the academy on behalf of the members of the academy trust, with the following key responsibilities:

— ensure the quality of educational provision
— challenge and monitor the performance of the academy
— manage the academy trust’s finances and property
— employ staff

Following the introduction of the Academies Act 2010 on 27 July 2010, the compulsory members of the governing body, unless stated otherwise in the Articles of Association, are:

— at least two parents
— principal

There is no limit to the size of the governing body and academies are free to choose whether to have a local authority governor, staff governor or co-opted governor. Whilst there is no requirement for an outstanding school converting to academy status to have a sponsor, if the academy chooses to work with a sponsor it is expected that the majority of the governors would be appointed by the sponsor. Also, for voluntary and foundation schools converting to academy status, the foundation or trust may appoint the majority of governors.

Further members can also be co-opted as specified within the Articles of Association. The governing body can also establish any committee to advise on specific issues and the membership of any committee can include people who are not Governors.

The governing body will employ the academy staff and will therefore have the employer’s responsibilities under employment law. Given the complexities of employment law, it is important that the governing body and principal take advice from the local authority or other human resources advisers on any issues arising from staffing at school, including recruitment and selection.

For more information see [http://www.education.gov.uk/academies](http://www.education.gov.uk/academies)
10 Providing information to governors

A common complaint of governors is that they receive too much information. Headteachers play a pivotal role in providing information, particularly about the school’s performance. Data does not become or provide information unless it is understood by the receiver. Headteachers working with governors are aware of the need to provide information that is accessible to them and helps them carry out their role. Without this information, the governing body will find it almost impossible to carry out its statutory responsibilities. Key information that governors need on an ongoing basis are:

— data on pupil/student performance
— budgetary information
— staffing information
— self evaluation
— progress against agreed plans and targets
— legal information, especially as it changes.

Apart from the final bullet point, the above will all be generated by the school and will be fluid. Budgetary and staffing information are likely to be fed to the governing body through regular reports and, where action is needed, when required. Self evaluation and pupil/student performance data are likely to be focused on specific activities at particular times of the year. For example, in the autumn meetings there is likely to be a focus on pupil/student performance; in summer tests or examinations and an analysis of the outcomes especially as they relate to targets set and reporting to the governors of ongoing progress towards such targets. Much will depend on the phase and size of the school. Governors will probably want to celebrate success and look towards the future to see where improvements can be made. If there are particular areas where results have been less good, they will want to know what plans are being developed to address such issues. The most disturbing factor for a governing body will be where national tests have given a very different picture to that which they were expecting, based on the information provided by the school. An effective governing body will look backwards to look forwards and will probably want to hear the school’s views on the projected results for the same time a year hence.

Governors are not likely to be experts in data analysis relating to pupil/student performance and it is important that information is given to governors in a way that is:

— clear
— honest
— allows questions to be asked
— allows meaningful comparisons to be made
— offers explanations but not excuses
— invites debate rather than recrimination.

Working in partnership will allow governor skills to be developed and for deepening understanding of the process which will allow stronger questioning and for the governors to hold the school to account fully. This may be uncomfortable at times for those responsible for the results but without this dialogue, there can be little professional engagement and governors will be unable to fulfil their statutory responsibilities in holding the school to account for its performance.
Information will also be given to governors in relation to ongoing plans and projects and progress against the School Improvement/Development Plan (SIP) targets for example. Where these are stated clearly and with clear outcomes in mind that relate to pupil/student performance, monitoring and evaluation become easier. Much ongoing information will be provided through the headteacher’s report to the governors. This is a critical document in the working relationship between the school and the governing body. There is no set format and each report will reflect the style of the individual headteacher and school. In many schools, different staff will submit items on a standing basis, as needs arise or on a rotating basis. Many reports will have some standing items such as:

- buildings and resources
- pupil/student performance
- staffing
- achievements
- items of interest
- progress against the SIP.

The length of the report will also vary and it is good practice for the headteacher to get regular feedback as to the extent to which the reports provided are meeting the needs of the governors.

**Activity 4 - Developing challenge from the governing body**

Suggested time: 1-2 hours

Outcome: Greater skills in presenting information to the governing body

Think of the range of information you might wish to share with the Governing Body over the year. Look critically at how this can be provided in chunks that are accessible and usable by the governing body. Determine alongside each activity and/or in general how the paid professionals in the school can support the governing body to make full use of such information.

Discuss with your headteacher what information s/he provides to the governing body and the format used.

Offer to take responsibility for overseeing the writing of the next Headteacher’s Report to the Governing Body, at least in first draft. Keep to a similar style as the current reports and have ready in draft form so that the headteacher is able to edit and/or personalise.

