

Legislation Committee No.4

LC4(3)-15-09 : Paper 1: SG1 - Welsh Local Government Association: Annex A

Enterprise and Learning Committee - The Role of Governors (June 2009)

Introduction

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
3. The WLGA welcomes the opportunity to provide evidence to the Enterprise and Learning Committee on the role of governors, with particular reference to the teacher workload agreement. This evidence has been prepared in partnership with the Association of the Directors of Education in Wales (ADEW) and their sub group of governor support officers.

Relationship between Governing Bodies and Headteachers

4. Whilst generally governing bodies and headteachers enjoy good relationships, there is some evidence to suggest that the parties do not always clearly understand their respective roles. This is an issue that is tackled in training programmes which are run by local authorities. Training includes the three Welsh Assembly Government funded training programmes developed by the Wales Centre for Governor Training and Development which are the Strategic Role of Governors; Role of the Clerk; and Role of the Chair.
5. In many local authorities headteachers are invited to attend with the Chair of the governing body when addressing the Role of the Chair, to develop and maintain good relationships between governors and headteachers. The feedback from such sessions shows that both gain a mutual understanding into the boundaries between strategic governance and day to day management.
6. In their evidence to the Committee the teaching unions ASCL & NAHT stressed the role of the Chair as the principal link between the headteacher and the governing body. The WLGA concur fully with this view and cannot emphasise too strongly the need to have a 'strong' figurehead in a Chair. The WLGA would support recommendation no.6 from the Committee report, that consideration should be given to introducing an element of compulsory training for Chairs and would also suggest that this training could be extended to Vice Chairs who also play a key role. This need not be a particularly onerous task for Governor Support Officers as a national training programme has already been developed.
7. In addition to the training of governors themselves, the role of governors is currently not covered on the National Professional Qualification for Headteachers programme. This is a potential gap in the knowledge of new headteachers who may have no experience of attending a meeting of a governing body.
8. Some local authorities do provide induction training and support for newly qualified headteachers on the role of governors and on the role of the headteacher at governor meetings. This supports the view expressed by ASCL and NAHT in their evidence to Committee that the distinction between governance and management needs to be clearly understood by all parties.
9. Estyn in their evidence to the Committee refer to the concept of the governing body being a 'critical friend' and the need to ask challenging questions about performance, planning and financial management. Requests to governor support officers in local authorities for governor training topics include how to understand and interpret data. This suggests that some governors do not understand fully their relationship as a critical friend to the head teacher and its connection to their strategic role of monitoring and evaluating by asking relevant challenging questions.
10. Both Estyn and Governors Wales refer in their submissions to the difficulties experienced by governors in putting into practice their responsibility for the headteacher's work life balance. Many local authorities with smaller schools experience this difficulty due to the problems of heads in small schools who have a large teaching commitment. This practice will be significantly challenged as the 'rarely cover' requirement of the Tackling Workload Agreement takes effect from 1 September 2009. This will raise the profile of this governors responsibility and governors need to be enabled to tackle this.
11. The issue of governor representation on the Local Social Partnership needs to be examined to help governors review and monitor the agreement and to work in partnership to ensure compliance with the School Teachers' Pay and Conditions Document. This concurs with the view expressed by Governors Wales and supports the recommendation no 11 of Committee report.
12. WLGA also concurs with the evidence provided by Governors Wales of the need to draw up relevant and up to date guidance to governing bodies on their statutory responsibilities including managing the work life balance of the head.
13. There is however, an issue regarding the definition of work life balance which should be looked at. An article in the Times Educational supplement in 2004 suggested 'a subjective and ill-defined concept...only individual teachers can decide if they have achieved it'. Although the situation may have moved on from this definition, there is an opportunity for the Assembly Government to work in

conjunction with authorities and Governors Wales to develop guidance. This model of partnership working has already proved beneficial by producing a model schools complaints procedure and work is under way to produce a model schools disciplinary procedure.

Role of the Clerk

14. In many local authorities, the Chair of Governors are invited to attend training sessions with their Clerks on the Role of the Clerk. As with the joint training with headteachers, course feedback shows that each party gained a useful understanding into their respective roles and boundaries.

15. Some local authorities do not operate a clerking service and schools can experience difficulties in recruiting clerks to governing bodies. A small annual fee of up to £200 approx per annum is delegated to schools to pay their clerks. Most clerks are also employed by the school under a separate contract of employment. There is undoubtedly a blurring of the divisions of roles with most clerks undertaking the secretarial role of clerk alongside their day job in school. Some clerks do not feel able to take on the advisory role of clerk on complex matters and given the small 'fee' they are paid, rely greatly upon the advisory role provided by the local authorities and Governors Wales helpline.

