

Introduction and purpose

This Handbook for Governors has been produced as an easy to use reference guide and has been designed in a handy “filofax” format to enable governors to use at meetings. The style makes it easy to insert updates to ensure that the content remains current.

The content will be updated when necessary due to legislative changes to ensure it remains relevant for all governors. As the handbook has been created for governors, we very much welcome your input on the content and specifically what information you would most like to see included in future editions. Please send any comments to one of the contacts on page 2.

Please note this publication has been produced as guidance to complement the legal framework rather than replace it. When seeking specific information reference should always be made to the Welsh Assembly Government publication, “School Governors Guide to the Law” and the various Education Acts and School Governance Regulations referred to within it.

Advice and support

Whenever you need advice, information and support regarding any governing body matter, please do not hesitate to contact the Governor Support Unit (GSU). We are here to support you as governors and contact details are provided on page 2. The GSU is part of the School Improvement Service.

April 2008

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Section 1

Composition and Strategic Role of the Governing Body

(i) Composition of Governing Bodies

The exact size and composition of your governing body is determined by your Instrument of Government, which is the legal statement of the membership of your governing body.

Governing bodies are made up of different types of governors and these are listed below with details of how each is appointed.

Types of Governors

Parent governors

- are elected by and from the parents of all registered pupils at the school.

LEA governors

- vacancies must be advertised in accordance with the Council's procedures and anyone wishing to become an LEA governor must apply using the appropriate application form available from the GSU.
- The appropriate Panel of Council Members considers all LEA governor vacancies.

Teacher governors

- are elected by and from all the teachers at the school.

Staff governors (non teaching)

- are elected by and from all non teaching staff at the school.

Community governors

- are appointed by the governing body and must live or work in the community served by the school or be committed to the good government and success of the school.

Minor Authority Representative (MAR) governors (Primary Schools only)

- are appointed by town and community councils.

Foundation governors (Aided and Controlled Schools only)

- are appointed by the people or organisation (usually the church) named in the school's Instrument of Government.

Partnership governors (Foundation Schools only)

- are appointed by the governing body from nominations by parents of pupils and other members of the community served by the school.

Terms of Office

Tenure

- Virtually all governors are appointed for a term of four years, this only varies if decreed as such within a school's instrument of government. One notable exception is the term of a nursery parent governor which is 2 years

Can I be a governor of more than one school?

- A person may be a governor of no more than 2 schools at any given time.

Removal due to non attendance

- If a governor fails to attend a meeting during a period of 6 months starting with the date of a meeting, they will be disqualified owing to non-attendance.

(ii) Election of Chair and Vice Chair & Terms of Reference

Election of Chair and Vice Chair

- The governing body must elect a Chair and Vice Chair from among their number annually.
- The Clerk must act as Chair during the initial stages of the meeting when the Chair is elected.
- Any election of the Chair or Vice Chair which is contested must be held by secret ballot.

Terms of Reference

Powers and duties of the governing body

The Education Acts cover the powers and duties of the governing body which include:

- conducting the school with a view to promoting high standards of educational achievement;
- setting appropriate targets for pupil achievement at Key Stages 1, 2, 3 & 4;
- taking responsibility for the conduct of the school;
- managing the school's budget;
- making sure the school curriculum is balanced and broadly based;
- determining the staff complement and school pay policy;
- appointing a Headteacher, Deputy Headteacher and other staff;
- regulating staff conduct and discipline; and

- drawing up an Action Plan following an inspection.

(iii) Strategic role of the governing body

The governing body should carry out its functions with an aim to taking a broadly strategic role in the running of the school. This includes setting up a strategic framework for the school, setting its aims and objectives, setting policies and targets for achieving the objectives, reviewing progress and reviewing the strategic framework in the light of progress.

How should governing bodies fulfil a broadly strategic role?

- A strategic role means the governors decide what they want the school to achieve and set the strategic framework for getting there.

How does the governing body act as a “critical friend” to the Headteacher?

- A critical friend offers support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed.
- A critical friend may also challenge, ask questions, seek information, improve proposals and seek to arrive at the best solution for all concerned.

Governing Body Decision Planner – Who should take which decisions?

- Guidance on the Education (School Government) (Terms of Reference) (Wales) Regulations 2000 sets out, in some detail, the allocation of major responsibilities between governing bodies and Headteachers.

- The Decision Planner contained within the guidance is shown on Page 45 and it clearly sets out all of the main functions of the governing body.

(iv) **Governing Body Year Planner**

The following table provides a schedule of key tasks that should be considered by the governing body at various stages throughout the academic year.

GOVERNING BODY YEAR PLANNER

*Asterisked items are those that the governing body must consider during the year. The remaining items are recommended as good practice

| ACTION | WHO | WHEN |
|---|--|-------------|
| Autumn Term | | |
| Elect chair and vice chair* | Full GB | |
| Appoint Committees* | Full GB | |
| Review Committee Terms of Reference* | Full GB | |
| Update Register of Business Interests* | Clerk | |
| Agree School Pay Policy* | Full GB | |
| Agree calendar of meetings for the year | Full GB | |
| Induction of new governors | Full GB or delegate e.g. Chair, Clerk | |
| Review past year's school performance | Curriculum Committee | |
| Review school's aims and objectives | Full GB | |
| Review existing policies and amend as necessary | Appropriate Committees & Full GB | |