It is good practice for governors to be involved themselves in self-evaluation. The headteacher can support this not only through modelling of good practice in this area but by supporting the governors with the technical expertise required for such matters. There are a range of resources that can provide background information to governing bodies on how to evaluate and improve their effectiveness. The resources identified below can be accessed by following the links through [http://goo.gl/dgAFm](http://goo.gl/dgAFm)

**School Governance: Making it Better** is a report by Ofsted that focuses on the characteristics of governing bodies at schools causing concern. In doing so, the report highlights the more common areas of weakness of governing bodies and makes recommendations on how any governing body might tackle these

**Work of School Governors** is a second report by Ofsted that provides a more generic review of the effectiveness of school governance, identifying where weaknesses tend to occur

**Governing Bodies and Effective Schools** is a report from 1995 that identifies how governing bodies can be more effective. Although certain aspects of the document may be out of date, it still provides good general guidance

Some local authorities have also developed their own materials to support such a process, sometimes with the availability of local training.
11 Training for Governors

There is a national framework for the training of governors. Local authorities and some diocesan authorities will also have their own localised programme of training. This may be offered free, on a subscription basis, a Service Level Agreement or pay-as-you go basis. The NGA and Governornet also produce useful guidance. Improving school performance is a useful tool for governors to know the questions to ask, to understand the facts and figures relating to the questions and understand good practice. It is available at: http://goo.gl/5bWXH

The national strategy for governor support and training has three elements:

National Training Programme for new governors
National Training Programme for clerks to governing bodies
National Development for chairs of governing bodies and headteachers.

“Leading Together” is a facilitator-led training programme designed to bring together chairs and the governing body together with headteachers and other members of the school leadership team and is a school-based development programme designed to explore and improve the team-work of the governing body, the head teacher and the school-leadership team. They work together on specific activities to support aspects of the school’s strategic development and to lead, develop and work together as an effective team.

See http://goo.gl/wUfTh for more details.

This training programme is the second of the two (the first being ‘Taking the chair’), which form the National Development Project for chairs of governing bodies and headteachers. Taking the Chair is intended solely for chairs and aspiring chairs of the governing body. The programme can be completed by distance learning and helps understand their role and their working relationship with the headteacher. See http://goo.gl/1zwjr for more details.

Activity 5 - Governor Training

Time suggested: 1-2 hours
Outcome: Greater awareness of training available locally and nationally

Look at what training is available locally and nationally. Determine what training has been undertaken recently and talk to one or two governors about their needs and ascertain to what extent they feel prepared for their role and what are the barriers to them taking part in training. Determine as a headteacher how you might support the development of governors through ongoing actions. Discuss your findings with your headteacher and/or the chair of the Governing Body at your school.
As already suggested at any point in time there are likely to be around 11% of governor posts unfilled. These will not be uniformly distributed with some areas of the country facing greater difficulties than others. School Governors’ One-Stop Shop (SGOSS) is a small charity which recruits volunteers to become governors in schools across England. SGOSS has won awards for the way it works with volunteers, builds partnerships with employers, manages its finances, and develops its staff. It provides its services freely to Local Authorities, volunteers, employers and schools. For more information see: www.sgoss.org.uk/home/

Many governors take up their role because of a personal approach by the headteacher, or less frequently, another member of the governing body. In terms of making the role attractive to prospective governors there is a need to stress:

— the moral dimension about making a difference to the lives of children
— the teamwork
— the training and support available
— the flexibility of commitment
— the role in holding the school to account.

To sell the vision of the governing body as an effective group worth joining means that there must be a realisation of the vision with actual practice.

**Activity 6– Getting sufficient governors**

Suggested time: 1 hour

Outcome: Greater ability to attract potential governors

Governors are individuals with different backgrounds and interests. Outline how you could make the job attractive to potential governors ensuring that you are realistic about what is offered. You may find that in undertaking this activity ideas come to mind about what might be changed in current practice. Share your thinking with the chair and/or headteacher.
Succession planning is an issue for governing bodies. Although there is often a strong nucleus within a governing body that has served for a substantial period of time, this is not always the case and even where it is, this group may not be as representative as it might be of the local community. There are a number of strategies that can be adopted to promote succession planning within the governing body including:

- use of associate members
- openness in dealings with the community
- shadowing governors’ events
- giving governors a high profile in school communications
- valuing the work that governors do

Activity 7 – Succession planning within the governing body

Suggested time: 1 - 2 hours

Outcome: Knowledge of how shared proactivity can help the development of the governing body over time

