

ELIGIBILITY TO BE A SCHOOL GOVERNOR

The School Governance (Constitution) (England) Regulations 2012

A person is disqualified from holding or continuing to hold office if that person:

- is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions order; debt relief restrictions order; an interim debt relief restrictions order; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
- is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, a disqualification order under the Companies (Northern Ireland) Order 2002, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of a charity, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people
- is barred from any regulated activity relating to children
- is subject to a direction of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for childminding or providing day care
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment /election as a governor or since becoming a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has received a prison sentence of two and a half years or more in the 20 years before ending with the date preceding the date of appointment /election as a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has at any time received a prison sentence of five years or more
- has been convicted and fined for causing a nuisance or disturbance on school premises during the five years ending with the date immediately preceding appointment/ election or since appointment or election as a governor
- refuses a request by the clerk to make an application to the Disclosure and Barring Service for a criminal records certificate.

Anyone proposed or serving as a governor, who is disqualified for one of these reasons, must notify the clerk of the governing body.

WHAT DOES A GOVERNOR DO?

Role of a school governor: To contribute to the work of the governing body in ensuring high standards of achievement for all children and young people in the school by:

- Setting the school's vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils; and
- Overseeing the financial performance of the school and making sure its money is well spent.

Chair: Vice chair:

Clerk: Buddy/mentor:

Activities: As part of the governing body team, a governor is expected to

1. Contribute to the strategic discussions at governing body meetings which determine:
 - the vision and ethos of the school;
 - clear and ambitious strategic priorities and targets for the school;
 - that all children, including those with special educational needs, have access to a broad and balanced curriculum;
 - the school's budget, including the expenditure of the pupil premium allocation;
 - the school's staffing structure and key staffing policies;
 - the principles to be used by school leaders to set other school policies.
2. Hold the senior leaders to account by monitoring the school's performance; this includes:
 - agreeing the outcomes from the school's self-evaluation and ensuring they are used to inform the priorities in the school development plan;
 - considering all relevant data and feedback provided on request by school leaders and external sources on all aspects of school performance;
 - asking challenging questions of school leaders;
 - ensuring senior leaders have arranged for the required audits to be carried out and receiving the results of those audits;
 - ensuring senior leaders have developed the required policies and procedures and the school is operating effectively according to those policies;
 - acting as a link governor on a specific issue, making relevant enquiries of the relevant staff, and reporting to the governing body on the progress on the relevant school priority; and
 - listening to and reporting to the school's stakeholders : pupils, parents, staff, and the wider community, including local employers.
3. Ensure the school staff have the resources and support they require to do their jobs well, including the necessary expertise on business management, external advice where necessary, effective appraisal and CPD (Continuing Professional Development), and suitable premises, and that the way in which those resources are used has impact.

4. When required, serve on panels of governors to:

- appoint the headteacher and other senior leaders;
- appraise the headteacher;
- set the headteacher's pay and agree the pay recommendations for other staff;
- hear the second stage of staff grievances and disciplinary matters;
- hear appeals about pupil exclusions.

The role of governor is largely a thinking and questioning role, not a doing role.

A governor does NOT:

- Write school policies;
- Undertake audits of any sort – whether financial or health & safety - even if the governor has the relevant professional experience;
- Spend much time with the pupils of the school – if you want to work directly with children, there are many other voluntary valuable roles within the school;
- Fundraise – this is the role of the PTA – the governing body should consider income streams and the potential for income generation, but not carry out fundraising tasks;
- Undertake classroom observations to make judgements on the quality of teaching – the governing body monitors the quality of teaching in the school by requiring data from the senior staff and from external sources;
- Do the job of the school staff – if there is not enough capacity within the paid staff team to carry out the necessary tasks, the governing body need to consider and rectify this.

As you become more experienced as a governor, there are other roles you could volunteer for which would increase your degree of involvement and level of responsibility (e.g. as a chair of a committee). This document does not cover the additional roles taken on by the chair, vice-chair and chairs of committees.

In order to perform this role well, a governor is expected to:

- get to know the school, including by visiting the school occasionally during school hours, and gain a good understanding of the school's strengths and weaknesses;
- attend induction training and regular relevant training and development events;
- attend meetings (full governing body meetings and committee meetings) and read all the papers before the meeting;
- act in the best interest of all the pupils of the school; and
- behave in a professional manner, as set down in the governing body's code of conduct, including acting in strict confidence.

Time commitment: Under usual circumstances, you should expect to spend between 10 and 20 days a year on your governing responsibilities; the top end of this commitment, which equates to about half a day per week in term time, is most relevant to the chair and others with key roles, such as chairs of committees. Initially, we would expect your commitment to be nearer 10 days a year. However, there may be periods when the time commitment may increase, for example when recruiting a headteacher. Some longstanding governors may tell you that they spend far more time than this on school business; however, it is fairly common for governors to undertake additional volunteering roles over and above governance.

Under Section 50 of the Employment Rights Act 1996, if you are employed, then you are entitled to 'reasonable time off' to undertake public duties; this includes school governance. 'Reasonable time off' is not defined in law, and you will need to negotiate with your employer how much time you will be allowed.

Expenses: Governors may receive out of pocket expenses incurred as a result of fulfilling their role as governor, and NGA recommends that a governing body should have such an expenses policy. Payments can cover incidental expenses, such as travel and childcare, but not loss of earnings.

CODE OF CONDUCT FOR SCHOOL GOVERNING BOARDS

This code sets out the expectations on and commitment required from school governors and trustees in order for the governing board to properly carry out its work within the school and the community. It can be amended to include specific reference to the ethos of the particular school. 'School' includes academies, and it applies to all level of school governance.

The governing board has the following core strategic functions:

Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the headteacher
- Monitoring progress towards targets
- Performance managing the headteacher
- Engaging with stakeholders
- Contributing to school self-evaluation

Ensuring financial probity, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring value for money is obtained
- Ensuring risks to the organisation are managed

As individuals on the board we agree to the following:

Role & Responsibilities

- We understand the purpose of the board and the role of the headteacher.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing board.
- We will actively support and challenge the headteacher.

Commitment

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.

- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- We will visit the school, with all visits to school arranged in advance with the staff and undertaken within the framework established by the governing board and agreed with the headteacher.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training .
- We accept that in the interests of open government, our names, terms of office, roles on the governing body, category of governor, the body responsible for appointing us and our attendance record at governing body and committee meetings in the last academic year will be published on the school's website.

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the headteacher, staff and parents, the local authority and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.

Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Interests will be published on the school's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

Breach of this code of conduct

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governor, such as the vice chair will investigate.

We also agree to abide by the Seven Principles of Public Life

The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Adopted by the governing board of [name of school] on [date].

Signed _____ Name of Governor

Date _____