| | | |
|---|----------------------------------|--|
| Agree targets for the coming year* | Full GB | |
| Issue annual report to parents* | Full GB | |
| Spring Term | | |
| Evaluate last Budget | Finance Committee | |
| Consider resource implications: | Appropriate Committees & Full GB | |
| - Staff (including annual pay review) | | |
| - Headteacher (including performance objectives) | | |
| - Learning resources | | |
| - Premises | | |
| - Money | | |
| Prepare a Draft Budget | Finance Committee | |
| Agree Draft Budget | Full GB | |
| Review and agree school prospectus* | Full GB | |
| Respond to annual consultation on school admission arrangements (voluntary aided schools) | Full GB | |
| Consider issues arising from the school's self review | Full GB | |
| Consider progress against agreed targets | Full GB | |
| Summer Term | | |
| Update of School Self Evaluation process | Full GB | |
| Agree School Development Plan* | Full GB | |
| Plan the annual work of the governing body in the context of the School Development Plan | Full GB | |
| Review attendance of pupils and governors | Full GB | |
| Review number of pupils excluded | Full GB | |
| Every Term | | |
| Governor training - consider LEA programme distributed at the start of each term | Full GB | |
| Receive Headteacher's Report* | Full GB | |

| | | |
|--|---------|--|
| Receive reports from Committees | Full GB | |
| Consider the governing body's training and development needs | Full GB | |
| Monitor progress in the: School Development Plan*; Post Inspection Action Plan; Past Performance Review and Self Evaluation | Full GB | |
| Monitor the budget* | Full GB | |

Section 2

Procedures for an effective governing body meeting

(i) The role of the Chair

The Chair has a very strong influence on the effectiveness of the governing body.

The Chair should: -

- be able to prioritise, plan and organise.
- display impartiality, have ability to summarise, can make decisions and should ensure meetings are of a reasonable duration with a good pace.
- be able to conduct meetings efficiently and with due regard to established governing body procedures.
- have a knowledge of the education system and legislation.
- maintain communication with the Headteacher and other governors between meetings.
- share information and documents received with the governing body and act as a point of contact and spokesperson on the governing body's behalf.

- establish a complementary role for the Vice Chair for purposes of good communication and continuity in the event of the Chair's absence.

(ii) The role of the Clerk

- This is a very important role in ensuring the smooth running of the governing body.

The duties of the Clerk in maintained schools include:-

- circulating agendas and minutes;
- advising on procedural matters at meetings;
- retaining details of the terms of office of all governors
- notifying outside bodies/GSU of any resignations
- ensuring copies of all minutes and agendas are sent to the Governor Support Unit of the LEA.

(iii) Meetings of governing bodies

- Governing bodies must meet at least once per term.
- The Clerk to the governing body convenes meetings and governors must be given at least seven days notice of a meeting with a copy of an agenda.
- It is sensible at the first meeting of an academic year to set a calendar for the year in order that governors can put dates in their diary.
- The Chair conducts the business at meetings and in their absence the Vice Chair should assume this role.

(iv) Extraordinary or emergency meetings

- Shorter notice can be given of governing body meetings should the Chair (or Vice Chair in the absence of the Chair) deem that there is an urgent need for a meeting.
- A meeting must also be held if three members of the governing body request one.

(v) Quorum

- The governing body is unable to make decisions unless a minimum number of governors are present.
- For the governing body to meet a quorum is one half (rounded up to a whole number) of the membership excluding any vacancies i.e. if there are 13 governors, the quorum is 7.
- A meeting must not take place if it is not quorate, or finish, if it ceases to be quorate i.e. if a governor has to leave reducing the number below that required for a quorum.

(vi) Decision making

- Governing body decisions are taken by a majority of the members present voting on a proposal.
- If there are an equal number of votes for and against a proposal the Chair has a second or casting vote (except in the election of Chair when the clerk acts as Chair).
- Once the governing body has democratically taken a decision, all governors must abide by it.

- Voting against a decision endorsed by the governing body doesn't entitle individual governors to relieve themselves of responsibility. However, any governor can ask for their opinion to be recorded in the minutes.
- Decisions taken by committees or individuals acting under delegated powers, or the Chair's urgency powers, are still the responsibility of the governing body.

(vii) Headteacher's report

- The Headteacher's report is one of the main ways in which the Head accounts to the governing body for the management of the school.
- A written report should be given at least once a term at one of the regular governing body meetings.
- This should be circulated in advance, with the agenda and notice of the meeting, so that governors have time to read it.

(viii) Confidentiality

- This is a very important issue and should be respected by all governors when matters are deemed by the governing body to be of a confidential nature.
- This will be the case when individual pupils or members of staff are named in discussions and minutes of such proceedings should be on a separate sheet of paper from the main minutes.
- Details of how governors vote and/or comment on such matters should always remain confidential.

- Any breaches of confidentiality are a serious matter and the governing body has the power to suspend governors for up to six months if they are found to have breached their duty of confidentiality.

(ix) Availability of minutes

- The governing body must make sure that copies of the agenda, approved draft minutes, signed minutes and any report, document or other paper considered at a meeting are promptly made available for inspection by any interested person.
- These papers can be made available elsewhere other than the school.
- This does not include confidential items or items relating to a named pupil or member of staff.
- This requirement also applies to the minutes of any governing body committee.

(x) Withdrawal from meetings/conflict of interests

- A governor should withdraw from a meeting, governing body or committee, where their personal interests, employment or financial, may conflict with those of the governing body.
- Governors should declare any personal conflict of interest as soon as a matter in which they have an interest is raised.
- If there is any doubt over whether a governor should withdraw it is for the other members of the governing body or committee to decide.
- Under no circumstances should any governor take part in any discussions or votes on matters in which they have a conflict of interest.

- Any employee of the school other than the Headteacher must withdraw from a meeting that considers the pay or appraisal of other employees of the school.
- The Headteacher must withdraw from any meeting that considers his/her own pay or performance appraisal.