Look at how the following could be used to develop succession planning:

- chairing committees
- associate governors
- shadowing
- giving a high profile to governance
- recruiting community governors
- training

Determine what your strategy might be as a headteacher.
13 Meetings

Governors’ meetings represent an enormous expenditure of time and energy and such time needs to be used as effectively as possible. The headteacher is in an unusual position as s/he will probably play a major role in constructing the agenda but, in local authority schools, this will be influenced by a number of matters from the local authority. The meeting will be chaired by the chair of governors and clerked by someone external to the governing body from the school or authority in many instances. The major input to the meeting from the headteacher will be the report to which s/he will probably be asked to speak. The length, depth and content of this document can vary enormously. At one level, it can be about the social aspects of school life and give a picture of the school. At another it can provide an analysis of what is happening in school and to what level of effectiveness. It is a good idea to report progress regularly against the specific targets generated by the SIP and other strategic documents.

Although agendas can be long and time for discussion on particular aspects can be limited many governing bodies find it helpful to have presentations from staff on particular aspects of the school delivered by the key individual involved. Presentations may be about:

— pupil/student performance
— developments
— particular initiatives
— curriculum
— areas of interest to the governors
— progress against agreed targets

In some schools a programme of presentations may be organised over a period of time with a view to governors carrying out their role as critical friend. In some schools committees may adopt a role as scrutineers. Meetings with staff have many advantages as they:

— allow governors to gain more detailed knowledge of specific areas
— provide a deeper context for the information governors receive
— allow governors to carry out their role as critical friend
— help governors and staff to work together and to get to know each other better
— support effective decision-making by governors
14 Delegation

The structure of the governing body is quite flexible. The most used mechanism is for there to be full governing body meetings (often termly with an additional one in the autumn term to look at pupil/student results and /or target setting). There may also need to be an extra one in the summer term to agree the budget. There will be a series of committee meetings to deal with specific areas of school management and governance. These will meet on a regular basis. The degrees of delegation are set partially by law but mostly by agreement within the governing body. In addition to the set committees that meet regularly there will be other committees that meet when required – to hear disciplinary cases or appeals for example. The titles of the committees will vary but those seen frequently include:

- finance
- personnel / staffing
- buildings and resources
- curriculum
- pupil/student

Many of these are interdependent. Finance and staffing may be linked, for example, as it is impossible to proceed on a staffing issue without knowledge of the financial situation and, given the need for speed when staff are appointed, a merger of the two committees can be helpful. Similarly, curriculum and pupil/student matters are often combined. There is no right structure but it does need to fit the context of the school. When thinking about the structure of committees it may be helpful to think:

- what matters fall together naturally and could be dealt with efficiently and effectively by one committee
- how big is the governing body and how many committees could be serviced effectively
- the interests of individual governors
- best use of time
- work/life balance and available time

There will be many tasks that require input and will be time-related. Such tasks may be undertaken by governors individually or in small groups and often in collaboration with senior leaders in the school. For example, the governors may wish to set up a committee when a new build for the school is envisaged or to establish a framework for its own self evaluation. It may also have a member or members working alongside the staff on the writing of the SEF or developing a particular policy. Individual governors may have specific remits to follow closely on a specific aspects of school life (such as SEN or a particular subject).

Where tasks are delegated it is imperative that the remit is clear to all of those who are involved and such delegation should be recorded formally and agreed in minutes. For the headteacher and governors regular review about the current system and its strengths and weaknesses are helpful so that there is an ongoing quest to work smarter rather than longer and to ensure that governors remain active and committed within a clear and agreed framework for decision making and action.

The chair is an important cog in the machinery of governance and often takes on a great deal of responsibility and works closely with the headteacher. This is fine when it works as long as it does not weaken the governors as a corporate body and is not used to circumvent standard procedures of governance. In the long term it can be disempowering if other governors become accustomed to relying on the chair and headteacher and follow their advice uncritically.
The chair or vice chair has the power to carry out functions of the governing body if a delay in exercising a function is likely to be detrimental to the interests of the school, a pupil/student at school or his or her parents or a person working at the school. This power is not all inclusive and chairs cannot exercise powers in this way in relation to alterations to the school status, closure, change of name, budget approval, admissions or disciplinary policies.

Activity 8 – Structures for governance

Suggested time: 1-2 hours

Outcome: Greater awareness of the range of structures that can be used within governance

Look at the current structure of the school’s governing body and its committee and meeting pattern. Determine why this structure has been adopted and determine whether you think alternative structures may be worth considering. To what extent do the committees enable or impair governance? You may wish to talk with some governors about their views but if doing so within your own school, consult with your headteacher and chair first.

