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the

Governing our Schools

Community

A research study commissioned by Business in the Community

The School Governance Study



UNIVERSITY OF
BATH

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research sponsored by



FRESHFIELDS BRUCKHAUS DERINGER

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Foreword by

Schools are crucially important institutions in our society. It is essential that their work is of the highest quality, that they are well led, and very significantly, that they are well governed.

School governors in England have an important responsibility for helping to ensure that their schools are performing well and are continually seeking to improve.

Despite the importance of school governing, it has become clear of late that the work of school governors has not received sufficient attention in the past and that the attention it has received has not always been helpful. It is also becoming increasingly clear that ensuring 'good governance' is not particularly straightforward and that recent changes in our expectations of schools are likely to make school governing yet more complicated. Or as this report puts it, at present school governing is overloaded, overcomplicated and overlooked.

As a governor of a secondary school myself, I am acutely aware of the challenges of managing and governing schools. Schools are complex places with a multiplicity of tasks, purposes and responsibilities.

It is timely therefore to turn our attention to school governing and the part school governing bodies play in ensuring high quality education for all our young people to ascertain how school governing can be improved.

In my view, before any change to school governing is proposed, agreed and implemented, it is essential that we find out about the current situation. Any change must be underpinned by a secure knowledge of: the history of and background to school governing; the existing arrangements; and the issues of concern. In addition, those considering any change should be ready to learn from good practice in other contexts.

That is why I am delighted that we have been able to sponsor this School Governance Study, which has been commissioned by BITC Education and undertaken by the University of Bath. It has achieved those aims. I believe that this is a detailed and comprehensive analysis, provides the kind of platform on which sensible changes can be built.

I am particularly pleased that the Study makes clear that school governors already make a substantial and high quality contribution to the work of schools. Any changes therefore will be built on extensive existing good practice.

I hope that this report will help to engender constructive debate about school governing so that worthwhile changes will be implemented. Those changes must help to ensure that our schools are of the highest quality and enable them to continually improve. That is what all our young people deserve.

Barry O'Brien
Partner, Freshfields Bruckhaus Deringer LLP
Member of the Business in the Community
Education Leadership Team
School Governor at Haggerston School
for Girls

Executive Summary

Since the mid-1980s governing bodies have had a significant role in the governance of education in England. Currently, they are responsible for the conduct of all maintained schools. There are about 350,000 school governors and they are all volunteers.

During the last 20 years, the English school system has changed substantially and the work of schools has become more complicated and demanding. These changes have had important implications for school governing and are likely to further complicate it in the future. A study of school governing is therefore timely and appropriate.

The School Governance Study took place between April and September 2008. Its aims were: to review the arrangements for school governance and propose improvements; review the business contribution of governors; and to analyse what can be learned from the business and human/public service sectors about governance and how those insights might enhance school governance. It was commissioned by the Business in the Community Education Team and was funded by Freshfields Bruckhaus Deringer LLP.

The Study analysed the policy and research literature relevant to school governing. It carried out 43 in-depth interviews with key stakeholders, undertook a large scale random on-line survey of over 5000 school governors and elicited the views of 42 headteachers.

The main messages from the Study

1. School governing is important and it is generally working well thanks to the efforts of all those involved. However, it could be improved and it will need to change if it is to respond to the ways schools are changing.
2. At present, school governing is:
 - **overloaded** - governing bodies are responsible for too much
 - **overcomplicated** - their work is unnecessarily complex, difficult and demanding

- **overlooked** - what governing bodies are responsible for and how they should function has not received enough of the right kind of attention and the work of governing bodies goes largely unnoticed.

A summary of the findings

1. **School governing is important.** Governing bodies can add value to the organisation and performance of schools and can help to legitimise schools as institutions.
2. **Generally, school governing is working well but there is scope for improvement.** About 85% of the governors in our survey reported that their governing bodies were effective. A slightly smaller proportion of the headteachers we surveyed agreed with that assessment. The governors' and headteachers' assessments are therefore broadly comparable with Ofsted judgements of school governing over a number of years. Ofsted reports that governing is less effective more often in schools in disadvantaged settings. So, although school governing appears to be working well generally, there is room for improvement in the governing of a minority of schools and especially in the governing of schools in disadvantaged settings. We conclude that a number of relatively straightforward changes to governing processes could substantially improve school governing. Effective governing bodies contribute positively in a range of ways but ineffective governing bodies tend not to challenge the headteacher, monitor plans and targets, undertake a scrutiny role and ensure the accountability of the governing body. The non-education (business) community makes a considerable contribution to the effectiveness of school governing. There are significant benefits from participation in school governing. Minority groups tend to be under-represented on governing bodies. Governing bodies may not engage in discussions about 'the kind of school we want' and are not required to undertake any formal reporting on their work.

3. Schools are changing and school governing will need to change. Increasingly, schools are: more diverse; collaborating - and benefiting as a result; providing an extended range of services for their communities; undertaking a broader range of responsibilities and tasks; and are changing as a result of workforce re-modelling. Headteachers and senior staff are better trained. However, even with all these changes, 'the school' as a thriving, self-managing and well governed institution remains important.

4. School governing is overloaded. Governing bodies are responsible for the conduct of the school and must comply with numerous regulations which generally apply to all schools regardless of their size. Many of their responsibilities could be assigned directly to the headteacher. Governing bodies have a high workload and strategic management, scrutiny and other responsibilities. Governing bodies' extensive responsibilities may prevent them discussing 'the kind of school we want'. In non-education settings, governing primarily entails scrutiny.

5. School governing is overcomplicated. The role of governing bodies is described ambiguously in policies and regulations. Governing bodies have to manage a number of conflicting roles: support and challenge, the representational role of members and their skills, the operational and the strategic; and management and scrutiny. They have to decide which of their responsibilities to delegate to the headteacher. Governing bodies are part of a complex and intensive accountability system. Schools and therefore governing bodies have a complicated yet important relationship with local authorities.

6. The overloaded and overcomplicated nature of school governing is likely to make recruitment challenging, training complicated, and retaining governors difficult.

7. School governing does not have a sufficiently high profile. It is not widely publicised, understandings of it are not widespread and its contribution is hidden.

8. New arrangements for school governing. New models of school governing are being implemented by some individual schools and groups. Some models have the potential to transform school governing and the governance of the English school system.

A summary of the recommendations

1. The range of governing body responsibilities should be reduced.
2. The role of governing bodies should be simplified.
3. The status of governing bodies should be enhanced, their contribution more widely recognised, and greater publicity given to school governing in all sectors of society especially the business community.

Together, these recommendations are likely to:

- enhance the quality and effectiveness of school governing
- improve recruitment to governing bodies
- reduce the workload of governors and governing bodies
- enhance governor motivation
- lead to improvements in governor training and increase participation.

Specific recommendations are as follows.

- 1. Governing body responsibilities that can be assigned to the headteacher should be specified as such in the regulations. The headteacher should be responsible for strategy, policy matters and the operation of the school and should be accountable to the governing body. The headteacher should delegate responsibilities to colleagues as appropriate. The governing body's responsibilities should be: to scrutinise and agree relevant aspects of the management of the school and to provide a forum for discussion of strategy and policy matters. Their responsibilities should be described simply, clearly and unambiguously.**

- 2. The accountability relationships in which governing bodies are involved should be clarified by making reporting responsibilities more straightforward.**
- 3. Governing bodies should continue to be responsible for appointing and managing the performance, setting the remuneration and if necessary the dismissal of the headteacher. The local authority should be routinely involved in the headteacher appointments. Schools should be the employers of the staff and should take responsibility for all employment matters.**
- 4. The status of the clerk to the governing body should be raised and the clerk should not work in the school in a different capacity to reduce the potential for conflicts of interest.**
- 5. The public profile of school governing should be raised. Companies and all 'nonschool' work organisations should be encouraged to play a part in recruitment. Where schools or groups of schools have a business and higher education partner, the partners could be represented on the governing body.**
- 6. Efforts should be made to recruit members of groups currently under-represented on school governing bodies. The beneficial outcomes for those involved in school governing should be made more widely known.**
- 7. All schools should maintain very high quality relationships with their communities because it is on these relationships that governor recruitment will be built.**
- 8. Training for new governors, chairs and clerks should be compulsory. There should be a quality assurance system for school governor training programmes. Consideration should be given to establishing a Virtual College for Governor Training.**
- 9. The inspection of school governing bodies should be strengthened. Evaluation criteria for the performance of school governing bodies as recorded in the school self evaluation form should be enhanced. The involvement of the governing body in inspections should be mandatory.**
- 10. New models of school governing should be evaluated.**

Chapter 1. Introduction

Introduction

School governing bodies have an important role in ensuring that schools in England perform as well as they can and continually seek to improve what they do. School governing is perhaps the largest collective voluntary endeavour in the country. Every school has a governing body, and school governors number over 350,000.

Recently, it has become apparent that school governing has not received sufficient attention. Moreover, such changes as there have been have not helped the already difficult task of governing. There is a growing realisation that, perhaps as a result of recent changes, ensuring 'good governance' is increasingly demanding. Moreover, there is a very good case for arguing that the ways in which schools are governed needs to change because schools are changing substantially following recent policy developments. These reforms, many of which are significant include: extending the work of schools; changing and remodelling the school workforce; bringing in different kinds of schools such as academies; and changing the ways in which schools as institutions are managed, for example, as federations and clusters. All these educational reforms have implications for the ways in which schools are governed and have been implemented since the last major piece of legislation in which school governance featured substantively. Furthermore, it is also now widely recognised that governing schools in areas of significant socio-economic disadvantage can be especially challenging.

Along with the lack of 'policy attention', published research into the work of schools governors has not been extensive. One of the problems with even the relatively small amount of research that has been undertaken is that it has been largely normative - it has been extensively conditioned by current practice in education. Research has not been substantially informed by practice elsewhere in the public/human service sector. Moreover, it has not been significantly informed by governance practice in the business sector. That school governance has not been informed by practice in other sectors is all the more

significant because of the numerous laws and voluntary codes that have been implemented recently on corporate governance in the UK and elsewhere.

The intention of this report is to summarise the outcomes of a project undertaken by the University of Bath into school governance, entitled the School Governance Study, on behalf of Business in the Community.

