

Governance is not just for governors:
How can I support effective governance?

School Business Manager's Conference
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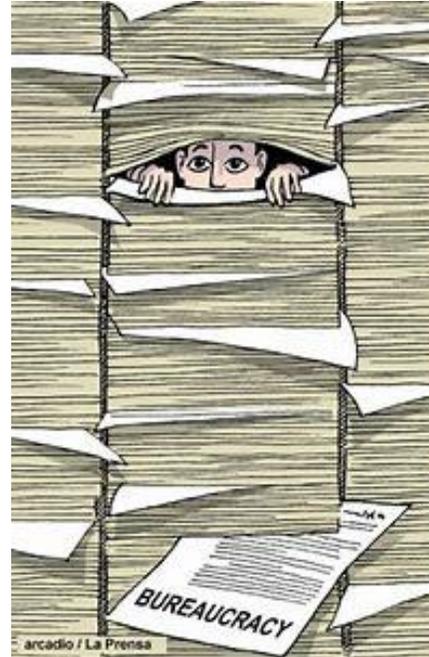
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Are you a school or multi academy leader?

“ . . . there are also too many business managers who have merely adopted the title with little understanding of what is involved. They (and often their head and governors) have no idea what SBMs should be offering. They do the things that they have always done because that’s how it has always been done. They take no responsibility for their career development or the strategic direction of the school.

SBMs in this guise are neither effective nor fit for purpose in the new education landscape. Accountability measures so prominent in the rest of the sector must be brought to bear in this crucial role to ensure that schools are dynamically managed and capable of surpassing the stretching demands and targets asked of them.”

Sarah Jones, Schools Week, 11 January 2015

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Three Core Functions of any Governing Board/Body and our Catholic Mission

Governance Handbook (and Competency Framework for Governance), March 2019*

<https://www.gov.uk/government/publications/governance-handbook>

- ▶ Ensuring clarity of vision, ethos and strategic direction;
- ▶ Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and
- ▶ Overseeing the financial performance of the organisation and making sure its money is well spent.
- ▶ ***Maintaining the Catholic vision and character of the School/Academy/MAC***

****Stronger emphasis on parental and community engagement***

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<https://isbl.org.uk/Career-Development/NASBM-Professional-Standards-Interactive.aspx>



<https://www.gov.uk/government/publications/governance-handbook>

Competency Framework

6 Features of Effective Governance

- ▶ **Strategic Leadership** that sets and champions vision, ethos and strategy
- ▶ **Accountability** that drives up educational standards and financial performance
- ▶ **People** with the right skills, experience, qualities and capacity
- ▶ **Structures** that reinforce clearly defined roles and responsibilities
- ▶ **Compliance** with statutory and contractual requirements
- ▶ **Evaluation** to monitor and improve the quality and impact of governance

The framework is made up of 16 competencies underpinned by a foundation of important principles and personal attributes.



Eight Elements of Effective Governance: National Governance Association (NGA)

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BLOG 1: We've come a long way in improving trust governance, but there's much more to do!

Today has seen the launch of NGA's new report on the governance of multi-academy trusts, and a fine piece of work it is too. It provides an excellent summary of the current state of trust governance, and the key challenges we all need to work together to address. We've also this week seen the publication of a new Academies Financial Handbook, with key new provisions around governance. As an organisation working with executive leaders and their trust boards, I thought it would be helpful to contribute my reflections on some of the key findings and our own experiences and insights on these issues. Here's my first of three blogs.

A need to improve (and continually improve) trust governance.

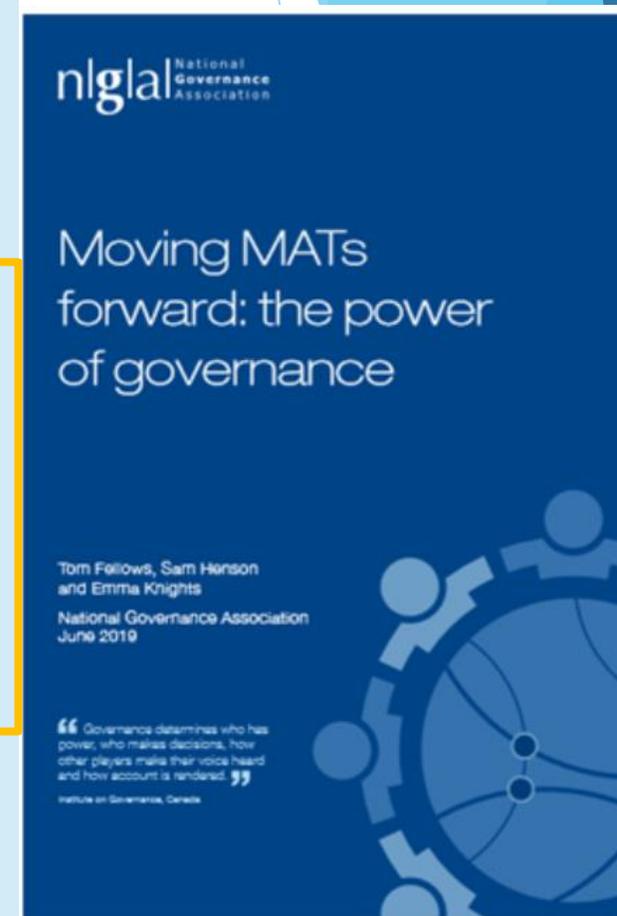
"Despite the consensus that one of the major challenges in the sector is to improve MAT