Discuss your findings with the headteacher and chair.
15 Working with the Chair of Governors

The relationship between the headteacher and the Chair of Governors is one of the most critical in the school. Both have distinct responsibilities but they are interdependent and there will be inevitable overlap and blurring around the edges about where responsibilities fall. This is inevitable as strategic and operational matters cannot always be neatly separated. This should not be a problem if there is a sound professional relationship between the chair and the headteacher. A good relationship is likely to involve:

- regular communication both face-to-face and electronically or by telephone
- trust
- agreed decision-making and communication processes
- willingness to support and challenge each other
- an overriding commitment to the school, its pupils/students and to the best possible outcomes for them
- vision and realism
- an understanding of own and each other’s perspective
- an understanding of own and each other’s legal responsibilities.

There can be no agreed formula about how to work as personalities. Other commitments impact on roles and responsibilities and each school is so different. In some schools there will be a weekly meeting between the two. In a small school where the headteacher has an appreciable teaching responsibility this may be neither desirable, appropriate nor feasible. There will also be occasions where communication is needed more rapidly as a result of a particular issue such as a complaint, a resignation of a member of staff or an investigation relating to a matter in school. Where the latter occurs, it is important to determine at the outset the amount of detail that is to be communicated to the chair. Where such information is shared, it will mean that the chair will be unable to participate in any subsequent governor investigation.

No one can function effectively without information and a key element in working with the chair is to keep him/her informed and to encourage challenging responses. This can be uncomfortable for the headteacher at times but without this critical challenge, the school may continue in a comfort zone that is unlikely to be beneficial to either the pupils/students or stakeholders of the school and risks being challenged at some stage, perhaps with greater consequences.
The relationship between the headteacher, chair and the clerk is important for meetings to function effectively. All full and committee meetings must be clerked. This cannot be undertaken by the headteacher or, in the case of full meetings by any member of the governing body. Many schools use external clerking services for full governing body meetings rather than committee meetings. The clerk has an important role to play in ensuring that the work of the governing body is well organised and operates in accordance with legal requirements. It is up to the governing body to determine what level of support they require from the clerk; many local authorities offer this as a service through some form of service level agreement. Where clerking is undertaken by someone such as a school business manager or secretary there must be clarity that such a role is beyond their normal duties. There is no requirement that the clerk to the full governing body is also appointed to clerk committee meetings. Chapter 3 of the Guide to the Law for School Governors provides an outline of the role and appointment of clerks. This can be found at www.governornet.co.uk/publishList.cfm?topicAreaId=26.

The clerk has a number of roles including:

- preparation of the agenda
- distribution of the agenda and related papers
- advising on matters of procedure
- recording of attendance and acting on issues arising
- taking notes and recording decisions
- drafting minutes of meetings
- maintaining records
- keeping records of correspondence
- advising on legal matters.

A job description can be found at www.teachernet.gov.uk/docbank/index.cfm?id=6626. See also NATSOC example employment contract: http://www.natsoc.org.uk/downloads/contracts_apps/clerk.pdf for similar details in relation to voluntary aided and foundation schools.
17 Strategies

Rapid Audit

When you start a new school as a newly appointed headteacher you need to come to an early view on all aspects of school life. This can be supported when you join a school by a “rapid audit.” You need to feel secure that the whole school has effective selection, appointment and induction procedures. It is also important that you ascertain to what extent decisions are made in the context of an overall vision.

As a result of an initial rapid audit, you will be able to determine whether:

— procedures and practice are secure in all areas and that there is no immediate need for action
— procedures and practice are insecure in one or two areas and that particular action is needed
— procedures and practice are generally not in place and that major consideration is needed to all aspects of recruitment, selection and induction
— further investigation, either urgently if you have initial concerns or over time if these are of less concern, is needed.

Rapid Audit Activity: Starting in a new school

When you take up post in a new school you will have much to do and many priorities but it will be a good idea to gain an initial view on the procedures and practice that exists in the school. Going through a quick initial checklist below can indicate whether there is a need for further immediate action.