The Research Project

The School Governance Study had three principle aims and within those general aims a number of research questions were important and guided the work.

Aim 1. To review the arrangements for school governance and to propose improvements.

1. Is the organisation and structure of governing bodies appropriate for their purpose, and if not, what would be appropriate organisational models and structures?
2. What is the relationship between their representative and functional responsibilities and how might those responsibilities be undertaken?
3. What is the ideal size of a governing body in relation to its various responsibilities?
4. How can governing bodies best support headteachers in the leadership and management of their school?
5. What are the skills and expertise that schools should have access to and how might such skills be provided?
6. Is governor training appropriate and who should be involved (see below)?

Aim 2. To review the business contribution of governors.

1. What are the obstacles in the governor recruitment process?
2. How can schools be made aware of the benefits of employee governors and how best to access them?

3. What characterises an effective employee governor programme in a company and why should companies seek to develop them?
4. What discourages business governors from volunteering as school governors and how might the extent of volunteering be improved?
5. How can business governorships link most effectively with other elements of the education-business partnership to maximise the benefits to both the school and the company?
6. How might governance in the business sector and in the human/public services sector can inform the ways in which school might be governed in the future the development of schools?
7. Should companies be involved in governor training?

Aim 3. To analyse what can be learned from the business and human/public service sectors about governance and how those insights might enhance school governance

1. What is the nature of equivalent structures and the organisation, composition, responsibilities and accountabilities of such structures in the business sector?
2. What is the nature of equivalent structures and the organisation, composition, responsibilities and accountabilities of such structures in the human/public sector?
3. What lessons can be learned from the principles and codes of governance in other sectors and countries that may be applicable to school governance in the UK?

The research team

The Study was undertaken by:

Professor Chris James, who is Professor of Educational Leadership and Management in the Department of Education at the University of Bath (Project Director)

Dr Maria Balarin, who is Lecturer in Education in the Department of Education at the University of Bath

Dr Steve Brammer, who is the Director of the Centre for Business Organisations and Society in the School of Management at the University of Bath

Mark McCormack, from the Department of Education at the University of Bath who was the Project Research Assistant.

There were three project consultants as follows.

Professor Michael Connolly, who is a visiting professor in the Department of Education and is Emeritus Professor of Public Management at the University of Glamorgan

Professor Ian Jamieson, who is Pro-Vice Chancellor of Learning and Teaching at the University and a Professor of Education

Professor Andrew Pettigrew, who is the Dean of the School of Management

The project report

Following this introduction chapter, subsequent chapters address the following issues.

Chapter 2 explores the history and background to school governing. It sets out the historical and policy context for school governing with the purpose of providing a reminder of the relationship between governance and the wider context of education in England.

Chapter 3 provides a summary of the regulatory and legislative context of school governing.

Chapter 4 analyses the findings of published research on school governing. It draws on a range of academic publications, reports, surveys and summaries of inspection findings.

Chapter 5 explores theories of governance and models of governance in other settings.

Chapter 6 explains the research and the rationale for the data collection and analysis.

Chapter 7 explores our findings on the effectiveness of governing bodies.

Chapter 8 summarises the findings on the function of governing bodies.

Chapter 9 considers the findings on the structure and process of school governing bodies.

Chapter 10 focuses on school governing and the business community. In this chapter, we highlight the contributions to school governing bodies being made by employees of businesses and set those in the context of the wider contributions to schools made by businesses in areas other than governance.

Chapter 11 summarises the main messages from the study and sets out the argument that develops from our analyses of the policy and research literature and the empirical data. On the basis of that argument we make a number of recommendations.

Chapter 12 outlines and evaluates different models of school governing.

Chapter 13 gives some concluding comments.

This report is an extensive document, and arguably rightly so, given the scope and complexity of the issues researched. The executive summary gives a brief resume of the main findings and the recommendations we are making on the basis of the research and analysis. At the end of each chapter, we summarise the main findings. We suggest that readers go to Chapter 11 for a detailed exposition of the main findings, the case that we have built on the basis of those findings, and our recommendations.

A note about governance and governing and leadership and management

The governing of schools appears to be unnecessarily complicated by the use of a number of terms in a rather confusing and often contradictory way. Thus 'leadership' and 'management' are often used interchangeably and to cover the whole range and full scope of the work of governors and headteachers and others with management responsibility in schools. The terms 'governance' and 'governing' are also used interchangeably. In the report, we have attempted to use the term 'governance' to refer to the patterns of rule in a system which are concerned with regulation, direction and procedure. Contemporary governance of the school system involves the interrelationship of a wide range of parties - central and local government, teachers, unions, headteachers, parents and, of course, governors. We use the term governing to refer to what governors do. It is not possible

to adequately deliberate on what governors do without considering governance more generally, which is what we have done in the project and in this report. Our main focus within our consideration of governance has however been the work of governors. Also in the report, we used named roles in schools such as 'headteacher' to delineate roles with an assigned responsibilities, and used the terms 'school leadership' and 'school management' to refer to the practices of leading and managing in schools rather than using those terms to denote individuals.

Acknowledgements

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We would also like to express our considerable appreciation to those who very willingly and generously gave their time and expertise to the work of the Study by taking part in interviews and completing questionnaires.

Our special thanks also go to colleagues from Business in the Community, Nick Chambers, for the energetic, creative and astute way he handled the Study's work, and Christopher Joubert for the wise, thoughtful and thorough way he has helped the research. They have been excellent to work with.

The members of the Business in the Community Educational Leadership Team, especially the Chair, Bob Wigley, have been particularly helpful.

A number of organisations have helped the Study and have willingly devoted time and other resources to the Study's research. These include: the School Governors' One- Stop Shop; the National Governors' Association; and the National College for School Leadership.

Finally, we would like to express our appreciation to the 350,000 school governors, all of whom are volunteers. It was obvious from the research that their work makes a significant contribution to the education system, carries a high level of responsibility and can be extremely complicated. What they do on behalf of society should be more widely acknowledged.

Chapter 2. History and background

Introduction

The intention of this chapter is to summarise the history and background to school governing. Following this introduction, we briefly discuss school governance, which is the broader context within which school governing is located. Next, we summarise the relevant developments in education with particular reference to school governing, in order to provide a context for understanding the present position. In the final section, we summarise the key messages and make some concluding comments.

The notion of governance

Governance in a general sense refers to the 'patterns of rule' which are concerned with regulation, direction and procedure. Schools are important places in society and a large number of varied groups have a considerable interest in them. So, in practice, present-day governance of the school system involves a highly complex and very broad set of inter-relationships between inter-dependent groups and individuals. This broad range of interest and involvement complicates school governance and the pattern of rule. Those involved in school governance include teachers, politicians, unions, government departments, government agencies, headteachers, local authorities, public companies, voluntary organisations, members of the wider community and of course, school governors. Indeed, the 350,000 or so school governors have a very important role in the governance of the school system in England.

Developments in the last 60 years

In the last 60 years, the school system in England and the way it is governed have changed substantially.

Mid 1940s - mid-1970s

During the period from the end of the Second World War till the mid-1970s, control over schools was largely in the hands of local education authorities (LEAs). Central government had limited direct involvement and the teaching profession had a major influence

on teaching methods, curriculum content and examinations. Central and local government and the profession in its broadest sense controlled both policy and provision. Governing bodies comprised mainly local politicians or church representatives.

During this period, society changed substantially. Consumerism developed, standards of living improved and the bases of post-war public service provision were challenged by new expectations of choice and flexibility.

Mid-1970s - late 1990s

By the mid-1970s, concern was growing about the level of public expenditure and service quality in education and other public services. In 1976, the then Prime Minister, James Callaghan, questioned the value for money of the education system and whether it was meeting society's needs. From then onwards, the education system, curriculum content and particular approaches to teaching were widely and openly criticised. This critique formed the basis of the 1988 Education Reform Act, the main elements of which were:

- a National Curriculum and national testing
- local management of schools (LMS) whereby the majority of funding was devolved directly to schools rather than LEAs
- the devolution of the power to appoint and dismiss staff from the LEA to governing bodies
- the enabling of schools to opt out completely from LEA control and become Grant Maintained
- the Assisted Places Scheme to enable maintained school pupils to take up places at fee-paying schools.
- changes to pupil admission practices to take greater account of parental preference.

The reforms were founded on the idea that parents could and would choose to send their children to the best school and that all schools would therefore strive to be the best in order to attract the best pupils. The changes were intended to separate 'government' from 'provision', to reduce the bureaucratic

involvement of government and to expose schools to the pressures of 'the market'. The power of the LEAs was reduced, 'monolithic' state provision was broken up, schools were given increased autonomy and opened up to competition, and a wider number of agencies and groups began to get involved in the education system. The 1980 Education Act and 1986 Education (No 2) Act had between them required governing bodies to include parents and local community and business representatives. Following the 1988 Education Reform Act, governing bodies became central to school administration, especially in relation to schools' strategic planning and accountability. The Office for Standards in Education (Ofsted) was established in 1992 with a remit to inspect schools. All these changes complicated the governance of schools.

From 2000 onwards

During the late 1990s, research evidence indicated that market-based policies were not in fact giving better opportunities for everyone. The middle-classes were better positioned to benefit from open enrolment and from the assisted places scheme. The increased diversity of provision expected from opting out was not widespread and the changes were not resulting in 'less government' as had been hoped.

During this period, there was a shift from education markets to partnerships and performance management as ways of raising standards. Policies sought to overcome divisions between 'the public' and 'the private' and to enable partnerships in which both would cooperate in service delivery. A sophisticated system was put in place to measure performance largely in national tests and examinations. Setting and meeting performance targets became important. At the same time, policies continued to enhance choice, diversity and competition with, for example, specialist schools, academies and trusts.