<https://www.forumstrategy.org/3597-2/>

[https://www.nga.org.uk/Knowledge-Centre/research-\(1\)/Moving-MATs-forward-the-power-of-governance.aspx](https://www.nga.org.uk/Knowledge-Centre/research-(1)/Moving-MATs-forward-the-power-of-governance.aspx)

In this report, NGA has identified issues with governance and oversight which impact the board's ability to carry out its core functions:

- getting the right people around the table at a trust board and local level
- fragmented organisational identity, including an uncoordinated ethos and vision
- issues with ethics, culture, behaviour and relationships across MATs – underpinned by misunderstandings around charity and company law
- misunderstanding around who should do what both in terms of governance and executive leadership
- not using the local tier of governance effectively
- a lack of emphasis on stakeholder and community engagement
- issues with communication and information management
- misunderstandings around the importance of due diligence and risk
- the lack of connectedness to local community
- confusion around growth, sustainability, optimal size and geographic span of trusts
- challenges with oversight and effectively holding trusts to account
- a lack of system leadership, with both a deficit of expertise and MATs failing to collaborate and support others to improve their governance



Distinction between Governance and Management required

1. The respective roles of governance and management

Governance is strategic and management is operational. This distinction between governance and management needs to be clearly understood by all, so that governors and trustees [Directors] are not asked to, and do not try to, involve themselves in day to day management. Governors and trustees are there to govern, not to carry out other work within a school on a pro-bono basis. School leaders must not be micromanaged.

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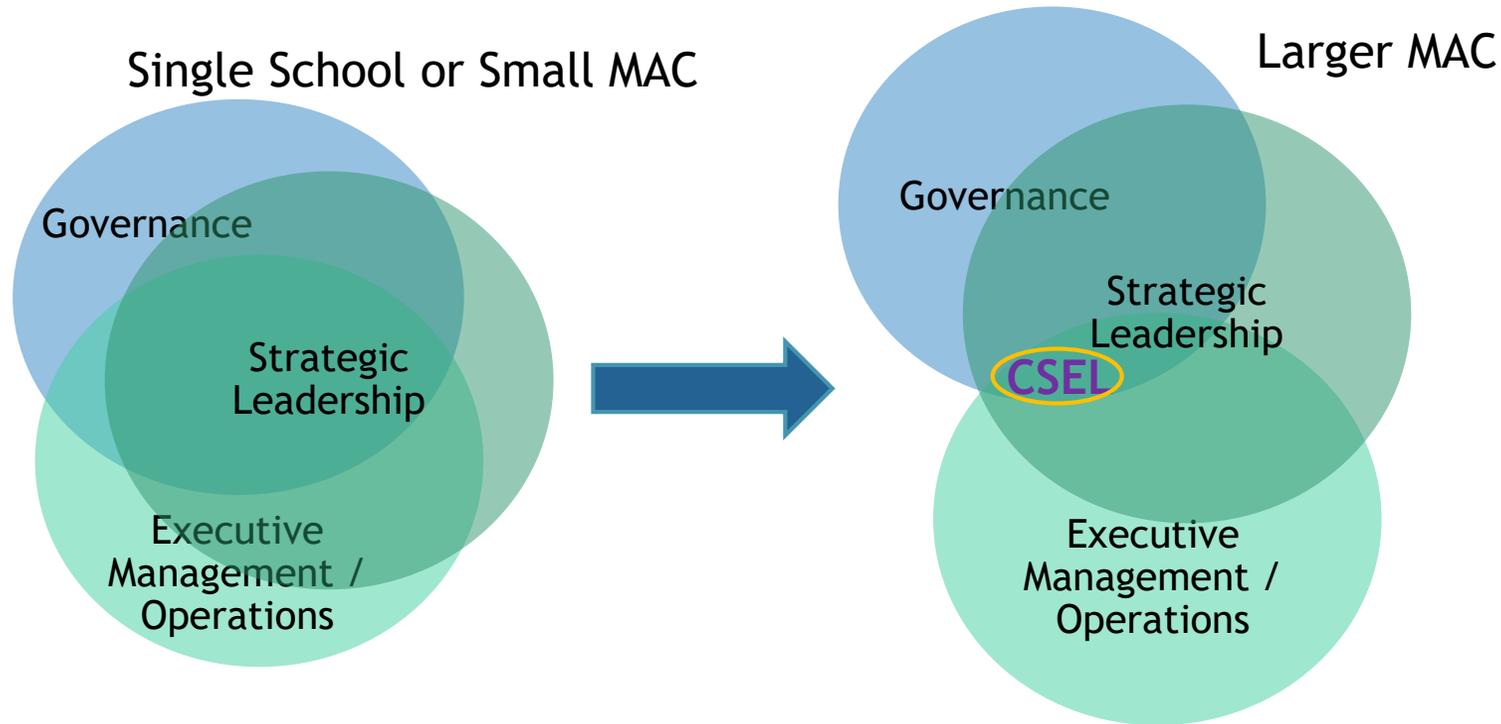
November 2019