(xi) What do I expect in a Governing Body meeting?

| I expect: | Others can expect me to: |
|---|--|
| <ul style="list-style-type: none"> • a clear agenda and relevant documents; • all papers to reach me before the meeting; • an adequate room and appropriate seating; • a clear understanding of the purpose(s) of the meeting; • people to be punctual; • a chair who is sympathetic, keeps to the agenda, paces the meeting so that time is given to each matter in proportion to its importance, draws on all members for contributions, keeps discussion to the point; is well informed. • people to tolerate a variety of views and opinions; • governors to be clear of their statutory responsibilities; • my contribution to be heard; • others to contribute to the discussion; • the decision making process to be quite clear; | <ul style="list-style-type: none"> • have read the agenda, minutes and other papers, and noted the items I want to speak about; • have the papers and my notes at the meeting; • be punctual; • make relevant contributions; • listen to and consider what others say; • accept my share of the collective responsibility. |

- Members to work together and to want discussions to be fruitful;
- Members to learn from and support one another;
- Members to be ready to take collective responsibility for the minuted record of views expressed and decisions reached.

Section 3

Committees

(i) Purpose of Committees

- The purpose of committees is to spread the workload of governing bodies because the full governing body would simply not have enough time to cover everything at its meetings.
- The governing body must review its committee structure at least once per year and it is sensible to undertake this review in the Autumn Term so that the committee structure is in place for the remainder of the academic year.

Conduct of committees

- Committee meetings should follow the same rules and procedures as governing body meetings [seven days written notice of a meeting and agenda, minutes taken and available for inspection (except confidential) and withdrawal due to conflicts of interests etc.]

Right of Headteacher to attend committee meetings

- The Headteacher has the right to attend all committee meetings of the governing body except

staff disciplinary and dismissal, disciplinary and dismissal appeals and pupil discipline and exclusions committee meetings.

Power of the Chair to take decisions in case of emergency

- If a situation should arise when an urgent decision is required, where a delay would seriously affect a person or the school and there isn't time to call a governing body meeting, the Chair, or Vice in the Chair's absence, has the power to take decisions on behalf of the governing body.

(ii) Terms of Reference - Committees

All committees must have written terms of reference that should include: -

- Name of committee and area of responsibility;
- Membership;
- Remit;
- Whether the Chair and Vice Chair are chosen by the committee or governing body;
- Frequency of meetings;
- Quorum for meetings;
- Who is to call meetings, prepare the agenda and take minutes;
- When and how it should report back to the governing body;
- When it can make decisions under delegated powers;
- Where consultation with others is required before decisions are made;
- If the committee can co-opt extra members.

(iii) Delegation of functions and powers

- Governing bodies may delegate some of their functions and powers to committees.
- Some key decisions cannot be delegated and a full list of these can be found in the **Government of Maintained Schools (Wales) Regulations 2005 (Reg. 51)**.
- Governing bodies should take care to distinguish between committees which have delegated powers and working parties which do not.

(iv) Statutory committees

All governing bodies must have the following committees: -

- Staff disciplinary and dismissal
- Disciplinary and dismissal appeals
- Pupil discipline and exclusions
- Admissions (foundation and voluntary aided schools only)

Staff disciplinary and dismissal and disciplinary and dismissal appeals committees

- must have a minimum of three members each.
- must have different membership for obvious reasons and there must be the same number on each committee.
- The Headteacher cannot sit as a member of either committee because they are likely to have been involved earlier in the discipline process.

Pupil discipline and exclusions committee

- must consist of either 3 or 5 governors and the Headteacher cannot sit as a member of this committee for the same reason as above.

Admissions committee (foundation and voluntary aided schools only)

- must consist of the Headteacher and at least 2 other governors.

(v) Non statutory committees

- are very much a matter for each governing body to determine in order to properly carry out their functions.
- cover all areas not covered by statutory committees e.g. personnel, premises, health & safety, etc.

(vi) Quorum for committee meetings

- for statutory committees is 3.
- for non statutory committees is one half (rounded up to a whole number) of the membership excluding any vacancies i.e. if there are 3 members, the quorum is 2.

(vii) More specific information about committees

This is only a general overview of committees, more specific guidance can be found in the GSU guidance booklet “Governing Body Committees”.

Section 4

Key Partnerships

(i) The Clerk and the Governing Body

- It is the responsibility of the governing body to appoint a clerk.
- The clerk has an important part to play in making sure the governing body's work is well organised.
- It is helpful if the clerk is able to offer information and advice to the governing body, particularly on matters involving the law and procedures to be followed at meetings.
- Governing bodies should consider what level of help they need from their clerk when making an appointment.

(ii) The Headteacher and Governing Body

- In a well managed school the Headteacher and the governing body will work closely in a balanced partnership.
- The governing body is responsible for promoting high standards of educational achievement i.e. providing the best possible education for the pupils.
- The Headteacher is responsible for the internal organisation, management and control of the school i.e. day to day management.
- An effective Headteacher will discuss all the main aspects of school life with the governing body and will expect governors to challenge and/or support the information shared in the context of school improvement.

- An effective governing body will take a strategic view, determine policies, plans, targets for improvement, monitor and evaluate the school's past performance.

(iii) The Leadership Partner and the Governing Body

The School Improvement Service (SIS) allocates a lead professional to each school known as a Leadership Partner (LP). The role of the School Improvement LP is critical to the Council's strategy for improvement in schools. The LP makes a minimum of three visits over the period of any academic year.

The task of the Leadership Partner is to:

- provide a wider perspective from outside the school;
- over a period of time build up a working knowledge of the school and its effectiveness;
- strengthen the partnership between the Council and individual schools;
- support schools in addressing the agreed Education Strategic Plan's priorities;
- support governing bodies;
- listen to concerns, challenge and influence thinking, help to seek out alternative solutions and promote change;
- identify and enable the sharing of good practice.

In addition the SIS ensures LPs are available to:

- provide support and guidance as appropriate in readiness for a forthcoming school inspection;
- be present at inspection feedback meetings between the Registered Inspector and the full governing body following an Estyn Inspection.

(iv) The Governor Support Unit and Governors

- The Governor Support Unit provides training and details of the training opportunities are distributed directly to every governor on a termly basis.
- All governors, regardless of experience benefit from training. The field of education is constantly changing and it is vitally important that governors take advantage of training to enable them to be more effective in their role.
- The Governor Support Unit provides a framework of best practice to support Vale governors in fulfilling their role.
- The Governor Support Unit exists to provide advice and support on all matters relating to school governance.