- Specialist schools, which were introduced in 2003, are maintained secondary schools that teach the full National Curriculum but give particular attention to their specialist discipline. Currently there are about 3000 specialist schools, which is around 80% of all secondary schools
- Academies are all-ability, state-funded schools established and managed by sponsors from a wide range of backgrounds, including high performing schools and colleges, universities, individual philanthropists, businesses, the voluntary sector, and the faith communities. The first academy projects were announced in September 2000. There are currently 83 academies in 49 local authorities, with a further 50 expected to open in each of the next three years
- Trust schools which were established in 2006, are state funded foundation schools supported by charitable trusts that are made up of the schools and partners working together. Trust schools manage their own assets, employ their own staff, and set their own admissions arrangements. They are not exempt from the local authority admissions code however and their funding is the same as community schools, as is their relationship with the local authority

Despite this diversity, strong, autonomous and well-led institutions continued to be the foundation of the education system, and that remains so. But there were changes. The education service was opened to new and different providers and modes of delivery. The full-service extended schools initiative encouraged schools to offer a wider range of services and activities over and above the normal curriculum, often beyond the school day and including weekends and school holidays, in order to meet the needs of children and their families. During this period, although the standards agenda was pursued, schools became more diverse and began to offer a wider range of services.

In 2000, the National College for School Leadership (NCSL) was opened with the main aim of providing a single national focus for school leadership and development, research and innovation. In the last eight years, the College has had a substantial impact on the leadership and management of schools. It has designed and developed numerous leadership development programmes for all categories of school leaders, including leadership teams. The College has also developed a substantial virtual learning environment and been a major sponsor of school leadership research. Interestingly, when the College was established it had no remit for the development of, or research into, school governors or the governing of schools.

The current era

Schools in England have changed substantially in the last few years. A different kind of school service is emerging and the changes are beginning to have profound implications for school governance. Some of the pressures for change are as follows:

- A concern that ‘the standards agenda’ (the government’s central policy interest in pupils meeting centrally-defined standards of attainment) might be disadvantaging certain pupils
- A realisation of the importance of schools including all learners and responding to their individual learning needs, for example through personalised learning, rather than schools simply reaching a particular benchmark for a specific group of students
- A greater awareness of the wider influences on pupil learning and attainment, such as the effects of pupils’ feelings, relational concerns, and out-of-school social issues
- A realisation that, despite considerable endeavour, the gap in attainment between pupils who experience high levels of socio-economic disadvantage and those who do not has not narrowed substantially.
- A concern about the high level of ‘school disenchantment’ amongst some youngsters and their families
- The substantial effect on young people of rapid changes in society, including the development of new technologies

- A frustration about the continuing and very apparent links between poor health, disadvantage and low educational outcomes
- The requirements that changes to the 14 - 19 curriculum are beginning to have on the ways schools work as single institutions and together with others
- The remodelling of the school workforce so that a wider range of staff are now more extensively involved in teaching as teaching assistants and in organising schools as administrative staff
- Increasing ethnic diversity in the school student population and the implication for the work of schools and the ways schools are led and managed
- Very importantly, tragedies, such as those reported in the Victoria Climbié inquiry in January 2003 indicated the failure of the public services to coordinate their activities to ensure the safety of vulnerable children.

Taken together, these developments and concerns initiated a major review of education system’s purpose and role. One of the outcomes was the Every Child Matters Green Paper and the legislation that followed, the 2004 Children Act, which began the reconstitution of the education service and social care services into an integrated children’s service. The education, health and social services were to provide a new framework for the education and care for young people. The outcomes would be that every child would:

- be healthy
- stay safe
- enjoy and achieve
- make a positive contribution
- achieve economic wellbeing.

The 2004 Children Act required changes in the responsibilities of local authorities. In particular, it required local authorities to appoint directors of children’s services to coordinate integrated service provision for children which would encompass education, social and other services. Local authorities have taken over the responsibilities of the Learning and Skills Councils for 14 - 19 provision, which in education has shifted them into a commissioning role as they

work in partnership with others as required by the Children Act. Their role can be similarly described in other aspects of their responsibilities such as children's mental health.

To ensure the delivery of these outcomes, a new form of community governance is beginning to emerge that emphasises the integration of services for young people, families and communities. In some local authorities, especially shire counties, area boards are being established and will have a central role in this new form of governance. The implications for schools are that they are now part of an integrated service in which partners are required to cooperate, and they have a much broader focus now than the achievement of attainment standards.

Partly in response to the changes wrought by the Children Act 2004 but also as a result of other pressures, partnership working between schools has grown. It is taking various forms such as federations, learning partnerships and networked learning communities. Only some types of federation have implications for governing, as we discuss in Chapter 3. School governing remains unchanged in the other forms of partnership.

Joint working has a number of benefits. It can:

- add value to the efforts of individual schools and teachers
- enhance professional development
- provide access to additional resources
- through the sharing of resources can make resource use more economical.

Importantly, collaboration between schools can locate the unit of school organisation - for example a federation - in a particular community. So, a federation in a town or an area of a large city would be responsible for the broad range of provision required by the Children Act 2004 for that particular community. Further, with the moves towards greater collaboration, there is a shift away from an atomised system of autonomous, self-sufficient, self-managing schools to a much more integrated system where schools, still as individual and self-managing institutions, collaborate and work together for the good of the community.

With school autonomy, increased diversity in the types of school, the requirements of integrated local service delivery and the demands of 14 - 19 curriculum provision, the relationship between schools and local authorities has become increasingly complicated. Local authorities can intervene in the management and governance of schools, but the general rule is that the level of intervention is in inverse proportion to the level of school performance. They typically use performance data and other information provided by a 'link adviser' to monitor schools, although data from the latter source is likely to be limited. Local authorities also usually have systems in place whereby they review the schools and their performance regularly and frequently - at least annually or more typically once a term. School Improvement Partners (SIPs - see Chapter 3) are appointed by local authorities and should improve the flow of information between schools and their local authority. This on-going monitoring by local authorities is important. It enables a continuous watch to be kept on schools and it can minimise the risk that schools can begin a decline in their performance, which may, if other monitoring systems fail, go un-noticed.

The NCSL continues to provide a wide range of development programmes in leadership and management for leaders and managers at all levels in schools. Recently its remit has narrowed and is now more focussed on the development and management of core programmes such as the National Professional Qualification for Headship. Ascertaining the impact of headteacher training on the overall quality of headteacher practice is of course difficult. However, it is highly likely that the investment in headteacher training and development will have improved practice and that headteachers are more capable of running their schools than in the past. The days when the headteacher was simply that, 'the leading teacher,' and had only limited leadership and management capability is long past. Of late, the College has become increasingly involved in the development of governor training.

Summary and concluding comments

There are a number of messages in the analysis in this chapter.

1. During the last 20 years or so, since schools have existed as self-managing institutions, school governing bodies have had an increasingly important role in the governance of schools.
2. Schools are changing in a range of ways and are set to change yet further. All the changes have implications for the governing of schools.
3. Individual schools, albeit in a multiplicity of forms, remain the bedrock of the education system but at the same time schools are collaborating in a range of ways and deriving considerable benefit as a result.
4. Local authorities have a complex yet important relationship with schools. In line with the way they are discharging their responsibilities they are increasingly taking on a commissioning role with schools as they work in partnership with them. They also have an important role keeping a watching brief on schools and being ready to intervene should the need arise.
5. There has been a considerable investment in developing the leadership and management capacity of headteachers and other senior staff in schools, which will have enhanced 'in-school' leadership and management expertise.

Chapter 3. Governing bodies

Introduction

School governing bodies function within a regulatory framework. The intention of this chapter is to discuss and analyse aspects of that framework and to explore particular features of it such as the governing body responsibilities, the constitution of governing bodies and the role of governing bodies in the appointment and performance management of headteachers.

The chapter begins with an analysis of the responsibilities of governing bodies. Sections on the role of the school improvement partner, the clerk to the governing body, the current arrangements for school governor training and the involvement of the business community in school governing then follow.

The responsibilities of governing bodies

The current view of the responsibilities of governing bodies was shaped in the 1980s. The 1988 Education Reform Act assigned the responsibility for schools' strategic planning and accountability to governing bodies. The 1998 Standards and Framework Act subsequently confirmed governing bodies' 'overarching responsibility for the conduct of schools' with the specific duties of: setting strategic directions; supporting or challenging schools and acting as 'critical friends' by monitoring and evaluating schools' progress. Section 21 of the 2002 Education Act also confirmed that:

'the conduct of a maintained school shall be under the direction of the school's governing body' (and that) 'the governing body shall conduct the school with a view to promoting high standards of educational achievement at the school'.

The Act also confirmed that the local authority employs the teachers in community schools, voluntary controlled schools, community special schools, and maintained nursery schools, whereas the governing body employs the staff of foundation schools, voluntary aided schools, and foundation special schools. In summary then, school governing bodies

have a legal responsibility to conduct the school with a view to promoting high standards of educational achievement. Specifically, governing bodies:

- set the school's vision and strategic aims
- monitor and evaluate performance
- approve the school's budget
- ensure the school is accountable to those it serves
- appoint the headteacher
- act as a critical friend by providing support and challenge.

Statutory Instrument 2000 No. 2122 The Education (School Government) (Terms of Reference) (England) Regulations which was published in 2000 specifies the strategic responsibility of the governing body and contrasts this aspect of their responsibilities with those of the headteacher as follows.

'The governing body shall exercise their functions with a view to fulfilling a largely strategic role in the running of the school.

(2) The governing body shall establish a strategic framework for the school by

- (a) setting aims and objectives for the school;*
- (b) setting policies for achieving those aims and objectives;*
- (c) setting targets for achieving those aims and objectives.*

The governing body shall monitor and evaluate progress in the school towards achievement of the aims and objectives set and regularly review the strategic framework for the school in the light of that progress.

The governing body shall consider any advice given by the head teacher.

The governing body shall act as 'critical friend' to the head teacher, that is to say, they shall support the head teacher in the performance of his functions and give him constructive criticism.

The head teacher shall be responsible for the internal organisation, management and control of the school, and the implementation of the strategic framework established by the governing body.

The head teacher shall advise the governing body in relation to the establishment and review of the strategic framework, and in particular the head teacher shall

- (a) formulate aims and objectives for the school, for adoption, with or without modification, or rejection by the governing body;*
- (b) formulate policies for the school for achieving those aims and objectives, for adoption, with or without modification, or rejection by the governing body; and*
- (c) formulate targets for the achievement of those aims and objectives for adoption, with or without modification, or rejection by the governing body.*

The head teacher shall report at least once every school year to the governing body on the progress made towards achieving the aims and objectives set and in particular towards meeting specific targets set'.