What governing boards and school leaders should expect from each other

<https://www.nga.org.uk/what-we-expect.aspx>

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Being Strategic . . . but not 'out of touch'



► Governance as distinct from Operational Management

Should there be a temporary or structural deficiency in the capability or capacity within either governance or executive management/operations, there can be a tendency also for one to try to compensate and therefore greater overlap

Being Strategic
A guide for
governing boards

Improving governance
for schools and academies

 nga National
Governance
Association

[https://www.nga.org.uk/
BeingStrategic](https://www.nga.org.uk/BeingStrategic)

What can governors expect from leaders?

“School leaders . . . must have:

- ▶ an understanding of governance (**which could come from direct experience of governing**), including acknowledging the role of the school’s accountable body.
- ▶ a willingness to provide information in the most appropriate way in order that the governing board can carry out its role
- ▶ a willingness to be challenged
- ▶ reasonable time to devote to ensuring professional relationships are established with governors and trustees
- ▶ the skills and understanding to develop effective working relationships with the governing board”



November 2019

What governing boards and school leaders should expect from each other

This joint paper aims to improve the effectiveness of school governance. Underpinning it is an expectation that governing boards and school leaders will jointly develop effective working practices which are mutually supportive and respectful of each other's roles and responsibilities.

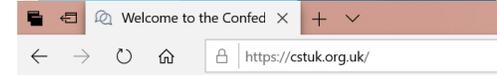
Effective governance is essential for the health and success of any organisation. In any sector, when an organisation fails, there has often been a failure of governance. If we wish to prevent any school or academy trust failing its pupils, we need to ensure that governance is strong.

- a willingness to provide information in the most appropriate way in order that the governing board can carry out its role
- a willingness to be challenged
- reasonable time to devote to ensuring professional relationships are established with governors and trustees

<https://www.nga.org.uk/Knowledge-centre/Leaders-governing-boards/School-leaders-and-governing-boards-what-do-we-expect-of-each-other.aspx>

What do I need to know about? - the basics

- ▶ Instrument of Government / 'Articles': Membership - who's who and what do they do?
 - Do you, staff and other stakeholders know who your school's governors (and Board Directors) are and what they do? Is this published on your website?
 - Difference in legal powers of Chair of Governors v Chair of the Board of Directors (powers of urgency agreed?)
- ▶ **Scheme of Delegation (Financial Scheme of Delegation?)**
 - Is it clear and accessible? Has this been 'tested' with stakeholders to ensure they understand?
 - Is it reviewed (and refined) annually?
- ▶ Terms of Reference for Committees
- ▶ Schedule of Governing Body / Board Business
 - How do deadlines align with meetings at which relevant considerations should be undertaken/



Home

The **National**
Organisation for
School Trusts

Advocating for, connecting and supporting
executive and governance leaders in school
trusts

Academies Financial Handbook 2019

<https://www.gov.uk/government/publications/academies-financial-handbook>

“Academy trusts **must** comply with this handbook as a condition of their funding agreement. It provides an overarching framework for implementation of effective financial management and control. Other resources are available to help you get the right systems in place.”

Do trustees [Directors] have statutory duties?

1.12 Yes. They **must** comply with the trust's charitable objects, with company and charity law, and with their funding agreement. . . .

1.13 The trustees **must** ensure regularity and propriety in use of the trust's funds, and achieve economy, efficiency and effectiveness - the three elements of value for money.

Can trustees delegate?

1.16 Yes. The board may delegate functions to committees. Each committee (other than those in a MAT constituted as a local governing body) **must** contain a majority of trustees, but it may also include other people the board chooses to appoint.