(v) Vale School Governors Association (VSGA)

VSGA (formerly known as AVAGO) was formed in 1996 and is the recognised representative body for governors of schools throughout the Vale of Glamorgan. All governors in each type of school within the Vale are entitled to participate in VSGA. VSGA seeks to represent governors' interests in many ways (see below) and is especially concerned with governor training.

- The management committee of VSGA should comprise of a minimum of fifteen governors.
- The committee aims to maintain frequent contact with the LEA at several levels.

- Currently, two parent governors are voting members of the Scrutiny Committee for Lifelong Learning and regular meetings are arranged with senior officers from the LEA.
- A member of VSGA sits on the management committee of Governors Wales - the national organisation representing school governors.
- A member of VSGA sits on the Advisory Panel for the Appointment of LEA Governors in a non voting capacity.
- VSGA members sit on the School Budget and Admissions Fora alongside representatives from Headteacher Associations, Teacher Unions, LEA and other Council Officers.
- VSGA in conjunction with the Governor Support Unit produces a joint termly bulletin that is distributed direct to all Vale governors.

(vi) School visits and the Governing Body

- Governors do not have an automatic right to enter the school at any time.
- Governors should arrange their visits with the Headteacher who is responsible for the day to day management of the school.
- It is sensible for the governing body to draw up a procedure of visits by governors to cover such things as prior arrangement, purpose etc.
- Visits are potentially stressful for teachers and governors but if the process is managed properly they should be a valuable experience for all concerned.

The School

What do I need to know?

What do I need to participate in?

What do I need to have ownership of?

As a governor you should have knowledge of, participation in and ownership of arrangements for:

- the agreed aims of the school;
- the ethos of the school;
- the pupils with Special Educational Needs and Inclusion;
- the class and staffing structures;
- the taught curriculum;
- the school and its priorities.

Governors need to be fully informed of the school's agreed policies and working practices.

Governors should be seen to be working in purposeful partnership with the school in respect of:

(i) The School's Aims

- Governors should be involved in agreeing the aims of the school.
- Agreed aims need to be periodically reviewed by governors and amended if deemed necessary.
- Governors in partnership with the Headteacher and staff should promote the agreed aims and ensure pupils, parents and other stakeholders are made aware of them.

(ii) The School's Ethos

Governors should

- know and support the school's mission statement.
- be aware of pupils' attitudes and values and be satisfied with them.
- be aware of strategies to promote attendance and punctuality.
- know and support the school's arrangements for providing pupils with extra curricular activities and other additional educational experiences which help to enrich and enhance the pupils' learning.
- be aware and if possible contribute to the school's emphasis on raising awareness of the Welsh culture – Y Cwricwlwm Cymreig.

(iii) Arrangements for pupils with Special Educational Needs (SEN) – including More Able and Talented

- The governing body should designate a governor with responsibility for SEN.
- Governors need to be well informed of the percentage of the school population on the Code of Practice Register for SEN.
- Governors should be fully aware of the school's in house arrangements for supporting pupils with SEN.
- Governors should be kept informed of the school's level of satisfaction with the range of support offered by outside agencies.

- Governors should be informed of in house arrangements to safeguard inclusion and equal access of opportunity for all.

(iv) Class and Staffing Structures

- It is likely for class and staffing structures to change from year to year.
- It is custom for the Headteacher to publish arrangements for each year in the Headteacher's first report of the new academic year.
- The National Curriculum for schools is divided into four Key Stages (see table on page 31).

(v) Making Sense of School Years, Ages and Key Stages

- The Foundation Phase, which offers educational provision for all children from 3-7 years, will begin in schools and nurseries from September 2008.

NB. Statutory provision begins in the term after the child's 5th birthday

| School Year | Age of Child | Phase and Key Stage |
|------------------|--------------|---|
| Foundation Phase | 3 – 5 | Foundation Phase 3-7 years = Key Stage 1 |
| | 5 – 6 | |
| | 6 – 7 | |
| Year 3 | 7 – 8 | Years 3,4,5 & 6 = Key Stage 2 |
| Year 4 | 8 – 9 | |
| Year 5 | 9 – 10 | |
| Year 6 | 10 – 11 | |
| Year 7 | 11 – 12 | Years 7,8 & 9 = Key Stage 3 |
| Year 8 | 12 – 13 | |
| Year 9 | 13 – 14 | |
| Year 10 | 14 – 15 | Years 10 & 11 = Key Stage 4 Certificate of Achievement or GNVQ (Part One) – Continual assessment throughout Key Stage 4 Take GCSEs at end of Y11 |
| Year 11 | 15 – 16 | |
| Year 12 | 16 – 17 | Years 12 & 13 = Key Stage 5 (6th Form) GNVQ (Foundation/Intermediate/Advanced) Take A/AS levels |
| Year 13 | 17 – 18+ | |

(vi) The Foundation Phase Curriculum for 3-7 year olds

This covers the seven areas of learning as below:

- Personal and Social Development, Wellbeing and Cultural Diversity
- Language, Literacy and Communication Skills
- Mathematical Development
- Welsh Language Development

- Knowledge and Understanding of the World
- Physical Development
- Creative Development.

(vii) The National Curriculum

The National Curriculum at each of the Key Stages is divided into Core and Foundation Subjects:

| Core Subject | Non Core Subjects |
|-----------------------------|---------------------------------|
| English | History |
| Welsh (Welsh Medium School) | Geography |
| Mathematics | Art |
| Science | Music |
| | Design Technology |
| | Information Technology |
| | Physical Education |
| | Welsh (KSI, 2, 3 and 4) |
| | Modern Foreign Languages (MFLs) |

Agreed Syllabus for Religious Education

A syllabus of religious education that is not specific to one religion. It is drawn up and agreed by the Vale of Glamorgan Standing Advisory Council for Religious Education (SACRE) and adopted by the LEA for teaching in community and controlled schools.