A number of points are of interest in the configuration of the governing body's strategic role.

1. The school's strategy is set by the governing body. The headteacher advises on it and must implement it. There is a good case for arguing that governing bodies carry too much strategic responsibility and that the responsibility for the strategy could lie more with the headteacher. Such an arrangement could shift the governing body into a more strategy-scrutinising role rather than a strategy-setting role. Moreover, given the notorious difficulty of distinguishing between operational and strategic matters, such a change could help to prevent the governing body becoming overly involved in operational management matters.
2. The governors are given the role of 'being critical', albeit a role to be undertaken in a friendly and constructive way, which may not be helpful. Scrutiny does not necessarily entail criticism but, amongst other things, asks searching questions, checks on the appropriateness of

systems and procedures and considers appropriateness in relation to wider concerns.

3. To specify the important role of governing metaphorically (as a 'critical friend') may not be help in the performance of the role. Such terms are open to wide interpretation.
4. The requirement on headteachers to report to their governing bodies only once a year (although in practice it may be more frequent) would seem to be rather infrequent for such an important activity.

In 2002, Ofsted sought to clarify the central responsibilities as strategic direction, critical friendship and accountability (Ofsted 2002).

Governing the School of the Future (DfES, 2004) states in paragraph 13 that:

'The overall purpose of governing bodies is to help the schools they lead (our emphasis) provide the best possible education for pupils. This involves, in particular:

- 1. Setting the school's vision and strategic aims and agreeing plans and policies; and making 'creative' use of resources*
- 2. Monitoring and evaluating performance; and acting as a 'critical friend' to the headteacher to support and challenge them in managing the school*
- 3. Ensuring the school is accountable to the children and parents it serves and to its local community and to those who fund and maintain it, as well as the staff it employs'.*

Paragraph 12 states that governing bodies should establish 'a strategic framework for leadership development' and champion 'continuous professional development for all school staff'. These functions together with 'making creative use of resources' could arguably be the responsibility of the headteacher as indeed could the leadership of the school.

Towards the turn of the millennium, concern about the complex nature of the role of governing bodies was growing. Further, there was a concern that amidst their increasingly burdensome role, they had lost sight of the priority of appointing, monitoring and supporting the performance of an effective headteacher. *The 2002 Education Act*

had begun to tackle the overburdening of governors but *A New Relationship with Schools*, which was published by Ofsted and the DfES in 2004, pledged to go further. Following the 2005 Education Act, the reporting responsibilities of school governing bodies were scaled down.

Prior to the *2005 Education Act* governing bodies had been required to prepare annual reports and hold annual meetings with parents. Following its implementation, legally, governing bodies of maintained schools, except maintained nursery schools, were required to complete a school profile every year. Following this change in reporting procedures, governing bodies are not required to undertake any formal reporting. Given their role in being responsible for the conduct of the school, this lack of formal reporting is perhaps surprising.

The legal responsibilities of school governing bodies are set out in *A Guide to the Law for School Governors 2007*, which is published by the Department for Children, Schools and Families (DCSF) and made available through GovernorNet (DCSF 2007). The Guide's intention is to explain to governors their legal responsibilities and how these fit in with the responsibilities of the headteacher, the local authority and the Secretary of State. The guide itself suggests that it should be read alongside the Law and Guidance sections listed at the end of each chapter, and any information on governance provided by the local authority. The Guide is a comprehensive and impressive resource. It runs to 236 pages and has 25 chapters and two annexes and a glossary, which has over a 100 items. Evidence of compliance with this legislation is an important feature of Ofsted inspections. A number of aspects of this document and its contents are worthy of comment.

1. The scope of governing body responsibilities is considerable.
2. Many - if not all - the responsibilities are complicated. Very few are straightforward.
3. Although the guide makes clear that *'A good governing body will delegate enough powers to allow the headteacher to perform his or her management duties as effectively as possible'* (Ch. 3, Section 22), all the responsibilities are clearly the governing body's.

4. The guidance occasionally draws the governing body into an operational role. For example, the regulations *'require governing bodies . . . to establish and, together with the headteacher, implement a performance management policy for their teachers'* (Ch. 8, para. 24).

5. The regulations appear to apply to all schools - and their governing bodies - regardless of size.

Section 10 of *A Guide to the Law for School Governors 2007* makes clear the responsibility of a school's governing body for the appointment of the headteacher and also stresses that *'the headteacher is the key figure in the school'*. Significant features of the process are that it is the governing body's responsibility, that local authorities can veto appointments but that veto is not binding, and that the local authority or a local authority representative has a right to attend relevant meetings of the selection panel to offer professional advice, but only governors on the selection panel can vote. In voluntary aided schools the governing body may accord the local authority and the diocese such 'advisory rights' but is not bound to do so. The local authority must appoint a candidate recommended by the governing body, unless the candidate does not meet the staff qualification requirements. Given the importance of headteachers' role (and arguably that of other senior staff) and the responsibilities they carry, the nature of the governing body (willing volunteers who may not have experience in senior staff appointment matters), it is perhaps surprising that the involvement of the local authority, especially given the professional expertise of its staff and its responsibility in the system, is somewhat distant. *Governing the School of the Future* does not explicitly state that the governing body is responsible for appointing the headteacher and senior staff.

The constitution of governing bodies

The *2002 Education Act* introduced a deregulated and flexible system for the constitution of governing bodies. The new system ensured enhanced accountability and democratic participation and was widely supported. The 2003 publication, *School Governance Constitution* (DfES 2003), enabled the inclusion of: parents, staff, LEA, community, foundation, partnership,

sponsor and associate governors. The regulations replaced a series of options for the composition of the governing body with a more flexible series of principles to underpin the make-up of the governing body. The new arrangements:

- reduced the proportion of local authority-nominated governors
- increased the proportion of parent governors
- renamed co-opted governors as community governors
- merged the separate categories of headteacher, elected teacher governor and elected (support) staff governor into a separate category of staff governor.

Currently, there are various categories of governors, which are summarised as follows.

Parent Governors - parents or carers of a registered pupil at the school (Mostly elected. In Academies, Voluntary Aided and Trust schools they can be appointed).

Staff Governors - teaching and support staff paid to work at the school (Elected).

Community governors - to represent community interests (Appointed by the governing body).

LA governors - any eligible person can be appointed (Appointed by the LA).

Foundation Governors - from the school's founding body, church or other organisation named in the school's instrument of government (Appointed by the founding body).

Partnership Governors - who replace foundation governors in a Foundation school if that school does not have a foundation (Appointed by the governing body).

Sponsor governors - are individuals or representatives of businesses who give substantial assistance to the school (Appointed by the governing body - they can substantiate a link between a particular business and a school)

Associate members - are widely defined and can include providers of other services (Not formally members of the governing body).

Governors of all categories are volunteers.

The School Governance (Constitution) (England Regulations (2007) (DFES 2007) allows schools to specify the size and membership of its governing body within limits. The size is must be between 9 and 20 governors. The constitution of governing bodies for various kinds of schools is set out in Table 3.1.

Table 3.1. The regulations for the constitution of governing bodies for various kinds of schools.

Type of school	Category of Governor						
	Parent	Staff	Local authority	Community	Foundation	Partnership	Sponsor
Community Comm. Special Nursery	1/3 or more	At least 2 not more than 1/3	1/5	1/5 or more	-	-	Pri. Up to 2 Sec up to 4
Foundation Found. Sp. Schools (No Foundation)	1/3 or more	At least 2 not more than 1/3	At least 1, not more than 1/5	1/10 or more	-	At least 2 but no more than a quarter	Pri. Up to 2 Sec up to 4
Foundation and Foundation Sp. Schools (not qualifying.)	1/3 or more	At least 2 not more than 1/3	At least 1, not more than 1/5	1/10 or more	At least 2 but no more than 45%	-	Pri. Up to 2 Sec up to 4
Qualifying Foundation Schools	At least 1	At least 2 not more than 1/3	At least 1, not more than 1/5	1/10 or more	A majority by 2 over parent, staff, LEA and comm.	-	Pri. Up to 2 Sec up to 4
Voluntary Controlled	1/3 or more	At least 2 not more than 1/3	At least 1, not more than 1/5	1/10 or more	At least 2 but no more than 1/4	-	Pri. Up to 2 Sec up to 4
Voluntary Aided	At least 1	At least 2 not more than 1/3	At least 1, not more than 1/10	-	A majority by 2 over parent, staff and LEA	-	Pri. Up to 2 Sec up to 4

Table 3.2. The composition of a federation governing body when the federation comprises different schools.

Type of Federation	Category of Governor						
	Parent	Staff	Local authority	Community	Foundation	Partnership	Sponsor
Federation comprising voluntary controlled schools and community, community special or maintained nursery schools.	1/3 or more	At least 2 not more than 1/3	At least two but no more than 1/5	At least 2	At least 1	–	Up to 2 or up to 4 when the federation comprises only secondary schools.
Federation comprising more than one category of school including at least one foundation or foundation special or voluntary aided school.	1/3 or more	At least 2 not more than 1/3	At least 1, not more than 1/5	1/10 or more	–	At least 2 but no more than a quarter	Up to 2 or up to 4 when the federation comprises only secondary schools.

The governing of federations can take two forms: hard and soft. In ‘hard governance’ federations, there is a single governing body shared by all the schools in the federation. For a ‘soft governance’ federation, each school has its own governing body but the federation has a joint governance/strategic committee with delegated powers. It is the same arrangement for ‘soft’ federations but the joint governance/strategic committee does not have delegated powers. When the schools in a hard governance federation are all in the same category as the schools listed in Table 3.1, the federation governing body has the same composition. The composition of federation governing body when the federation comprises different schools is shown in Table 3.2.

A Trust school governing body must have 11 members and include:

- an elected parent
- two members of staff
- a local authority representative
- a community representative appointed by the trust
- six other governors appointed by the trust (including three parents).

Schools can decide if they want to appoint a minority or majority of governors. A third of the membership of a trust school governing body must be parents.