Charitable Objects

MAT:

‘the advancement of education for the public benefit’

Catholic MAC:

‘are specifically restricted to the advancement of the Catholic religion in the Diocese by such means as the Diocesan Bishop may think fit and proper the advancement of education by the establishing, maintaining, carrying on, managing and developing of schools which are not Catholic in the United Kingdom’

Supporting your Directors and governors so they can support you

- ▶ Identifying opportunities and managing risks
 - How do you horizon scan?
 - Safeguarding
- ▶ Statutory Compliance
 - Policies: <https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts> (updated 27 January 2020)
 - Website compliance: <https://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online>
- ▶ Business continuity arrangements
 - Who can decide to temporarily close the school?
- ▶ Keep them updated and be responsive to governors asking questions
 - Circulate notes or reports **promptly** from any monitoring visits / assessments by externals (Safeguarding, Finance, H&S/GDPR, Section 48)
- ▶ Encourage Training and Development Opportunities

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*Risk management, if embedded, can enable a school / MAC to be in a better position to take opportunities and innovate.
NB Strategic versus operational risk.*

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Supporting your Directors and governors so they can support you continued. . .

- ▶ Supporting/facilitating effective operation of the governing body
 - Engage with Clerk to governing body
 - Clear and concise reporting
 - School policies and compliance
 - Website maintenance
- ▶ Ensuring Accessibility of Governor Communications
 - School email account?
 - Governor Portal for governor agendas, minutes and papers and communications?
 - Emergency contact details (particularly your Chair of Governors)
- ▶ Facilitating opportunities for governor engagement and collaboration
 - Facilitate effective visits
 - Inviting governors to school assemblies, collective worship, events
 - Ensuring Governors have access to communications with parents/community - newsletters, social media
 - Attendance (where appropriate) at monitoring meetings with externals

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Promoting Values and Virtues in Catholic Schools:

http://www.bdes.org.uk/uploads/7/2/8/5/72851667/promoting_values_virtues_in_a_catholic_school.pdf

Grateful for their own gifts, for the gift of other people, and for the blessings of each day; and **generous** with their gifts, becoming men and women for others.

Attentive to their experience and to their vocation; and **discerning** about the choices they make and the effects of those choices.

Compassionate towards others, near and far, especially the less fortunate; and **loving** by their just actions and forgiving words.

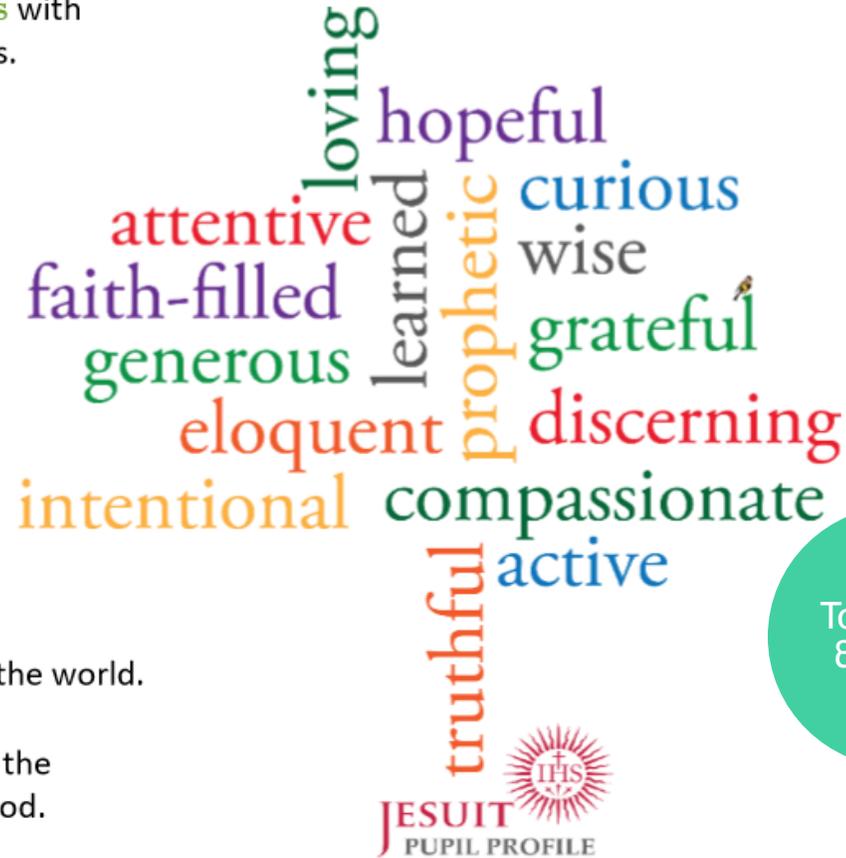
Faith-filled in their beliefs and **hopeful** for the future.

Eloquent and **truthful** in what they say of themselves, the relations between people, and the world.

Learned, finding God in all things; and **wise** in the ways they use their learning for the common good.

Curious about everything; and **active** in their engagement with the world, changing what they can for the better.

Intentional in the way they live and use the resources of the earth, guided by conscience; and **prophetic** in the example they set to others.





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