

MONDAY 21st SEPTEMBER 2020

SCHOOL GOVERNANCE

Purpose of report:

To provide an overview of the work undertaken by Surrey County Council and partners to support governors and governing bodies in Surrey maintained nurseries, schools and academies.

Introduction:

1. School governors are one of the largest volunteer forces in the country and it is recognised that they play an important part in raising school standards by ensuring schools provide good quality, effective education. Individual governors are members of a governing body which is established in law as a corporate decision-making body. The board of governors of a school provides non-executive leadership and its purpose is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance and safeguarding arrangements. The key roles of a governing body are to set the strategic direction for the school, monitor the school's academic progress and ensure public accountability for the whole spectrum of activity associated with the school. There currently are over 5600 governor posts in Surrey's maintained schools, and over 380 schools and academies across the county.
2. Local authorities have statutory responsibilities with regard to school governance. The main responsibilities are:
 - Statutory provision of information, guidance and support via a telephone and/or internet helpline;
 - Maintaining a database of Instruments of Government for all maintained schools;
 - Maintaining a GDPR compliant database of all Surrey maintained school governors and clerks;
 - Appointment of local authority governors.
3. In addition, under the statutory guidance **Schools Causing Concern: guidance for local authorities and RSCs (Regional Schools Commissioners)**, the local authority has duties of intervention and powers which include:

- The appointment of additional governors where governance has been judged to be weak / unsatisfactory
 - The removal of the governing body and the appointment of an Interim Executive Board. (IEB)
 - Until 31 March 2019, Surrey County Council commissioned its statutory and strategic governance support from Strictly Education. With the agreement of Cabinet, the Council undertook a competitive tendering process to re-commission governance support from April 2019. This was awarded to Cognus Governor Services Ltd, which delivers similar services in SE London. Cognus is a company limited by shares which is 75% owned by the London Borough of Sutton and 25% owned by a consortium of Sutton schools which provides statutory services in support of education. This is a two-year contract. In addition to the statutory responsibilities outlined above, the contract also covers recruiting, training and deploying Local Leaders of Governance (LLGs) and members of Interim Executive Boards, where necessary. This latter responsibility is carried out in conjunction with the Assistant Director for Education and Schools Alliance for Excellence (SAfE).
 - Regular progress and contract monitoring meetings are held with Cognus, chaired by the Assistant Director for Systems and Transformation in conjunction with the AD for Education. In the Autumn, officers are reviewing the contract arrangements to ensure that governance support is effective and closely aligned with school effectiveness support and challenge, delivered by SAfE.
4. Governors and governing bodies are also supported in Surrey through
- Schools Alliance for Excellence (SAfE)
 - Surrey Governors' Association (SGA)
 - Surrey County Council's (SCC) Education Effectiveness, School Relationship and Support and Virtual School teams
 - Traded training providers such as Strictly Education

The Role of Governors

- Governors should be **strategic** and focus on the long-term vision for the school. They should hold the Head Teacher to account for how the vision and strategy is implemented
- Head Teachers should be **operational** and focus on the day-to-day management of the school. They should implement the vision and strategy, and report to governors on progress. The Head Teacher is also a Governor unless they opt not to be.

5. The responsibilities are divided like this because governors do not have the in-depth operational knowledge and governors need to be able to hold the SLT to account and to remain objective.
6. An example of this in practice would be in terms of planning and policy making:
 - the Head Teacher writes and formulates the school improvement plan, drafts detailed action plans and writes school policies (or delegates this)
 - the governing body is involved in strategic planning discussions and decisions. This is usually done through committees and agrees the school improvement plan and approves and ratifies policies

Statutory duties related to school governance

7. Cognus provides information, guidance and support through a designated phone line, email address and through a website. Most of the queries received are via email from governors, Head Teachers, clerks to governing bodies and LA officers to the dedicated email address. In response, Cognus provides a range of advice, guidance, information and resources.
8. Cognus also provides a telephone helpline during normal working hours throughout the year (9am-5pm). This is a dedicated number for governance enquiries.
9. The website for Surrey governors, clerks and members of the public gives details of governors' roles and responsibilities. There are a number of key resources online to support governors and clerks in their role. For example, 'Keeping Children Safe in Education'. See: <https://cognus.org.uk/services-for-professionals/surrey-governor-service/governor-services-documents/>
10. Cognus maintains a database of Instruments of Government for all maintained schools. They provide advice and guidance to schools requiring any legal changes to their formal constitution (Instrument of Government) and liaise with Surrey County Council's Legal Services regarding the sealing of all Instruments of Government.
11. Cognus maintains a GDPR compliant database of all Surrey maintained school governors and clerks including local authority governors. They also generate information regarding local authority governor positions and vacancies. They have responsibility for recruiting LA governors. They liaise with schools and Clerks to Governors where there is a vacancy, term of office due to end, nominations and re-nominations. Working with SCC's Assistant Director for Education, they appoint LA governors.

