
SCHOOL GOVERNORS BRIEFING PAPER – AUTUMN TERM 2018

This briefing paper is a summary of recent key developments and announcements which have implications for the governance of schools. Governors and Governing Boards are asked to consider any implications for the governance of their school.

This paper does not constitute definitive guidance or advice on whether any of these developments have an impact on the governance of your school or how to respond. Please seek advice from your Clerk if you need advice on any of the developments covered in this paper.

Dennis Harvey, Managing Director

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1. GBASE – NEW RELEASE AND ENHANCEMENTS

1.1 Governor Records

We will be releasing before the end of the Autumn term 2018 a new version of GBase, our secure online portal, which will enhance the information held on the system for a Governor.

The new release will include for each Governor the date on which they have completed their last entry in the School's Register of Interests, signed the Governors' Code of Conduct and their Declaration of Qualification to serve as a Governor. GBase will also record and provide reports on Governors' attendance at meetings.

All school users will be able to view this data and to download reports, including those Governors who have not completed one of these forms in the current school year.

Your clerk will be able to advise further on GBase and when the new release is available to school users.

2. SAFEGUARDING

2.1 Revised Statutory Guidance – Keeping Children Safe in Education 2018 (KCSIE)

The DfE has revised the KSIE statutory guidance Keeping Children Safe in Education (KCSIE). The revised version has been published on the DfE website and became operational on 3rd September 2018.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741314/Keeping_Children_Safe_in_Education_3_September_2018_14.09.18.pdf

2.2 Disqualification by Association

The Disqualification by Association provision has now been removed from the Children's Act requirement where the childcare is provided in non-domestic settings and where Safeguarding measures are well observed and followed.

Therefore, schools and academies are no longer required to establish whether a member of staff providing, or employed to work in, childcare is disqualified by association.

It is important that schools must not ask their staff questions about cautions or convictions of someone living or working in their household.

3. TEACHERS' PAY GRANT

The School and College Leaders (ASCL), National Association of Head Teachers (NAHT) and the National Education Union (NEU) have written to the Chancellor and the Prime Minister to express their disappointment with the teachers' pay settlement

announced in July 2018. The DfE will be partially funding the increment, which will be allocated based on the school roll. This had increased the risk that schools might be disadvantaged, depending on the school roll and staffing profile. Governors will need to ensure they know the impact of the increment and funding on their budget.

4. SCHOOL COMPLAINTS – UPDATED STATUTORY GUIDANCE FROM JANUARY 2019

The DfE is currently producing Statutory Guidance for School Complaints which will be effective from January 2019.

As soon as this is published schools will need to review their Complaints Policy to ensure that it meets the Statutory Guidance.

5. GOVERNOR RECRUITMENT AND SKILLS AUDIT

Governing Boards are encouraged to ensure they regularly update their Skills Audit. The Skills Audit should be reviewed to identify skills gaps to identify the skills required when recruiting new Governors, and also to identify training needs.

The NGA provides free resources to complete this which can be found on their website <https://www.nga.org.uk/Guidance/Workings-Of-The-Governing-Body/Governance-Tools/Skills-Audit.aspx>

6. SCHOOL GOVERNANCE REGULATIONS - SECTION 4

We have recently experienced issues with items raised by Governors which have not been included as planned business of a meeting and therefore included on the agenda circulated to the whole Governing Board. This means the Headteacher and other senior school staff have been unable to provide the information or advice required.

The Governance regulations stipulate requirements on a Governing Board which include how many meetings must be held, how a meeting might be convened, notice of meetings and contents of agendas. It is particularly important to be aware of the Regulations which are law. It is not acceptable for any Governor to raise a subject or issue at a meeting without first consulting with the Chair of Governors or Headteacher regarding adding it to the agenda.

It is also of equal importance that Governors are given adequate time to review reports and documents which they are being asked to consider at a meeting. Therefore, we request that papers are provided to us eight full days ahead of the meeting so that we may circulate them seven full days ahead of the meeting

The regulations may be accessed online:

<http://www.legislation.gov.uk/ukxi/2013/1624/part/4/made>

7. **SCHOOL WEBSITE PUBLICATIONS**

In June 2017 the DfE updated their guidance for maintained schools regarding the information schools must publish on their school website. It is important that schools review the changes to ensure they remain compliant – the information is available at:

<https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

8. **USEFUL GOVERNANCE KEY DOCUMENTS**

8.1. **Governance Handbook**

The Governance handbook is guidance from the Department for Education ('the department'). It sets out the government's vision and priorities for effective governance by: outlining the core role and functions of the Governing Board; summarising and providing a first point of reference on all the legal duties on Boards, signposting to more detailed information, guidance and resources; and providing information on the support available to Boards to be effective.

It should be read alongside the Department's competency framework for governance, which describes the knowledge, skills and behaviours needed for effective governance.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/582868/Governance Handbook - January 2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/582868/Governance_Handbook_-_January_2017.pdf)

8.2. **EFA Financial Handbook**

The ESFA's Chief Executive has written to all Academy Trust Accounting Officers which should be shared with Trust Chairs and outlines the four key areas of the 2018 Academies Financial Handbook which includes:

- Controlling Executive Pay
- Related Party Transactions
- Scrutinising the Budget
- Acting on Audit Findings

It is essential that Trustees are aware of their responsibilities as Directors, the updated 2018 Academies Financial Handbook can be found at

8.3. **Understanding Your Data for School Governors and Academy Trustees**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749803/Understanding your data a guide for school governors and academy trustees.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749803/Understanding_your_data_a_guide_for_school_governors_and_academy_trustees.pdf)

8.4. **Updated Careers Guidance – Statutory Guidance**

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748474/181008_schools_statutory_guidance_final.pdf

9. GOVERNANCE ANNUAL PLANNER / SUGGESTED AGENDA ITEMS FOR AUTUMN TERM MEETINGS OF THE GOVERNING BOARD

If you do not already have an Annual Governance Planner in place we recommend you consider developing one. The aim is to plan the business the Board wants to cover through the year. Please contact our Director, Charmaine Strelitz Charmaine@clerkingandappeals.co.uk if you would like her to support you in developing this useful tool.

Agenda items to be covered through the Autumn term include:

- Headteacher Performance Management, to include the appointment of an external advisor, appointment of a panel and training for panel members
- Scheme of Delegation
- Approve Attainment and Progress Targets
- Pay Committee Report – The Full Governing Board should ratify the decision of the Pay Committee regarding increments effective 1st September 2018. The Board should receive the same anonymised report as the Pay Committee and note the rationale used by the Committee to come to its decision
- Pupil Premium and Sports Premium 2017-2018 reports should be reviewed and approved for publication on the school website
- Website Review: ensure that the required information is published

If Governing Boards have not already done so then they should ensure the following are completed:

- Annual Register of Interests
- Disqualification Declaration
- NGA Governors Code of Conduct
- Election of Chair and Vice Chair of Governors
- Election of Committee Chairs, Committee Membership and approval of Committee Terms of Reference
- Committee Targets where applicable
- Assign Link Responsibilities
- Approve 2018-2019 meeting dates
- Approve the School Development Plan 2018 and approve the Strategic Plan for 2018-2021
- Approve the End of Year Budget, including performance and variance considerations, for Academies and Trusts
- Budget 2018-2019, for Academies and Trusts