Academies have considerable freedom to decide on the size and constitution of their governing bodies. The governing bodies should have at least three members and an average sized secondary academy governing body should have about 10 members. Academies are encouraged to include community and staff members on their governing bodies. They can also recruit associate members to provide advice on specific issues. The governing body and the headteacher have responsibility for managing the academy. In order to determine

the ethos and leadership of the academy, and ensure clear responsibility and accountability, the private sector or charitable sponsor always appoints the majority of the governors. This arrangement applies even when a local authority is acting as a co-sponsor for wider purposes.

Governing the School of the Future supports the representative stakeholder model of governance, but it also stresses the importance of schools recruiting governors from other agencies, and schools in general recruiting governors from a variety of backgrounds to ensure a wide-range of skills and representation of the local community. This community involvement is considered to contribute to community cohesion.

The role of the school improvement partner

Under the *2006 Education and Inspections Act*, a local education authority in England must appoint a school improvement partner (SIP) to each maintained school to provide advice to the governing body and headteacher with a view to improving standards. Since September 2006, all secondary schools in England have had SIPs and since March 2008, so have all primaries. SIPs:

- provide expert support for schools in raising standards and improving the education of all pupils
- act as a communications conduit between central government, the local authority and schools
- help schools to set targets and priorities and identify any additional support needed
- are also required to advise school governing bodies on headteacher performance management. This responsibility does not apply to Academy governing bodies.

The SIP helps a school to:

- use the outcomes of the school self-evaluation and benchmarking data and inspection evidence
- understand local and national priorities
- help formulate the school's development plan and targets
- use networks and support for school improvement.

The SIP's work involves:

- moderating the school's self-evaluation
- agreeing priorities and targets for future improvement
- identifying any external support needed

SIPs will increasingly influence the workings of school governing bodies.

The clerk to the governing body

The *2002 Education Act* makes provision for the appointment of a clerk to the governing body of a maintained school. The governing body must appoint a clerk and the clerk may not be a governor, associate member or the headteacher of the school. In the clerk's absence, a governor but not the headteacher may act as clerk for that meeting. *The Governors Guide to the Law* makes clear that the clerk needs to work effectively with the governing body and the headteacher to support the governing body and be able to advise the governing body on constitutional and procedural matters, duties and powers. The clerk is accountable to the governing body.

Specifically, the clerk is responsible for

- convening meetings of the governing body
- attending meetings of the governing body and ensure minutes are taken
- maintaining a register of members of the governing body and report vacancies to the governing body
- maintaining a register of attendance and report this to the governing body
- giving and receiving notices in accordance with relevant regulations
- performing such other functions as may be determined by the governing body from time to time.

A full job description and person specification for governing body clerks can be found in the training and recruitment section of GovernorNet website. It runs to four pages and sets out a series of very high

level requirements. Clerks clearly have very important responsibilities and are important in ensuring the proper functioning of the governing body.

School governor training and development – current arrangements

Governing the School of the Future discusses governor training and highlights the role played by the National Coordinators of Governor Services (NCOGS) and the National College for School Leadership (NCSL) in providing training and support, and encourages the formation of partnerships with other providers of training. It encourages governing bodies to carry out skills audits to identify their specific training needs, and it urges schools to consider seriously governors' support and training when allocating their budget. *Governing the School of the Future* also outlines a programme for training new chairs of governing bodies called 'Taking the Chair'. The document acknowledges the role played by the School Governors' One- Stop Shop (SGOSS) in recruiting volunteers with transferable management skills. It emphasises the importance of raising the profile of governors, both within the community and among employers. *Governing the School of the Future* also stresses the need for employers to provide suitable arrangements for governors to be able to comply with the time demands of their volunteering role, which employers are required to do under Section 50 of the *Employment Rights Act 1996*.

Training for school governors is not compulsory, but it is strongly recommended. *Governing the School of the Future* makes clear that good governor training and support are central to ensuring governing body effectiveness and that a wide range of organisations and institutions have a role in supporting governing bodies. These include: the National Governors' Association and NCOGS. The NCSL has also had a role in advising on the development of programmes and identifying development needs. *Governing the School of the Future* sets out the development needs that have been identified as follows.

- Opportunities to develop and practise the skills of effective governance (including communication skills, organisational skills, team working, strategic and analytical skills; effectively challenging as well as supporting the school leadership team)

- Enjoying opportunities to build effective relationships with school leaders through joint training so that, as school governors, they can take their rightful place as partners in school leadership and as community leaders
- Understanding what knowledge, experience, skills and attributes contribute to effective leadership so that governors are able to draw on this knowledge when appointing headteachers and other members of the school's leadership team
- Understanding the Government's agenda for education in schools (including leadership, an explicit focus on learning and teaching, remodelling the school workforce, transformational partnerships and specialisms and collaboration)
- Where governors wish, having their commitment, learning and development recognised by the provision of accredited training opportunities

Governing bodies are required to pay for their own training and support needs from their Standards Fund Grant allocation. Some local authorities offer buy back subscription packages for governor training, as well as individually priced courses, and others also offer clerking services or regular briefing updates to independently appointed clerks.

Some local authorities use link governors to ensure that governors are made aware of training opportunities. Link governors can play a useful role in developing governing body expertise by ensuring that there are sufficient numbers of trained governors. They can also provide useful feedback to the local authority on the suitability of courses being provided as well as help to identify training needs.

At the national level, the following key training programmes are currently available.

Taking the Chair, which aims to explore the skills required to lead and manage the work of a school governing body. For: prospective and new chairs and vice-chairs of governing bodies of committees and experienced chairs who wish to review their effectiveness.

Leading Together, a school-based programme which aims to explore and improve the teamwork of the governing body, the headteacher and the school leadership team to achieve a school improvement priority. For: governing bodies, headteachers and school leadership teams.

Safer Recruitment, an on-line training programme that provides information on a safer school culture and advice and guidance to strengthen safeguards against employing unsuitable people in schools. For: all headteachers and governors in state and independent schools and appropriate staff from each local authority.

National Training Programme for New Governors, which supports governor trainers in local authorities and Diocesan Boards to help them to ensure that new governors have the information they need to become effective school governors. For: governor trainers.

National Training Programme for Clerks to Governing Bodies, which supports both new and experienced clerks in their roles as administrator, information manager and adviser. For: clerks to governing bodies.

BTEC Advanced Certificate in School Governance, which enables school governors to build a portfolio of evidence demonstrating the effective part they play in governing their school and to achieve a nationally recognised qualification. For: school governors.

NCSL (2008) reports that whilst there is some daytime provision, most local authority training for school governors seems to be offered during evenings or at weekends, with courses ranging from two hours to a whole day in length and some being offered in several units, thus requiring a commitment to several sessions. A small number of local authorities are introducing on-line training for school governors but the majority of provision is still face-to-face, either at external venues, which is typical, or as bespoke courses at the governors own school, which sometimes incurs additional costs. Provision varies between local authorities but tends to be either commissioned out and run by private companies or provided by 'in-house' trainers.

NCSL also reports that the preparation of headteachers to enable them to work effectively with governors and the governing body will be enhanced by the development of new learning materials for the redesigned National Professional Qualification for Headship (launched from September 2008). There will be two key sections aimed at addressing the relationship.

- The unit on 'Shaping the Future' (Key Area 1 of the National Standards for Headteachers) will include a section looking at '*working with governors and the school community to establish a shared vision for the school*'.
- The unit on 'Securing Accountability' (Key Area 5 of the National Standards for Headteachers) will contain a section on '*understanding the school's internal and external accountabilities and how these are managed by the headteacher and the governing body*'.

The redesigned NPQH is now personalised, so that in addition to the learning materials, participants who may have particular learning needs in this area of school governance can work with their NPQH coach and provider to ensure that they have opportunities to address governing body matters.

The involvement of the business community in school governing

The 1980 and 1986 Education Acts required governing bodies to include parents and local community and business representatives and that principle has continued. The contribution of governors from those sectors is well established and valued (Jamieson and James, 1992).

With this constitution, many governors will bring non-educational leadership, management and functional expertise into the work of the governing body. Most parent governors will have worked in the 'non-education' sector at some time and perhaps still work there. They will bring the skills they developed in those noneducation settings to bear on their governing work. Thus arguably a dominant influence in the effectiveness of school governing is the expertise that governors bring from their non-education experience. Of course, the obverse point is also true. Many community and business representatives currently are or will have been parents of school-aged children and will draw on that expertise as so-called 'parent governors' do.

A number of companies, such as Freshfields Bruckhaus Deringer LLP, BP, HSBC and Unilever have schemes designed to facilitate involvement of their employees in school governing. Under Section 50 of the Employment Rights Act 1996,

'An employer shall permit an employee of his who is a member of . . . a relevant education body (which includes a school governing body) . . . to take time off during the employee's working hours for the purposes (of) . . . attendance at a meeting of the body or any of its committees or subcommittees, and . . . the doing of any other thing approved by the body, or anything of a class so approved, for the purpose of the discharge of the functions of the body or of any of its committees or subcommittees'.

Such time off must be deemed 'reasonable'. The status and the profile of the volunteering activity are likely to influence the negotiation of what is reasonable.

There is a distinction to be made between the involvement of people who work or have worked in the non-education sector and non-education organisation links with governing bodies. The former is already widespread. The latter is beginning to feature in governing arrangements for trusts and federations. There are examples of governing bodies approaching local businesses to become a 'partner' and then strengthening this partnership by the inclusion of members of the business on the governing body as sponsor governors.

The inspection of governing bodies

The Ofsted guidance for inspecting schools, which was published in 1999 and came into effect in 2000, states that inspectors should examine:

'how well the governing body fulfils its statutory responsibilities and is able to account for the performance and improvement of the school' (Ofsted 1999).

The guidance confirms that the main tasks of the governing body are to:

- provide a sense of direction for the school
- support the work of the school as a critical friend
- hold the school to account for the standards and quality of education it achieves.

In the period from 2003 to 2005 judgements about the quality of school governing by Ofsted used very clearly specified criteria.

The common inspection schedule for schools and other post-16 provision in the Framework for the Inspection of Schools which came into force in 2005 (Ofsted 2005) lists the questions inspectors must ask in every institution or setting providing education and/or training. Governing is referred to under leadership and management. There are no separate judgements made about the work of the governing body. Inspectors are required to evaluate the effectiveness with which governors discharge their responsibilities 'where appropriate'.