16. Given these difficulties, the view expressed by ASCL and NAHT in their evidence that clerks should manage the business of the governing body, would be difficult to achieve without employing a paid professional. If the role of clerk is to be developed into a suitably qualified and salaried role as suggested by ASCL and NAHT, this would require appropriate resource from Assembly Government and thought would have to be given to an alternative way of working for smaller schools.

17. Also, the evidence provided by Estyn that not all schools met their legal and statutory requirements or do not have all the policies and actions plans in place support the view that the role of clerk should be that of a statutory paid professional. However, as stated above, this would be costly and would need to be appropriately funded by the Assembly Government.

18. Given that currently clerks are not generally given a fully paid salary, the training for the existing role of the clerk should be appropriate. Although this will have an impact on the work of the governor support officers, this need not be a particularly onerous task as a national training programme has been developed.

Training for Governing Bodies

19. Annual governor training programmes in most local authorities, includes the three Assembly Government funded training programmes developed by the Wales Centre for Governor Training and Development; the Strategic Role of Governors; Role of the Clerk and Role of the Chair.

20. Training evaluation feedback suggests induction for governors at school level can be patchy. A national induction programme on the role of school governors for use by Governing Bodies would be welcomed by local authorities. WLGA would agree with the view of Governors Wales that some compulsory training for governors at least at the induction level would be welcomed, but with an understanding of the resources needed to implement such training.

21. Attendance at training events is generally good with a representative in attendance from the majority of schools, but attendance can always be improved. Statistics gathered annually by some local authorities, on governor attendance show a correlation between the highest attending governing body and an excellent school inspection.

22. The evidence presented by ASCL and NAHT includes the need for high quality governing training which local authorities would support. This however, needs to be supported by Assembly Government funding for on-going governor training for local authorities.

23. Research has recently been conducted for the Assembly Government by the Wales Centre for Governing Training and Development on the level of governor support available within each authority. The differing levels of dedicated governor support officer time identified in the research, may have an impact on the ability to deliver a compulsory training programme. Therefore, any compulsory training elements will need appropriate Assembly Government funding.

Support and Guidance to Governing Bodies from the Local Authority

24. There is clearly merit in the governor support service being linked to the education HR support service within a local authority, although how these links are developed is for each local authority to determine. An understanding of the role of governors is needed to provide quality and accurate HR advice to schools. Certain aspects of employment law operate differently when the regulatory role of school governance is applied.

25. The views expressed by ASCL and NAHT to the Committee suggest "very little advice and support available from LA HR departments". The juxtaposition of employment and regulatory governance in schools is recognised as distinct, as evidenced by the decision by ADEW to establish a network of Education HR practitioners. This group also has formal recognition as a consultative body to Assembly Government.

26. Although suggested in their evidence by ASCL and NAHT as having a detrimental impact, where education HR services sit within the organisation is probably incidental to the argument. What needs to exist within an authority is a joined up approach between the governor support department and the department providing HR advice to schools to ensure specialist advice is available.

27. There are 22 different models of local authority support to governing bodies and one size will not fit all, but there is an understanding in local authorities that a core basic model of support could be beneficial.

Impact of the Federation of Maintained Schools Regulations

28. The ability to federate and have a single governing body will take on a greater emphasis for authorities' school modernisation agendas and how schools may work in the future. WLGA and local authorities support the regulations to allow a single governing body for a group of federated schools, the benefits of which include a sharing of skills and knowledge.

29. The recommendation by the Committee that the Assembly Government commission independent research into the impact of the teacher workload agreement is welcomed as it will help inform how schools should modernise to raise standards. However, if governing bodies span of responsibilities increase and become more complex when a number of schools are federated, this further strengthens the need for quality training in their role.

30. The WLGA cautiously supports the recommendation no 4 that the Assembly Government explores the advantages of employing school managers in larger secondary schools or within a group of federated schools. However, without appropriate resource schools will be unable to fund additional staff.

Relationship with local authority education functions and Welsh Assembly Government

31. There are examples of excellent partnership working with the Assembly Government, for example local authority representatives on a working group set up to develop a model complaints procedure for school governing bodies. In addition a further working group is currently underway to develop a disciplinary procedure for school governing bodies. Increasingly the Department for Children, Education, Lifelong Learning and Skills (DCELLS) works closely with local authorities to develop and implement policy and Assembly Government officials are regular attendees at the ADEW Governor Support Officers meetings. It is encouraging that DCELLS officers are keen to maintain links with operational officers.

32. At a local level, the relationship between schools and the local authority are, on the whole very good and this extends to the relationship with the governing body. As has been evidenced throughout this paper the governor support officer within local authorities maintains a close relationship with governors and provides training and advice. Clearly there is always room for development and for sharing of good practice between authorities. The national Governor Support Officer network provides an opportunity for sharing good work and discuss common challenges.

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