(viii) The School and Priorities

- Governors should be involved in and agree the school's priorities for the year ahead and in the longer term (for a further three years).
- It is practice for governing bodies to set up a Curriculum/Education Committee to identify priorities arising from Headteacher information and curriculum and non curriculum developments.
- These are documented in a School Development Plan.

Legal Procedures

(i) Dealing with complaints

Legal requirement

Section 29 of the Education Act 2002 requires governing bodies to establish and publish complaints procedures.

WAG guidance

The Welsh Assembly Government (WAG) has issued the following Circulars

- Circular no. 03/2004: School Governing Bodies Complaints Procedures
- Circular no. 39/2006: Guidance for School Governing Bodies on Procedures for Complaints involving Pupils
- Both Circulars can be accessed at www.wales.gov.uk

All governing bodies should consider the contents of these Circulars carefully and act upon the statutory requirements contained within them.

Recommended advice

Sensitive, swift and fair treatment in the early stages goes a long way to addressing issues when considering complaints. The nature of the complaint will determine the process in each case.

Support from the GSU and more specific information

If the governing body is having difficulty in dealing with a complaint it should contact the GSU in the first instance for advice. The GSU has issued a guidance booklet entitled

“Dealing with Complaints” which contains almost the entire contents of Circular 03/2004 and includes a model of complaints procedures at the back that may be adopted for use by individual governing bodies.

(ii) Legal liability & Insurance

Any legal liability will fall on the governing body as a whole rather than on individual governors. The Vale Council has extended its public liability insurance arrangements to indemnify Vale governors against claims by third parties for injury, loss or damage from negligence or breach of statutory duty (the term third party includes claims by pupils, parents and other visitors to school premises). The Employer’s Liability policy (which covers the Council’s legal liability for accidents to employees) has also been extended to cover Vale governors. In short, providing Vale governors carry out their duties honestly and reasonably, taking advice when in doubt, then they are covered by the Council’s insurance arrangements.

Should governors feel unsure about anything in relation to this matter they should contact the Governor Support Unit.

(iii) Criminal Records Bureau (CRB)

Police clearance of school governors

Currently there is no legal requirement for school governors to be subject to police clearance prior to them taking up their appointments. Therefore LEAs, dioceses and schools do not have to apply to the Criminal Records Bureau (CRB) for disclosures for school governors.

However, a governor is disqualified from holding office if they refuse a request by the governing body to apply for a disclosure in accordance with the **Government of Maintained Schools (Wales) Regulations 2005**.

(iv) School Governors Guide to the Law

Every governor should have a copy of the School Governors Guide to the Law for the category of their school i.e. community, community special, voluntary aided etc. The Guide is produced by the Welsh Assembly Government and is an A4 book. If you do not have a copy of the guide please contact the Governor Support Unit on 01446 709107. This handbook is not intended to replace the Guide to the Law but rather to complement it and there are references to the guide within the text of this handbook.

(v) Principles of Conduct for School Governors in Wales

School governors are responsible for the conduct of their school and have to carry out their responsibilities with a view to promoting high standards of educational achievement and safeguarding the welfare of pupils. It is helpful to have a set of guiding principles to help governors to fulfil their responsibilities efficiently and effectively. Governors Wales has drawn up the “Principles of Conduct” following appropriate consultation and these have been positively endorsed by WAG. All governors in the Vale have been personally issued with a copy of the “Principles of Conduct” and the GSU recommends all governing bodies formally adopt them.

(vi) Dealing with child protection allegations against staff members

In the event of a Headteacher or Chair of governors receiving child protection allegations against a member of staff they should immediately inform the LEA Lead Officer for Child Protection for further guidance. Following the

conclusion of any necessary child protection investigation in accordance with the Local Safeguarding Children's Board procedures, if it is decided that disciplinary action needs to be taken, the governing body, in accordance with the Staffing of Maintained Schools (Wales) Regulations 2006, must take the following action :

- Appoint an independent investigator; and
- Appoint an independent non governor member with voting rights to both the staff disciplinary and dismissal committee and the disciplinary and dismissal appeals committee (different member to be appointed to each committee).

Schools and governing bodies will be informed of this requirement by the LEA Lead Officer for Child Protection.

To help governing bodies fulfil the first requirement WAG have set up an Independent Investigator Service (WAGIIS) which governing bodies can use free of charge. All schools have been circulated with a letter from WAG with contact details of the WAGIIS.

The role of the non governors is to support these governing body committees throughout this difficult process by giving due regard to all the evidence and ensuring impartiality. The non governors have full voting rights and may either take the place of an existing committee member or be additional to the existing three members.

This is only a brief outline of the procedures governing bodies must follow should they find themselves in this situation. Further information may be obtained from the LEA Lead Officer for Child Protection.

Useful addresses

ESTYN

Anchor Court, Keen Road, Cardiff CF24 5JW

Tel: 029 20 446446, Fax: 029 20 446448

Website: www.estyn.gov.uk

GOVERNORS WALES

First Floor, Empire House, Mount Stuart Square, Cardiff CF10 5FN

Tel: 029 20 487858, Fax: 029 20 487843

Email: governorswales@btconnect.com

Website: www.governorswales.org.uk

NATIONAL GOVERNORS ASSOCIATION (NGA)

