

## Information for prospective governors



- **What is the purpose of the governing body?**

Governing bodies in maintained schools are there to ensure that every child in the school gets the very best education; this is set out in the law:

**The governing body shall conduct the school with a view to promoting high standards of educational achievement at the school<sup>1</sup>.**

- **What are the functions of governing bodies?**

[The Governance Handbook](#) defines the three key functions of governing bodies as:

1. **Ensuring clarity of vision, ethos and strategic direction;**
2. **Holding the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff; and**
3. **Overseeing the financial performance of the school and making sure its money is well spent.**

- **What skills and experience do governors need?**

The regulations<sup>1</sup> include an explicit requirement that all appointed governors have the skills required to contribute to effective governance and the success of the school.

The specific skills that governing bodies need to meet their particular challenges will vary. However, experience has shown that all governors need:

- **a strong commitment to the role and to improving outcomes for children**
- **the inquisitiveness to question and analyse**
- **the willingness to learn**
- **good inter-personal skills**
- **appropriate levels of literacy in English (unless a governing body is prepared to make special arrangements),**
- **sufficient numeracy skills to understand basic data**
- **the willingness to attend appropriate training**

- **Who can be a governor in maintained schools?**

You do not need to be a parent of a child to be a school governor. However, anyone applying to become a governor should ensure that they are not disqualified on the grounds given in the [Appendix](#).

- **What types of governors are there?**

### **Maintained schools**

The constitution, or structure, of the governing body in maintained schools determines how many and what type of people govern the school and is set out in the Instrument of Government. Despite representing different groups, all governors have exactly the same role and voting rights. The recent changes to the regulations enables governing bodies to have smaller more focussed governing bodies with

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<sup>1</sup> Section 21(2) of the Education Act 2002.

every member actively contributing relevant skills and experience. Whether or not the governing body has yet taken up this opportunity will determine the makeup of the governing body. However most governing bodies will have the following categories of governors:

- The headteacher
- Parents
- Staff
- Community or co-opted
- Local authority
- *Foundation* (voluntary controlled, voluntary aided and trust schools only)
- **Parent governors**

Parent governors are elected by other parents at the school. Any parent, or carer, of a child registered at the school at the time of election is eligible to stand as a parent governor. Parent governors are there to govern the school in the best interests of the pupils, not to try and represent the interest of all other parents. Notification should be sent out by the headteacher when a vacancy arises. The headteacher or chair of governors should inform prospective candidates as to the nature of the role and secure agreement to the school's code of conduct for the governing body.

- **Staff governors**

Teaching and support staff who, at the time of election, are employed either by the governing body or the local authority to work at the school under a contract of employment, are eligible to be staff governors. Staff governors are elected by the staff at the school and cease to hold office when they cease to work at the school. The role of staff governors is not to stand alongside the headteacher in being held to account by the governing body, or to represent staff, but to operate as part of the governing body to provide strategic leadership and hold the headteacher to account.

- **Local authority governors**

Local authority governors are nominated by the local authority. Until the governing body has re-constituted under the September 2012 regulations the local authority also appoints by the local authority governors after discussion with the headteacher and chair. Governing bodies who have re-constituted appoint local authority governors on the basis of the skills and experience required by the governing body. In Leeds the local authority governor nominations will in the first instance come through the relevant political party. As with other categories of governors, local authority governors must operate in the best interest of pupils not as representatives to lobby on behalf of their constituency.<sup>2</sup>

- **Community/co-opted governors**

This category of governor is appointed by the governing body. They are people who in the opinion of the governing body have the skills required to contribute to the effective governance of successful schools. If you know of someone who would be interested in becoming a co-opted governor please contact Katy Hockridge: [katy.hockridge@leeds.gov.uk](mailto:katy.hockridge@leeds.gov.uk).

- **Foundation governors**

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<sup>2</sup> Notwithstanding the role of Foundation governors to preserve and develop the school's character (including religious character where it has one) and where the school has a foundation, ensure that the school is conducted in accordance with the foundation's governing documents.

Foundation governors are appointed by the body identified in the Instrument of Government; this could be the church or a trust. A foundation governor is someone who, in the opinion of the person entitled to appoint them, has the skills to contribute to effective governance and success of the school. Foundation governors should also ensure that the school's character (including religious character where there is one) is preserved and that the school is conducted in accordance with the foundation's governing documents.

## **Academies**

The governing body of academies will be structured according to the academy's own articles of association

- **What is the time commitment?**

The average time commitment is 10-15 hours per term; this includes attending meetings, background reading and school visits.

Being a governor is a public duty; therefore governors have a right to reasonable time off work, although this may be without pay. You should look at your company's policy to see what entitlement you have.

- **Training**

The regulations set clear expectations that the governors' role is one of professionalism. The expectations include that governors undertake whatever training or development activity is needed to fill any gaps in the skills they have to contribute to effective governance. The governing body should therefore make sure that governors are made aware of induction and any other training that they may need. Governors who persistently fail to take up the training required may be sanctioned in accordance with the code of conduct.

- **Each and every pupil**



“Being a school governor is about each and every pupil. Not one child should go through my school without the best education possible.”

Tom, School Governor, Hertfordshire  
(Source - School Governors One Stop Shop)

## Appendix

### Qualifications and disqualifications (regulation 17 and Schedule 4 to the Regulations)

Grounds for disqualification fall into three broad categories:

1. **general grounds;**
2. **grounds that apply to particular categories of governor; and**
3. **grounds that arise because of particular failings or actions on the part of the governor.**

All the grounds for disqualification apply also to associate members except that associate members can be registered pupils at the school and can be under 18.

#### 1. General grounds

Registered pupils cannot be governors.

A governor must be aged 18 or over at the time of election or appointment.

A person cannot hold more than one governor post at the same school at the same time.

#### 2. Grounds that apply to particular categories of governor

A person is disqualified from being a parent governor if they are an elected member of the LA or paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in any consecutive twelve month period (at the time of election or appointment).

A person is disqualified from being a local authority governor if they are eligible to be a staff governor at the school.

A person is disqualified from being a partnership governor if they are:

- a parent of a registered pupil at the school;
- eligible to be a staff governor at the school;
- an elected member of the LA; or
- employed by the local authority in connection with its education functions.

#### 3. Grounds that arise because of particular failings or actions on the part of the governor

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.

A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.

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

- is the subject of a bankruptcy restrictions order or an interim 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
- Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, 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, 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 teachers or workers 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 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for child-minding or providing day care
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- has been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a governor or since becoming a governor
- has received a prison sentence of two years or more in the 20 years before becoming a governor
- has at any time received a prison sentence of five years or more
- has been fined for causing a nuisance or disturbance on school premises during the five years prior to 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 DBS certificate.

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

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<sup>i</sup> The regulations referred to in this document are “The constitution of governing bodies of maintained schools – Statutory guidance for governing bodies of maintained schools and local authorities in England May 2014”

If you decide to be a governor please see the CES Code of Conduct (separate document) that you are expected to sign up to.