There has been a shift to school self-evaluation as part of the 'New Relationship with Schools' DES/Ofsted (2005). A school's self evaluation, summarised on the Self Evaluation Form (SEF), is now central in the inspection process. The school's summary of its self-evaluation is used 'as the basis for discussion between the lead inspector and the senior team and, *where possible*, (our emphasis) *governors of the school*' (p. 9).

In reaching judgements in the SEF, schools are expected to judge the effectiveness of governance 'primarily in terms of outcomes for learners' (DES/Ofsted 2005, p.13).

Further, when coming to a judgement about overall effectiveness, school's leaders should consider the close link between learners' progress, the quality of provision and the effectiveness of leadership and management. The guidance recognises that judging leadership and management can be difficult and that headteachers have found that judging leadership by outcomes 'offers a very useful starting point' (DES/Ofsted 2005 p33). It goes on to state that:

'If everything is very good in a school, the chances are that the leadership and management at all levels are very good. Likewise, the converse will be true. If for example, there is an inadequate sixth form, it is difficult to see how managers and governors can bear no responsibility for this: it must reflect on judgements about their performance overall.'

The inspectors are also required to establish how well the governors of the school 'know its strengths and areas for improvement' (DES/Ofsted 2005, p.12) and the governors' involvement with the school's self evaluation and that the SEF 'has been completed with

the agreement of the governing body'. In an effort to ensure this agreement, there is the requirement that the document be signed off by both the headteacher and chair of governors. The inspectors:

'may draw conclusions about the quality of the leadership and management provided by the headteacher, senior team and governing body, for example if they discover that a school's judgements about its performance are too generous' (p.14).

A number of aspects of the inspection of governing bodies are worthy of consideration.

1. Inspection conflates judgements about the work of the governors and those within the school with leadership and management responsibility. This conflation may be unhelpful in identifying areas of strength and aspects that could be improved.
2. Since 2005, the inspection criteria for judging the work of school governors have been less specific than in the period from 2000 to 2005.
3. The expectations of the involvement of governors in the inspection process seem low given the responsibilities they currently bear.
4. Judging the quality of governing solely on impact may be unhelpful. Judgements may be unduly swayed by pupil performance. Good pupil performance will reflect well on the governing body and perhaps inappropriately so, and vice versa. Assessments of the quality of governing bodies in schools in disadvantaged settings (where pupil performance is often low) may be unduly harsh. If the quality of governing is judged by pupil performance, then the impact of good governing on pupil performance may be difficult to ascertain. Other measures may be more useful.

Summary and concluding comments

A number of messages emerge from this analysis of the regulations that relate to governing bodies.

1. The responsibilities of governing bodies are extensive. A surprisingly large number of regulations are relevant to school governing and they apply to all schools regardless of size. Moreover, many of the responsibilities are couched in metaphorical terms, such as 'critical friend' providing 'support' and 'challenge', which are then open to wide interpretation. Their responsibilities are also therefore complex and have a range of different aspects.
2. At present school governing bodies have two main responsibilities, supervision and management. They are required both to oversee the work of the school and to be strategic managers. In practice, that is very difficult to achieve and may also contribute to the overloading of the governing body role.
3. All of the responsibilities for the conduct of the school are the governing body's which they then delegate to the headteacher as they wish. This complicates the process of governing.
4. The governing body is responsible for appointing the headteacher, the headteacher's performance review, deciding the headteacher's pay and undertaking the headteacher's dismissal should that become necessary, which are the four key employment responsibilities. The local authority only has a peripheral involvement in the appointment process.
5. The staff of community and other schools are currently employed by the local authority and not the governing body, although the governing body recruits them and can dismiss them should that become necessary.
6. SIPs will increasingly influence school governing.
7. The requirements on governing bodies to report to parents (and the wider community) on the work of the school have been scaled down and in practice the report is compiled by the headteacher and agreed by the governing body.
8. Governors are not required to undertake any formal reporting on their work.
9. A range of new arrangements for school governing are emerging, some of which are quite radical. There has been little systematic evaluation of the different models.
10. The contribution from the non-education (business) community to school governing is already considerable and there are indications that it is increasing.
11. The clerk has a clearly specified and important role in ensuring that the governing body performs its functions properly. The role requires a wide range of high level skills and qualities.
12. Training for school governors is not compulsory, but it is strongly recommended. There is a range of providers and a national programme.
13. The inspection of the work of governing bodies and their requirement to be involved in inspections are limited.

Chapter 4. What does published research say about school governing?

Introduction

In recent years, there have been a number of research studies on school governing. Interestingly, this research-based literature is not as extensive as the literature on other aspects of the organisation of schools. Significant themes in the literature are:

- the characteristics of school governors
- recruitment, which includes the voluntary nature of school governing vacancies on governing bodies, the retention of governors and school governing and community participation
- the benefits of being a school governor
- the functioning of governing bodies, which embraces workload, the roles of governing bodies, typologies of governing bodies and governance and accountability
- the impact of good school governing
- the effectiveness of governing bodies
- governor training
- the tensions in the work of school governing.

These issues are addressed in the various sections in this chapter.

The characteristics of school governors

In the last ten years or so, a number of studies have reported on the characteristics of school governors. One of the earliest and most comprehensive was a national survey undertaken in 1999 by Scanlon et al. (1999). It found that:

- nearly 40% of lay governors have had experience of an occupation related to the educational sector
- most governors were employed, with 26% of chairs and 13% of governors being retired
- 83% were in professional or managerial occupations' should read 83% were in professional or managerial occupations
- over one third were graduates
- one in eight possessed a higher degree
- about a quarter of chairs were professionally qualified.

In a relatively small-scale study of school governing in disadvantaged areas, Dean et al. (2007) found that governors from minority ethnic groups tended to be underrepresented and that in some schools between a quarter and a half of the governing body lived outside the schools' immediate locality. This finding is interesting given the importance that headteachers give to governing bodies being representative of their local communities (PricewaterhouseCoopers, 2007).

Ranson et al. (2005a) in a study of governors of 19 schools in five areas of the UK found that governors were generally white, middle aged, middle class, middle income public/community service workers although there was considerable variation across the different areas. The PricewaterhouseCoopers (2007) study reported some concerns amongst respondents in their study about the general lack of diversity in the composition of governing bodies.

Recruitment

The voluntary nature of school governing

One characteristic of all governors is that they are volunteers and the 350,000 or so governors are the largest group of volunteers in the country. Ellis (2003) reporting the outcomes of a DfES-funded study reports the barriers to volunteering as:

- a lack of time or competing time commitments
- the cost of taking part in terms of lack of reimbursement
- the lack of publicity given to school governing
- a lack of confidence and self esteem amongst potential volunteers
- negative feelings arising from their own experience of school
- the perceived attitude of existing governors (this reason may link to the previous point)
- the barrier created by the recruitment process; and accessibility - access for people who were disabled and lack of transport.

Governor vacancies

Data collected by the National Co-ordinators of Governors' Services (NCOGS) in 2007 (Bowen, 2007) which illustrates the vacancies according to the category of governor is shown in Table 4.1.

Table 4.1. Percentage of vacancies in the various categories of governors in 2007.

Category of governor	Percentage of vacancies
Local Authority	11
Parent	13
Community	15
Foundation	10
Sponsor	22
Teacher	6
All categories	11

The vacancies in the various governor categories according to the type of local authority in 2007 are shown in Table 4.2.

Table 4.2. Percentage of vacancies in the various categories of governors according to type of local authority in 2007.

Type of local authority	Local authority nominated	Community	Parent
London	12	16	12
Metropolitan	10	12	10
Shire	10	15	10
Unitary	12	17	16
National	11	15	11

This pattern is largely the same as a similar survey undertaken by NCOGS and The Education Network in 2002. During the intervening period, the issue of governor vacancies has been recognised more fully. Local authority governor vacancies were considered in Ofsted inspections of local authorities and the School Governors' Onestop Shop has extended its support for governor recruitment beyond Excellence in Cities areas to the whole country.

NCOGS also report a slight increase in the percentage of governing bodies with 25% or more vacancies between 2002 and 2007 as shown in Table 4.3.

Table 4.3. A comparison of the percentage of governing bodies with 25% or more vacancies in 2002 and 2007.

Type of local authority	2002	2007	Difference between 2002 and 2007
London	10%	11%	+1%
Metropolitan	6%	6%	No change
Shire	6%	8%	+2%
Unitary	7%	9%	+2%
National	7%	8%	+1%

David Bowen, the Coordinator of Governor Services for Wakefield local authority who undertook the survey in 2007, suggests that these data may not indicate the true picture, which may actually be more complex. For example, using his own local authority as an example, only one third of the governing bodies with more than 25% vacancies or more at the end of one term are still in that category at the end of the next. The vacancy picture is therefore not static. Nonetheless, by extrapolation he argues that there may be a 'hard core' of 2 - 3% (about one third of 8% national figure) of schools that persistently have vacancy rates, which is a total of between 500 and 750 schools.

The key messages are as follows.

1. Vacancies in the different categories of governors in the various types of local authorities have not changed significantly in recent years. However, this lack of change may be the result of efforts of local authorities, schools and organisations such as the School Governors' One-stop Shop to recruit governors which may mask an underlying difficulty.
2. The apparent high level of vacancies (for example the number of schools with vacancy levels at 25% or more) is a snapshot of a changing picture. Nonetheless, there may be a relatively small number of schools which have persistently high levels of vacancies.

It is likely that persistently high levels of vacancies and high turnover will result in governing bodies being less effective.

Retention

Punter and Adams have analysed aspects of governor retention (Adams and Punter 2007; Punter, Adams and Kraithman 2007; Punter and Adams 2008a; 2008b). They surveyed 794 governors who had been recruited by SGOSS. From the 276 replies received (35%) they found that the factors that made governors feel valued and want to stay in post were: being welcomed and accepted by the headteacher (84% of respondents), being welcomed and accepted by fellow governors (70% of respondents) and being invited to use their skills (63% respondents). Other significant factors were becoming involved in key tasks and being integrated onto the work of the governing body. Perhaps not unexpectedly, being paid expenses did not feature in 'the positives' of being a governor. The aspects that frustrated governors and that were in their view threats to governor retention - the negatives - were: frustration at the inadequate level and complexity of school funding (21 respondents, 7.6%) and criticisms of the local authority and central government (31 respondents, 11.2%).