2nd Floor SBQ1, 29 Smallbrook Queensway, Birmingham B5 4HG

Tel: 0121 643 5787, Fax: 0121 633 7141

Email: governorhq@nga.org.uk Website: www.nasg.org.uk

WELSH ASSEMBLY GOVERNMENT

Schools Management Division

Department for Children, Education, Lifelong Learning and Skills

Cathays Park, Cardiff CF10 3NQ

Tel: 029 20 825111

Website: www.wales.gov.uk

Understanding the Language

| | |
|--|---|
| Admission Authority: | The body responsible for setting admission arrangements at a school. In Community and Voluntary Controlled schools this is usually the LEA unless this responsibility has been delegated to the governing body (with their agreement) |
| Audit Commission: | Independent body set up by Government to monitor the use of funds by local authorities and certain other bodies |
| Ballot: | A method of voting, normally secret |
| Basic Skills: | Numeracy and literacy |
| Catchment Area: | A defined geographical area from which a school takes its pupils |
| Casting Vote: | An additional vote to be used by the chair of governors if an equal number of votes is cast for and against a motion |
| Community and Controlled Schools: | Schools wholly funded by the LEA |
| Delegation: | A process where one body or person gives another body or person the authority to take decisions on a particular matter |
| Dual Use: | The use of any part of school premises by community groups and others, whether during or outside of school hours |

| | |
|---|---|
| Equal Opportunities: | Chance for everyone to participate in school life/curriculum |
| Exclusion: | Banning a pupil from school by the Headteacher, either temporarily or permanently, on disciplinary grounds |
| Ex Officio: | By virtue of holding a particular office |
| Foundation Phase: | Educational provision for all children from 3-7 years |
| Foundation School: | A school introduced by the School Standards and Framework Act 1998. Totally funded by an LEA. The governing body employ the staff and control pupil admissions |
| Inclusion: | Inclusion in education involves the processes of increasing the participation of students in, and reducing their exclusion from, the cultures, curricula and communities of local schools |
| In Service Education and Training (INSET): | The professional training and development of management, teachers and staff working in schools |
| INSET Days: | 5 INSET Days are held each year, pupils do not attend school on these days |
| Instrument of Government: | Legal document providing for the name and composition of a governing body of a school |
| Lay member: | A member appointed to a panel hearing appeals against non-admission or exclusion, being a person without personal experience in managing or providing education in any school |

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| | (other than as a governor or on a voluntary basis). He or she must not have, or have had, any connection with the school, or any person who is a member of, or employed by, the governing body if that might raise doubts about his or her ability to act fairly |
| LEA Maintained School: | School for which an LEA has financial and administrative responsibility |
| Local Management of Schools: | The term that describes a scheme for delegating financial responsibility from the LEA to schools |
| Minor Authority: | A town or community council |
| Non Teaching or Support Staff: | Members of school staff employed by the governors to provide services in school other than teaching, such as classroom assistants, cleaners and administrators |
| Parent: | Includes any person having all the rights, duties, powers, responsibility and authority which a parent of a child has by law |
| Parental responsibility: | Means all the rights, duties, powers, responsibilities and authority which a parent or legal guardian of a child has by law |
| Published Admission Number (PAN) | The fixed number of children (which may not be less than the standard number) which a school must admit if sufficient applications are received, as published in the annual prospectus |
| Pupils on Roll: | Pupils registered at a school |
| Quorum: | The number of governors who must be present to validate the proceedings of a governors' meeting |

| | |
|--|--|
| Regulations: | Subordinate legislation deriving its authority from an Act of Parliament, legally binding on governing bodies and others |
| Resolution: | A proposal made formally at a meeting which has been voted on and agreed |
| School Teachers Review Body (STRB): | A body appointed by the Prime Minister to examine and report on such matters relating to the statutory conditions of employment of school teachers including teachers' pay |
| Secondment: | The release of staff on a temporary basis to work elsewhere |
| Sibling: | A brother or sister |
| Special Educational Needs (SEN): | Learning difficulties for which a child requires specialist support |
| Special School: | A school for children whose special educational needs cannot be met within a mainstream school |
| Special Unit: | A unit attached to a mainstream school to cater for children with specific special needs |
| Standard Number: | The legally determined number of pupils in the admission year group below which the PAN may not be set |
| Statementing: | The procedure followed to assess a child's significant special educational needs |
| Strategic Role: | Planning, in order to attain agreed goals |
| Statutory Instrument (SI): | Subordinate legislation made under the authority of an Act of Parliament. It has the same force in law as an Act of Parliament |

| | |
|-------------------------------------|---|
| Statutory School Age: | A child reaches statutory school age at the beginning of the term following his or her fifth birthday |
| Voluntary aided school: | A school set up and owned by a voluntary body, usually a church body, largely financed by an LEA. The governing body employ the staff, and control pupil admissions and religious education |
| Voluntary controlled school: | A school set up by a voluntary body usually a church body (Church in Wales). Totally funded by an LEA. The LEA employs the staff |

Useful Acronyms and Abbreviations

| | |
|---------------|--|
| AWPU: | Age Weighted Pupil Unit. The sum of money allocated to the school for each pupil according to age. The main source of funding for the school |
| CP: | Child Protection |
| CPD: | Continuing Professional Development |
| EBD: | Emotional and Behavioural Difficulties |
| ESP: | Education Strategic Plan |
| ESTYN: | Her Majesty's Inspectorate for education and training in Wales |
| EWO: | Education Welfare Officer |
| GCSE: | General Certificate of Secondary Education |
| GNVQ: | General National Vocational Qualification |

| | |
|--------------------------|---|
| GTC: | General Teaching Council |
| H & S: | Health and Safety |
| HSE: | Health and Safety Executive |
| ICT: | Information and Communication Technology |
| liP: | Investors in People |
| INSET: | In-service education and training |
| IT: | Information Technology |
| KS 1 (2, 3 or 4): | Keystage 1 (2, 3 or 4) |
| LEA: | Local Education Authority |
| LMS: | Local Management of Schools |
| NASG: | National Association of School Governors |
| NC: | National Curriculum |
| NGC: | National Governors' Council |
| NGFL: | National Grid for Learning |
| NOF: | New Opportunities Fund |
| NQT: | Newly Qualified Teacher |
| NVQ: | National Vocational Qualification |
| PAN: | Published Admission Number |
| PGR: | Parent Governor Representative elected to serve on the Council's Scrutiny Committee (Lifelong Learning) |
| PLASC: | Pupil Level Annual School Census |

