

EM8

## **Proposed Education (Wales) Measure**

### **Response to On-line Survey**

Name: - Dr Philip Dixon

Organisation: - ATL- The Association of Teachers and Lecturers

2. Is there a need for a Measure to make collaboration commonplace in the education system, to improve school governance and to simplify the planning of school places in Wales?

Yes

We commend the WAG's intention to raise the standards of school governance. Good governance provides three essential functions: · critical friendship · strategic vision · quality assurance While many governing bodies exhibit these, too many do not to a sufficient degree. Governors can fail to provide the critical friendship that Headteachers and SMTs need, and are often too dependent on these for information and guidance. This hinders their scrutiny roles.

Conversely, on occasions, governing bodies can be too involved in the management of schools which is the proper role of Headteacher and SMT. Our members are clear that the ultimate leadership of schools should remain in the hands of a qualified Headteacher. Individuals with experience in various fields may take responsibility for non-educational aspects of schools; however, the decision-making and ultimate leadership must remain, as at present, with a qualified Headteacher. It is vital that a headteacher can make decisions based on the all-round knowledge needed to be effective in a particular school.

3. What are your views on collaboration by education bodies? (Sections 1 to 9 of the proposed Measure)

We are supportive of collaboration. We have repeatedly called for a more streamline approach to backroom functions, especially in regard to those exercised by local authorities. As well as cost savings we believe that pooled resources will provide a better service to schools, notably in the area of HR. We agree that there needs to be closer collaboration and a duty imposed for school governing bodies and the governing bodies of further education institutions to consider collaboration when exercising their functions. We would welcome further exploration of the additional duties that are being proposed.

4. What are your views on a federation of maintained schools? (Sections 10 to 20 of the proposed Measure)

Increased collaboration would result in an increase in learner choice. It would be impossible to disagree with this principle. ATL has long advocated the

expansion and development of the curriculum (Please see Martin Johnson, Subject to Change: New thinking on the Curriculum <http://www.atl.org.uk/Images/Subject%20to%20change.pdf> (Association of Teachers and Lecturers; London, 2007) ), and also believes that learner choice should be paramount in determining provision. We are also convinced that such increased choice can only be attained by greater cooperation between all organisations within a given local area. There may be some structural problems, such as employer status and disciplinary functions, that could inhibit cooperation and the WAG would need to consult with the relevant teacher unions to ensure that they are aware of these issues and how to address them to ensure that the proposals are successful.

5. What are your views on training for governors and clerks and provision of clerks? (Sections 21 to 24)

There are significant problems surrounding the recruitment of governors. We believe that governors are still too narrowly drawn from what might be referred to as 'the usual suspects'. Evidence shows that governing bodies still lack gender and racial balance, and we believe the same is true of their age profile and social status. Anecdotally we hear that it is becoming increasingly difficult, particularly in rural areas and disadvantaged urban communities, to recruit and retain governors with the expertise to carry out the most important functions that relate to governance. As governors' duties increase, it becomes increasingly difficult to find governors with the time or the commitment to engage in the meetings, the training, the debate and the paperwork. These difficulties are exacerbated by the lack of status of governors and the difficulty of securing time out of work to carry out governor duties. Given these concerns we support the WAG's drive to improve the capability of governors. We recognise the importance of training for governance. We agree with the Enterprise and Learning Committee report (2009) into school governance that consideration needs to be given to the introduction of an element of compulsory training for Chairs - and possibly Vice Chairs - who also play a key role. We agree with the Minister's response to the committee: "No governor can be effective without knowledge and skills. Few people are likely to possess these attributes without training. Governor training is essential to governors being effective and that, in turn, is crucial to governing bodies performing well and school standards rising." This issue of proper training for governors is becoming particularly acute in regard to collaboration between institutions where the parameters of governors' duties and responsibilities can become indistinct, and governors can become confused as to who they are they representing, their home institution or the 'collaborative body', or can be unsure how to take responsibility for the wider picture. We believe that the federation of governing bodies could be an answer to some of these problems. It would address the issue of recruitment and quality of governors, result in some financial savings, and crucially, ensure that wider vision that collaboration requires. Finally, we believe that the whole issue of governors' involvement in disciplinary processes in schools needs to be examined. Notwithstanding the excellent collaborative work undertaken by Governors Wales with key stakeholders on behalf of the WAG we are increasingly convinced that certain issues should not be the prerogative of governing bodies. Decisions to suspend school staff, for instance, except in case of child protection, should not be

taken by the Chair of governors but be reserved for the local Director of Education or his/her equivalent, after due consultation with the relevant trades unions. Similarly, where there is a manifest breakdown in relationships between the Headteacher and significant sections of the school's staff investigations should be commissioned, conducted, and reported to the Director or his/her equivalent

6. What are your views on foundation schools? (Sections 25 to 29)

We believe that schools should be prevented from changing category to become foundation schools. We believe that this will ensure that local authorities can plan more strategically, and ensure that no institution in an area tries to achieve privileged status at the expense of its neighbours. Admissions in foundation schools are of concern to us. Although the guidelines state that foundation schools should adhere to the admissions code, we want to see a commitment from government to tighten up admissions to promote fairer education for all, rather than increasing the opportunities for schools to deviate from guidelines. We have heard much about parent choice regarding admissions, but are concerned that some categories of pupils and their families will effectively end up with little or no choice in determining the best educational establishment for their needs. Admissions policies effectively have the power to improve social cohesion or to further polarise society along educational lines; we do not believe such an important decision should be left to individual institutions. Ultimately, not all parents will have the same level of choice when applying for the most suitable school for their children, if any choice is afforded to them at all. Given this, we believe that the measure needs to be bolder. Not only should no new foundation schools be created, we are convinced that existing foundation schools should be returned to the local authority family as soon as possible.

7. What are the potential barriers to implementing the key provisions of the proposed Measure (if any) and does the proposed Measure take account of them?

The Measure will need to demonstrate adequate understanding and comprehension of employment law and the provisions of the STPCD and other relevant documents. The Measure might usefully present a view of governance which is supra-institutional and scopes the role of governance at the system rather than institutional level.

8. What are the financial implications of the proposed Measure for your organisation? In answering this question you may wish to consider Section 8 of the Explanatory Memorandum, in which the Minister provides an estimate of the costs and benefits of implementation of the proposed Measure.

No Response

9. Do you think an appropriate balance has been struck between powers on the face of the proposed Measure and those contained in Regulations to be made by the Welsh Ministers?

No

In the absence of the Regulations we are unable to comment. We would expect full consultation on proposed Regulations.