Such an activity (or elements of this activity) could also be undertaken usefully in your own school or when on placement where it can be useful to get a different perspective on the subject from that to which you are accustomed.
### Activity 9 – Rapid audit

**Suggested Time:** 6-10 hours

<table>
<thead>
<tr>
<th>Activity</th>
<th>Information arising</th>
<th>Notes</th>
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<tbody>
<tr>
<td>1 Have a discussion with the chair of governors</td>
<td>Feedback on your appointment process</td>
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<td></td>
<td>Understanding of current issues</td>
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<td></td>
<td>Understanding of how the governing body functions</td>
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<td></td>
<td>Develop an initial view on strengths and weaknesses of the governing body</td>
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<tr>
<td>2 Examination of governor meeting minutes</td>
<td>Understanding of current issues</td>
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<td></td>
<td>Understanding of how the governing body functions</td>
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<td></td>
<td>Develop an initial view on strengths and weaknesses of the governing body</td>
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<td>3 Discussion with clerk to governors</td>
<td>Legal compliance</td>
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<td></td>
<td>Attendance at meetings</td>
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<td></td>
<td>Analysis of effectiveness</td>
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<td></td>
<td>Ideas for improvement</td>
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<td></td>
<td>Current issues</td>
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<tr>
<td>4 Examination of notes of governor visits to schools</td>
<td>Understanding of current issues</td>
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<td></td>
<td>Understanding of how the governing body functions</td>
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<td></td>
<td>Develop an initial view on strengths and weaknesses of the governing body</td>
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<td></td>
<td>Level of involvement of governors in school life</td>
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<td>5 Discussion with SLT on their work with governors</td>
<td>Understanding of how the governing body functions</td>
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<td></td>
<td>School views about governor effectiveness</td>
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<td>Degree of support and challenge offered by the governing body</td>
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The following are some further strategies that you can adopt as a routine part of your work.

**Monitoring**

Monitoring needs to be systematic and recorded. Given the joint responsibility for school governance you may wish to consider especially:

- compliance with regulations
- how the governing body monitors itself
- how the governing body is involved in aspects of school self evaluation
- how the governing body contributes to the SEF and the School Improvement Plan
- how the headteacher provides information that supports the governing body to undertakes its role as critical friend to the school
- how the governing body interacts with the School Improvement Partner.

**Evaluation**

Monitoring will be a key ingredient leading to evaluation. The process of evaluation is needed to determine the school's level of confidence that its routines, services and products meet legal and wider requirements. In particular, evaluation will address questions such as:

- How effective is the school in raising the performance of its pupils/students?
- Where is the school most effective and how can good practice be shared?
- Where are improvements needed?
- How effective are specific interventions?
- Is the school ensuring best value?
- Are the processes robust but not over-demanding in terms of time?
- How well is the school led, managed and governed?

**Strategic Planning**

The role of strategic planning is at the heart of governance. Part of this planning may be about developing the role of the governing body to act in accordance with legal requirements and to act as custodian of standards within the school. Could you support the governors to have their own plan for development?

**Self evaluation**

Does the governing body make use of any self evaluation instrument? How can it be supported to do so?

**Having sufficient governors**

Do you have a clear plan to develop governors which allows for them to step up to chair committees and to fill vacancies as they arise?
Meeting time and delegation

In tandem with the chair, decide if the meeting pattern is efficient and effective. Are meetings at the right time and of the right length? Are there different ways of working with delegation that may prove more effective?

Training

What formal training exists for governors? Is this taken up and is it effective? How can governor development be supported through ongoing interactions with the school?

Working with staff

Do staff understand the role of governors and know them? Mechanisms such as pairing staff, involving governors in school-based activities and reporting to governors can develop interactions, mutual understanding and genuine partnership working.

Working with the chair

Determine how best to work with the chair and to keep him/her informed through emails, regular meetings and / or telephone calls. The more the headteacher and chair can establish routine communication, the more effective is the use of time likely to be.

Headteacher report

Review and analyse how what you provide supports the governors to carry out their role. Consider whether getting contributions from staff will help develop the complementary role of staff and governors.

Information sharing

Review what information is given to the governors on a regular and/or occasional basis and determine whether it is in governor-friendly form and helps them to use the information in a way that is appropriate to their role.

Knowledge Management discussions

Establish regular reviews after particular activities involving governors. This could be after a staff appointment, a review of progress against a target, a particular initiative or review of a spending decision. Such reviews need not take long but can support a way of working in which there is ongoing critical appraisal and examination of use of time and effectiveness.

Delegation

Look at the powers of delegation between the school and the governing body and determine how effective these are and whether any review should be discussed with the chair. It may also be helpful to discuss with the chair how delegation is used within the governing body itself and whether changed arrangements may allow closer and more effective working with the school.
18 Review

Go back to the initial evaluation and determine where you now feel confident and competent and plan any further activity that you may need to undertake now or when you take up your headship.
## 19 References

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