| | |
|---------------|---|
| PTA: | Parent Teacher Association |
| PTR: | Pupil Teacher Ratio (obtained by dividing the number of pupils by the number of teachers) |
| SACRE: | Standing Advisory Council for Religious Education |
| SEN: | Special Educational Needs |
| SENCO: | Special Educational Needs Co-ordinator |
| SI: | Statutory Instrument |
| SIMS: | Schools Information Management System (a computer software package to assist schools in managing information on pupils, staff and resources) |
| SLA: | Service Level Agreement |
| SN: | Standard Number |
| SOP: | School Organisation Plan |
| SSFA: | School Standards and Framework Act 1998 |
| STRB: | School Teachers Review Body |
| TA: | Teacher Assessment |
| VA: | Voluntary Aided (a denominational school owned by the Trustees in which governors have particular responsibilities, including paying 15% towards some building costs) |
| VC: | Voluntary Controlled (a school wholly maintained by the LEA but owned by the Trustees) |
| VSGA: | Vale School Governors Association |
| WAG: | Welsh Assembly Government |

GOVERNING BODY DECISION PLANNER

As referred to on page 12 of this handbook, the Governing Body Decision Planner below is an extract from the Welsh Assembly Government document 'Guidance on the Education (School Government) (Terms of Reference) (Wales) Regulations 2000'. This sets out in some detail the allocation of major responsibilities between governing bodies and Headteachers.

KEY

Level 1 = decisions made by GB

Level 2 = decisions made by GB with advice from Headteacher

Level 3 = decisions delegated to Headteacher

Level 4 = decisions made by Headteacher

Column blocked off:
in blue with a cross Function cannot legally be carried out at this level;

Tick: Recommended level(s) or where law assigns specific responsibility.

Blank: Action could be carried out at this level if governing body so decide, but is not generally recommended.

* Functions which the whole governing body must consider

** All schools must ensure that their financial arrangements comply with the current financial regulations, standing orders and schemes of delegation issued by their local authority.

*** GB may, if they wish, be involved in the selection panel

| | | ACTION SHEET | | DECISION LEVEL | | | |
|------------------|----|--|---------|----------------|---------|---------|--|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 | |
| School | 1 | To approve the first formal budget plan each financial year* | | ✓ | ✗ | ✗ | |
| Budgets** | 2 | To monitor monthly expenditure | | | ✓ | | |
| | 3 | Miscellaneous financial decisions (e.g. write-offs) | | ✓ | ✓ | | |
| | 4 | To investigate financial irregularities (Headteacher suspected) | ✓ | ✗ | ✗ | ✗ | |
| | 5 | To investigate irregularities (other suspected) | | ✓ | ✓ | | |
| | 6 | To enter into contracts (above set financial limit) | | ✓ | | | |
| | 7 | To enter into contracts (below set financial limit) | | | ✓ | | |
| | 8 | To make payments | | ✓ | ✓ | | |
| | 9 | To provide insurance – where funding has been delegated | | ✓ | | ✗ | |
| Staffing | 10 | Headteacher appointments (selection panel)* | ✓ | ✗ | ✗ | ✗ | |
| | 11 | Deputy appointments (selection panel)* | ✗ | ✓ | ✗ | ✗ | |
| | 12 | Appoint other teachers*** | | ✓ | ✓ | ✗ | |
| | 13 | Appoint non teaching staff*** | | ✓ | ✓ | ✗ | |
| | 14 | Pay discretions (the Headteacher should not advise on his/her own pay) | | ✓ | | ✗ | |
| | 15 | Dismissal (Headteacher) NB GB must act through Dismissal Committee* | ✓ | ✗ | ✗ | ✗ | |
| | 16 | Dismissal (other staff) NB GB must act through Dismissal Committee | | ✓ | ✗ | ✗ | |
| | 17 | Establishing disciplinary/capability procedures | | ✓ | | ✗ | |
| | 18 | Suspending Headteacher | ✓ | ✗ | ✗ | ✗ | |

| | | ACTION SHEET | | DECISION LEVEL | | | |
|---------------------|-----------|--|----------------|-----------------------|----------------|----------------|--|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 | |
| | 19 | Suspending staff (except Headteacher) | | ✓ | | ✓ | |
| | 20 | Ending suspension (Headteacher) | ✓ | ✗ | ✗ | ✗ | |
| | 21 | Ending a suspension (except Headteacher) | | ✓ | ✗ | ✗ | |
| | 22 | Determining dismissal payments/early retirement | | ✓ | ✗ | ✗ | |
| | 23 | Determining staff complement | | ✓ | | | |
| | 24 | In VA and Foundation schools to decide whether or not the Chief Education Officer (CEO)/diocesan authority should have advisory rights. In VC schools, to decide whether the diocesan authority should have advisory rights in appointing staff. | ✓ | | ✗ | ✗ | |
| Curriculum | 25 | Ensure National Curriculum (NC) taught to all pupils and to consider any disapplication for pupil(s). | | ✓ | | ✓ | |
| | 26 | To draft curriculum policy | | | ✓ | | |
| | 27 | To implement curriculum policy | | | | ✓ | |
| | 28 | To agree and review curriculum policy | | ✓ | ✗ | ✗ | |
| | 29 | Responsible for standards of teaching | | | | ✓ | |
| | 30 | To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day) | | | | ✓ | |
| | 31 | Responsibility for individual child's education | | | | ✓ | |
| | 32 | Provision of sex education – make and keep up to date a written policy* | | ✓ | ✗ | ✗ | |