12. Cognus is responsible for recruiting, training and deploying Local Leaders of Governance (LLGs). LLGs are skilled governors deployed in schools that need additional support. Cognus is also responsible for identifying governors with the right skill set for a LA appointed IEB and work closely with the SAfE team to achieve this.

Other work to support effective school governance

Surrey Governors' Association (SGA)

13. SGA provides non statutory work to support school governance in Surrey. SGA receive approx. £8k each year from SCC for information and guidance to support governors in Surrey and to promote effective communication. They provide regular bulletins, an annual conference and events and a comprehensive website with updates from the DfE and National Governors' Association. SGA contribute in partnership with SCC, SAfE and Strictly Education to termly updates for Chairs of Governors.

Schools Alliance for Excellence (SAfE)

14. SAfE are commissioned by SCC to fulfil the local authority statutory duties in respect of schools causing concern. When a school has been identified as a school in need of support and challenge, a review by SAfE colleagues is undertaken which identifies any weaknesses in governance or specific support required. The support is then provided to underpin a rigorous school improvement plan.
15. SAfE also identify any themes or systemic issues in partnership with the SCC Educational Effectiveness team and address these through providing online resources or inclusion in the Governors' briefings and /or webinars. SAfE has organised and worked with SCC to provide four governor briefings since lockdown in March 2020. Attendance is around 400 governors at each.
16. In the next academic year from September 2020, SAfE will host resources provided by SCC on trauma-informed practice and the inclusion of Looked after Children in schools.

SCC's Education Effectiveness and School Relationships and Support Teams and the Surrey Virtual School

17. SCC's School Relationships and Support team is a traded service. It provides support to governors on complaints and investigations, undertakes investigations and gives advice on policies and procedure.
18. SCC's Education Effectiveness team works in partnership with SAfE, SGA, Cognus and Strictly Education to ensure that local issues and governors' needs are met through termly briefings / webinars.

19. The Surrey Virtual School has created a VLOG resource around transition back to school for care experienced children to promoting understanding of their needs. This will be followed up with a webinar for governors focussing on the needs of this cohort and using the resource. Governors have a defined role in DfE guidance around looked after children.
20. Surrey Virtual School has two projects running with User Voice Participation groups and this work will be shared with governors. One is a children and young people led film about the SVS, the other is the virtual school brochure using this to talk about the shared corporate parent duty towards this vulnerable cohort of children.

Strictly Education

21. Strictly Education offers a comprehensive training programme; subjects include safeguarding, inclusion and the role of the school governor including what governors need to know about disadvantaged children.

Issues currently being faced by governing bodies

22. As well as currently considering risk assessment and contingency plans as a result of COVID-19, governing bodies are currently facing challenges around recruitment and retention including Head Teachers, budgets and sustainability of smaller schools.

Use of the local authority's statutory powers around schools causing concern

23. The local authority has successfully applied for eight Interim Executive Boards (IEBs) in the last three years. Seven of these were in response to an Inadequate judgment following an Ofsted inspection. One was due to a concern over the school's budgetary position. In addition to LLGs being deployed in IEBs, a handful of LLGs have been deployed as additional governors in schools where we have been concerned about the quality of provision and the strength of governance.

Conclusion:

24. All governing bodies are strongly encouraged to undertake a skills and knowledge audit to inform training needs to effectively discharge their statutory duties. This should include identifying a lead governor for vulnerable pupils including looked after children and ensuring that the governors have appropriate skills and knowledge.
25. Governing bodies can access advice and guidance from a range of sources in Surrey and are free to choose a training provider of their choice.

Recommendations

26. The Select Committee is asked to note the current arrangements for providing both statutory and non-statutory advice and support to school governors and governing bodies in Surrey.

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