Research published by Phillips and Fuller (2003) summarised the findings of four annual surveys of governors from 1999 to 2002. They found that consistent aspects of school governing that made it worthwhile were:

- involvement in the life of the school
- working with and supporting staff
- being part of and celebrating the school's success
- making a difference, seeing children benefit
- advocacy on behalf of the school
- their own development
- using skills acquired elsewhere to benefit children
- supporting and coaching other governors.

Those aspects that were least worthwhile were:

- the amount and complexity of the paperwork
- the annual parents meeting (now abolished)
- an unrealistic workload and responsibilities
- inadequate support for governing bodies
- central government interference
- problems with the LEA, the DfES and private contractors
- budgetary unfairness.

These studies are important as they give insights into the experience of governing. Governors want to be valued, welcomed and to undertake work for the governing body and the school. They also enjoy being associated with successful schools and seeing children benefit. All these factors are motivators. Factors which lead to dissatisfaction appear to come under the headings of workload, complexity, dealings with outside agencies and financial problems. It is likely that if these were removed or reduced, dissatisfaction would be reduced. Ensuring that the motivators are present and reducing the dissatisfiers is likely to enhance governor recruitment and retention.

School governing and community participation

A recent PricewaterhouseCoopers study (PricewaterhouseCoopers, 2007) highlighted the importance that headteachers give to governing bodies being representative of their local communities. Ranson et al. (2005b) offer an explanation for the importance accorded to governing bodies being representative. They argue that participation can strengthen the legitimacy of institutions in the public sphere. Ranson et al. conclude however that this participation is incomplete generally because of the unbalanced participation on school governing, and that this undermines the legitimacy of schools as institutions. As they and others stress (see also Dean et al. 2007), the stakeholder model of school governance seeks not only to enhance administrative efficiency, but also to strengthen democracy through participation. Governance has a key role to play in school accountability - even when such a role might be unfulfilled or unclear - and it is also a space for strengthening community participation and engagement in the public realm.

Ranson et al. (2005) analysed problems associated with low parental participation. Although they consider that making generalisations is problematic because of the substantial variation among governing bodies, they report that social class, gender and ethnicity often affect recruitment and lead to under-representation of socially disadvantaged groups, women and ethnic minorities on governing bodies. This tendency is clearly a challenge to the participation/representation intentions in school governing. Nonetheless,

the authors stress that when participation is achieved it can have a positive democratising impact with volunteers tending to move from specific concerns about their own children in the school, to a more general preoccupation for *'the needs of the institution and the wider community'* (p.361). These assertions are significant and clearly indicate the importance and value of promoting the engagement of members of the local community in school governing.

The benefits of being a school governor

Ellis (2003) reports considerable benefits from volunteering to be a school governor including:

- a sense of satisfaction
- a feeling of pride (presumably from involvement in governing a successful school)
- the development of new skills, friendships and networking opportunities
- personal development
- for some, enhanced employment prospects.

Research by Punter, Adams and Kraithman (2007) of governors recruited by SGOSS categorise the new skills developed by participation in governing were in the areas of finance, knowledge about education, and increased social awareness. Governors who worked in less senior management positions reported having developed a range of personal and interpersonal skills that they felt would prepare them for more senior roles in their work. They also report much in the way that Ellis (2003) did that involvement in school governing can be *'a life enhancing experience'* (p. 6) with one respondent in their study making the point that:

'it would benefit all business people to be a governor for a period of time in order to provide a way of being more grounded in a wider social context and to communicate with to a wider group of people'.

The functioning of governing bodies

Workload

Research on the workload of governing bodies paints a complex picture but the overall message is relatively clear: governors have a high workload and show considerable commitment. Ranson et al. (2005a) report that governing bodies have a large core of members who attend meetings regularly, give extensive hours to the governing body's work (33% more than 21 hours per term), and who take responsibility for chairing the governing body or committees of the governing body. Volunteers were coping with the demands of participation with about only one in seven viewing the workload and its complexities and the responsibilities and powers unacceptable. The workload can fall heavily on a small number of members of the governing body. These are volunteers, and Ranson et al. report that 42% had been a governor for over six years and 19% for over 10 years. A recent survey by PricewaterhouseCoopers (2007) found that almost half of governors give more than 100 hours a year to being a governor, or the equivalent of two and a half working weeks.

The Phillips and Fuller (2003) study of school governing body responsibilities shows the heavy burden of responsibilities that many governors feel and the limited extent of delegation in key areas of school operation. About half of their respondents felt they should be responsible for drawing up the staff performance management policy and about a third felt that they should be responsible for making sure parents receive a report of their child's progress. Overall they see their responsibility as one of *'being guardians or trustees of children's education'* (p. 8).

The roles of governing bodies

The research evidence indicates that governing bodies can function in a variety of ways and take up a range of different roles. Scanlon et al. (1999) found that headteachers and senior staff valued governors in the following roles:

- A critical and informed sounding board for the headteacher
- A support for the school
- A help breaking down the isolation of the headteacher

- A link with parents and the community
- Provider of direction and vision for the school in partnership with the staff
- A forum within which the teachers could explain their work
- A provider of a range of non-educational expertise and experience.

As with other studies, Ranson et al. (2005b) highlight the considerable variation among governing bodies and the way they work, which makes generalizations about their roles difficult.

Typologies of governing bodies

Consideration of the structure and ways of working of governing bodies has led to the development of various typologies. Kogan et al. (1984) based their typology on models of authority and proposed 'accountable', 'advisory', 'supportive' and 'mediator'. The typology developed by Creese and Earley (1999) is founded on their interest in the governor-staff relationship. Their typology distinguishes between 'abdicators', 'adversaries', 'supporters clubs' and 'partners' and is based on the extent of support and challenge in the relationship between the governors and the staff.

More recently, Ranson et al. (2005a) developed a typology on the basis of the power relationship between the headteacher and the chair of governors and the extent of corporateness of the governing body in its deliberations and decision-making. They distinguish four types of governing body.

1. **A deliberative forum** - where discussions of the school are determined and led by the headteacher. Governors, especially parent governors, will not feel they can question the authority of the headteacher.
2. **A consultative sounding board** - where the headteacher brings policies and strategies to the governing body for consent and authorisation. Governors authorise decisions but have little role in shaping them or responsibility for shaping them. There will be discussion but the headteacher decides.
3. **An executive board** - where there is a partnership between the governors and the school and especially between the headteacher and the chair. There 'may be a division of labour', in which

governors have 'overall responsibility for the business aspects of the school: the budget, staffing, and the infrastructure of the building', and headteachers assume 'overall responsibility for curricular and pedagogic aspects of the school.' In this case, 'there is likely to be a strong structure of subcommittees with considerable delegation of responsibility' (p. 311)

4. **A governing body** - where headteachers maintain strong leadership, but are seen as 'members rather than leaders of the governing body that acts as a corporate entity'. Chairs have the main role in agenda setting and leading meetings. The governing body 'takes overarching responsibility for the conduct and direction of the school.' (p. 311).

Different combinations of these types tend to determine whether the governing body is merely a space for disseminating information about the school to the different stakeholders and a way of keeping stakeholders informed, or whether and to what extent it has a role in school decision-making.

Importantly, Ranson et al. (2005) found that the deliberative forum and the consultative sounding board were predominant although the sample of governing bodies was relatively small and the research was undertaken in Wales where different governance arrangements apply.

A factor contributing to the variation in governing body roles may well be the relationship between the headteacher and the governing body and the degree to which they share the leadership function (Earley, 2003).

Farrell (2005) reports that governors rarely take up the role of challenging the headteacher or changing headteachers' decisions, while the role of the head is often that of persuading governors to accept their proposals. That is, governing bodies tend to act in the deliberative forum/consultative sounding board modes and tend to act in a reactive, rather than a proactive way. They are rarely involved in shaping school strategies although chairs of governing bodies, who tend to work more closely with headteachers, may be involved in this way. Farrell concludes that the main reasons for this lack of involvement in strategy is that governors tend to focus on

their areas of specialism, such as finance and accounting, and then take on more specific tasks rather than thinking in strategic terms. The organization of governing bodies into subgroups with specific responsibilities may strengthen this tendency.

Farrell also asserts that while policies have empowered governors in a strategic role, the number of specific regulations that have been issued and that have accumulated over the years hinder governors' involvement in strategy. This point echoes that made by Earley (2003) who, on the basis of the findings of a DfES study asserts that

'It is not always easy for school governing bodies (or boards of nonexecutive directors to operate strategically . . . they feel more comfortable giving support and offering advice than they do in helping to decide the school's strategy and direction' (p. 364).

This view is supported by Dean et al (2007) who report that governors on their study *'felt happier offering support rather than challenge, and relied on heads to set strategic direction for the school'*

The study conducted by Dean et al. (2007) focused specifically on school governing in disadvantaged areas where they, again found considerable variation in the structure and operation of governing bodies. For the authors, many of the problems that now affect school governance in disadvantaged areas - an issue already recognised by other studies, for example, Ofsted (2002) - stem from the different, and often contradictory ways in which school governing is defined. Dean et al. (2007) identify three different rationales that explain the variety of demands placed on school governing bodies and that influence the roles that governing bodies take up.

1. **A managerial rationale** which emphasises efficiency in the administration of resources as well as the importance of meeting standards of school achievement, and which requires governors with managerial skills.
2. **A localising rationale** which stresses the importance of adapting public services to the demands of local communities, and requires governors from and with knowledge of the local communities in which schools are located.

3. **A democratising rationale** which highlights democratic participation and active citizenship and places requirements for governors who can enhance accountability and representation as well as tighten the links between schools and their communities, but who will also serve a broader democratising agenda.

While the authors clearly favour the democratising rationale for school governance, they suggest that all rationales have some validity. The problem is that struggling to meet such different demands creates tensions within governing bodies, both in terms of recruitment and in terms of defining their role.