| | | ACTION SHEET | | DECISION LEVEL | | | |
|-----------------------|-----------|--|----------------|-----------------------|----------------|----------------|--|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 | |
| | 33 | To prohibit political indoctrination and ensuring the balanced treatment of political issues* | | ✓ | | ✓ | |
| | 34 | To draw up a charging and remissions policy for activities (non NC based) in consultation with the LEA* | | ✓ | | ✓ | |
| Target Setting | 35 | To set and publish targets for pupil achievement* | | ✓ | ✗ | ✗ | |
| Exclusions | 36 | To decide a discipline policy* | | ✓ | ✗ | ✗ | |
| | 37 | To exclude a pupil fixed term (less than 45 days in total a year) or permanently | ✗ | ✗ | ✗ | ✓ | |
| | 38 | To consider certain exclusions and any representations (must consider any pupil excluded permanently or for more than 5 days). NB GB must act through the pupil discipline committee | | ✓ | ✗ | ✗ | |
| | 39 | To direct reinstatement of excluded pupils | ✓ | ✗ | ✗ | ✗ | |
| Admissions | 40 | To set an admissions policy (community & controlled schools where the LEA has delegated this power to the governing body)* | | ✓ | ✗ | ✗ | |
| | 41 | To set an admissions policy (VA and foundation schools)* | | ✓ | ✗ | ✗ | |
| | 42 | To set an admissions policy (special schools where pupils do not have a statement) acting with LEA* | | ✓ | ✗ | ✗ | |
| | 43 | Admissions: application decisions (community & controlled schools where the LEA has delegated this power to governing body) | | ✓ | ✗ | ✗ | |
| | 44 | Admissions: application decisions (VA, foundation & special) | | ✓ | ✗ | ✗ | |

| | | ACTION SHEET | | DECISION LEVEL | | | |
|----------------------------|-----------|---|----------------|-----------------------|----------------|----------------|--|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 | |
| | 45 | To appeal against LEA directions to admit pupil(s) (VA, foundation and special schools; also community and VC schools where LEA is the admissions authority) | | ✓ | x | x | |
| Religious Education | 46 | Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools) | | ✓ | x | ✓ | |
| | 47 | Decision to provide RE according to trust deed/specified denomination (Foundation & VC schools of religious character at request of parents) | ✓ | | | | |
| | 48 | Decision to provide RE in line with locally agreed syllabus | | ✓ | | | |
| Collective worship | 49 | Joint responsibility (with LEA and Head teacher) to ensure collective worship | | ✓ | x | ✓ | |
| | 50 | To make application to the advisory councils, SACRE concerning the requirements for collective worship (schools without a religious character) to disapply. Headteacher must consult GB | x | x | x | ✓ | |
| | 51 | Arrangements for collective worship (schools without religious character). Headteacher must consult GB | x | x | x | ✓ | |
| | 52 | Arrangements for collective worship (foundation Schools of religious character, VC or VA schools)* | x | ✓ | x | x | |
| Premises | 53 | Buildings Insurance – advice from LEA, diocese or trustees where appropriate. | | ✓ | | | |
| | 54 | Strategy (including budgeting for repairs etc.) | | ✓ | | | |

| | | ACTION SHEET | | DECISION LEVEL | | | |
|--------------------------------|-----------|---|----------------|-----------------------|----------------|----------------|--|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 | |
| | 55 | To ensure health and safety issues are met | | ✓ | | ✓ | |
| | 56 | To set a charging and remissions policy* | | ✓ | ✗ | ✗ | |
| School Organisation | 57 | Proposal to alter or discontinue voluntary, foundation or foundation special school* | | ✓ | ✗ | ✗ | |
| | 58 | To set the times of school sessions and the dates of school terms and holidays (VA and Foundation Schools) * | | ✓ | ✗ | ✗ | |
| | 59 | To draw up instrument of government and any amendments thereafter * | ✓ | | ✗ | ✗ | |
| | 60 | To publish proposals to change category of school * | | ✓ | ✗ | ✗ | |
| Information for parents | 61 | To hold an Annual Parents' Meeting | | ✓ | ✗ | ✗ | |
| | 62 | Annual Parents' Report – to approve and distribute | | ✓ | ✗ | ✗ | |
| | 63 | To provide information to be published by governing bodies (approval of the school prospectus) * | | ✓ | ✗ | ✗ | |
| | 64 | To ensure provision of free school meals to those pupils meeting criteria | | | ✓ | ✗ | |
| | 65 | Adoption and review of home-school agreements | | ✓ | ✗ | ✗ | |
| GB procedures | 66 | To appoint (and remove) the chair and vice chair of a permanent or a temporary governing body * | ✓ | ✗ | ✗ | ✗ | |
| | 67 | To appoint and dismiss the clerk to the governors | ✓ | ✗ | ✗ | ✗ | |
| | 68 | To hold a governing body meeting once a term, or a meeting of the temporary governing body as often as occasion may require * | ✓ | | ✗ | ✗ | |

| | | ACTION SHEET | DECISION LEVEL | | | |
|---------------------|-----------|--|-----------------------|----------------|----------------|----------------|
| Key Function | No | Tasks | Level 1 | Level 2 | Level 3 | Level 4 |
| | 69 | To appoint and remove co-opted, including temporary additional co-opted, governors * | ✓ | | x | x |
| | 70 | To consider whether or not to exercise delegation of functions to individuals or committees * | ✓ | | x | x |
| | 71 | To regulate the GB's procedures (where not set out in law) * | ✓ | | x | x |
| | 72 | To review at least once a year the establishment, terms of reference and membership of committees, including selection panels. * | ✓ | | x | x |
| | 73 | To set up a Register of Governors' Business Interests | | ✓ | x | x |
| | 74 | To approve and set up a governors' expenses scheme | | ✓ | x | x |
| | 75 | To discharge duties in respect of pupils with special needs by appointing a "responsible person" | | ✓ | x | x |

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If you can't find something in the index below it may be included separately under "Understanding the language" or "Acronyms and abbreviations" on pages 38-42 and 42-44 respectively.

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