Governance and accountability

One of the key concerns in governance is accountability, which defines a relationship of formalised control between parties one of whom has the authority to hold the other to account for what they do. Such 'calling to account' typically includes an evaluation of what has been done in relation to the required standards. To be accountable usually carries with it a sense of being responsible for something and answerable to another for the discharging of that responsibility.

In education, that idea of accountability is somewhat problematic. For example, teachers are accountable to various others - governors, parents, pupils, and the headteacher - all of whom may have different standards against which judgements are made. Also, there is reciprocity in accountability in education. For example, teachers are accountable to parents (for teaching the parents' children) but then so are parents accountable to teachers (for instance, for making sure the children attend on time). So the lines of answerability are not simple or straightforward, indeed they are very complicated.

Market forces exert a powerful accountability pressure on schools. If the level of pupil performance in a school declines or does not improve sufficiently, then parents will be less likely to choose it for their children. There will be important consequences resulting from that decline for all those connected with the school. One consequence is that the school will have fewer resources and the provision for those pupils who are already attending or who join

the school will fall yet further. Arguably, such decline is in no-one's interest and preventing it is a powerful accountability pressure on schools.

Carnoy, Elmore and Siskin (2003) distinguish between internal and external accountability in schools. Internal accountability embraces the sense of responsibility that individuals in a school feel, the collective expectations of school members and the formal and informal accountability systems. This form of accountability might be configured as professional and management accountability. External accountability is concerned with the constraints and demands placed on schools. This kind of accountability is represented by the performance measures which schools are expected to meet and improve upon and by conformance to the requirements of Ofsted and the judgements made. Internal accountability is related to external accountability (Gunzenhouser and Hyde, 2007) in its effect on setting expectations and norms. In many ways, school governing bodies and headteachers work at the boundary between internal and external forms of accountability.

Ranson (2008) argues that the basis of accountability in education has changed from trusting the professionals and their expertise, which was dominant till the late 1970s, to the accountability of the market, which was central from the early 1980s, to contractual accountability and legal regulation, which prevailed from early 1990s, and to performance and audit based accountability, which was influential from early 1990s.

From the late 1990s, the system of evaluation and accounting for educational practice has intensified as the market (to ensure the recruitment of pupils), contract and performance arrangements (to ensure specific standards are reached) and inspection (with rigorous, periodic scrutiny of the school's own evaluation) have all grown. The accountability on all schools has become thorough, demanding and intense. School governors are required to work within and to be part of this intensified accountability system.

The desire to ensure that all schools are performing well through increased accountability is understandable but there are some dangers and undesirable side effects as follows.

1. There has been a shift from a general expectation in society that a school's staff will do their best for the community the school serves and will strive to do even better, to a system of increasing specification and regulation.
2. The increased accountability has changed the general predisposition in schools which has influenced teaching and organising practice. So for example, some argue that teaching practice has become dominated by 'teaching to the test'; practice is guided by external (inspection) criteria rather than being grounded in appropriate professional standards; and the public image of the school has become highly significant because of the influence it might have on recruitment. There is then a danger that schools may become more concerned with showing the school is doing good work (as defined by standards) rather than actually doing good work (as defined by, for example, the needs of the children).
3. The intensification of accountability has not resulted in all schools performing well. There is still a substantial minority of schools that continue to underperform. Increasing accountability pressure on all schools may not have a significant effect on underperforming schools.
4. An unintended consequence of the intensive accountability regime which was, in part, designed to restore the public's trust in schools, may actually have been an erosion of trust in the care and governance of schools. There is evidence of public mis-trust of measures of pupil attainment, for example, the standard of examinations. There is a concern that the headline benchmarks, for example, the percentage of pupils gaining 5A - C GCSE grades do not perhaps recognise the endeavours of the pupils (and perhaps their parents) who do not reach the standard. For many parents, schools and their children's experience of schools is much more than attainment, important though that is, and schools should be concentrating on that as well.

5. The accountability relationship, between the staff of a school and children and parents (and the wider community) may not recognise sufficiently that parents, pupils and the wider community have a crucial role in a school's success - or failure. Only through their engagement and commitment can schools be successful. Arguably, it is not solely the responsibility of the headteacher and the staff or indeed the school governing body to make a school function properly.

6. Finally, one of the casualties of the new intensive accountability regime has been the loss of opportunity for communities to discuss and to deliberate on the kind of schools they want. At the moment, what a school should do is heavily prescribed and decided by others. School governing bodies are accountable for the conduct of the school which has been set out in that way. A forum where 'what we want our school to be' could be discussed would:

- have very wide community involvement and would ensure that all 'voices' were present and heard
- encourage wide active participation
- enable full discussion and deliberation
- facilitate the making of collective judgements
- allow scrutiny and deliberation of matters of import.

Such a forum would enable a broader sense of the 'calling to account' that is the responsibility of the governing body (Ranson, 2008). The outcomes of the discussions and deliberations of 'the forum' would help to frame the scrutiny of the way the school is managed and led and what the school is doing and intends to do in the future.

Farrell and Law (1999) explored the issue of governors and accountability and found that at the time of the study, who governors were accountable to and how were not clear. They suggested that in most cases governing bodies see their role in terms of providing support and advice to schools, rather than in terms of acting strategically and enhancing accountability. Farrell and Law also found that issues of accountability tend to arise only when something goes wrong. They also suggest that accountability to parents and other stakeholders was made difficult by the difficulties communicating with parents.

The impact of school governance on school performance

There is a lack of data which demonstrates that good governing has a direct effect on school performance although a number of studies have shown a close association between the quality of governing and school performance. Scanlon et al. (1999) found a strong association between inspection assessments of a school's effectiveness and the assessment of its governing body. At that time, governing bodies were subject to inspection by Ofsted and Scanlon et al. were able to compare two groups of schools one judged to be very effective and the other less effective with both controlled for contextual factors. There was a clear distinction between the effectiveness of the governing bodies of the two types of school. A study by Ofsted (2002) showed a similar association.

Ranson et al. (2005a), albeit in a small scale study, showed an association between performance and the type of governing body with the executive board and governing body types being more closely associated with higher performance. Such governing bodies exercise functions of scrutiny, strategy and accountability. Ranson et al. (2005a) argue that scrutiny is the main strategic function of the best primary school governing bodies which they consider to be:

- assuring quality and standards of education in the school by bringing high expectations
- ensuring full deliberation and questioning of policies, budgets, and practices
- putting in place systems for monitoring and reviewing the standards of achievement, financial plans and the policy developments in the school.

It is very likely that such practices will lead to improvements in school performance, even though demonstrating a causal effect is difficult.

Ranson et al. (2005a) identified the following governing practices that are associated with the improvement of primary schools:

- governing and governance are valued
- the governing body represents the diversity of its parent communities
- partnership between the headteacher and the governors is characterised by mutual support

- clarity of roles
- the governing body functioning as such or as an executive board
- scrutiny as the strategic function of the best primary school governing bodies
- assuring the quality and standards of education in the school
- embodying the values and ethos of the school
- close attachment of governors to the life of the school
- and close ties with the community.

James and Connolly (2000) found that governors may impede much needed change being implemented by the headteacher. In effective schools in disadvantaged settings James et al. (2006) point to the fact that all the schools they studied had governing bodies 'that worked' in both senses: the governing bodies functioned properly and were active on behalf of the school. James et al. (2007) stress the importance of the headteacher ensuring that the school had the wider community's validation ('You're doing/attempting to do the right things'), is valued ('We appreciate your efforts) and supported ('How can we help?') in its work. This important headteacher role necessitates extensive communication and consultation with the school's wider community. Such engagement with the wider community appeared to work particularly well when the communication was mutual. There is a very good case for arguing that there is a relationship between 'governing bodies that work' and a school's wider community being ready to validate, value and support the schools efforts.

The effectiveness of governing bodies

Ofsted data provides the broadest picture of the effectiveness of school governing. On the following page, Table 4.3 shows that according to Ofsted judgements, school governing is good or better in most schools and satisfactory in all but a small minority. This pattern is more or less consistent, with a small overall improvement during the last ten years.

A study undertaken by Ofsted in 2002 reported that generally, governance is less effective in schools in disadvantaged settings, based on the proportion of pupils taking free school meals, than other schools. On the basis of Ofsted judgements, school governing is good or better in most schools and satisfactory

in all but a small minority. This pattern is more or less consistent, with a small overall improvement during the last ten years. Governance is more often found to be less effective in schools in disadvantaged settings.

Table 4.3. Ofsted reports on school governing from 1999 to 2007.

	1999/2000	2000/01	2004/05	2005/06	2006/07
Percentage of Ofsted reports where school governing was good or better	54% primary schools 57% secondary schools	61% primary schools 61% secondary schools	66	58	61
Percentage of Ofsted reports where governing was satisfactory or better	86% primary schools 87% of secondary schools	92% of primary schools 90% of secondary schools	77	96	95

Uptake of Training

Data gathered nationally by NCOGS indicating the local authority provision and uptake of training is in Table 4.4 overleaf.

The number of hours of training for governors by local authorities has declined in recent years, but participation by governors in local authority provision has not changed significantly. Participation in induction training by new governors is apparently low and arguably is unduly so. The range and quality of information available regarding training for school governors varies slightly between local authorities but the information about training opportunities is generally well structured and clear.

Table 4.4. Local authority provision and take-up of training in the years 2004/5, 2005/6 and 2006/7.

	2004/5	2005/6	2006/7
Average number of hours training provided by local authorities.	383	302	290
Total attendances as a percentage of governor places	60	68	65
Percentage of governors attending at least one event	36	39	37
Percentage of governing bodies represented on training	87	89	91
Percentage of governors new to role in this financial year who have attended induction training	50	46	48

Mongon (2008) argues that any proposal about training is inhibited by the complexity of their role, the size of the training task, the voluntary nature of the cohort, low take up and uncertainty about the future. He outlines three principles that should apply to effective approaches to training:

- development should focus primarily on the strategic role of governors
- varied opportunities for learning should be a feature
- specific development and support should be provided by the chair.

Tensions in the work of school governing

Our analysis of the responsibilities of school governing bodies and the way they function reveals four main tensions in the current responsibilities of governing bodies, the arrangements for school governing and the way schools governing bodies function.

Support-challenge. The notion of support and challenge originated in the work of Laurent Daloz in the mid 1980s (Daloz, 1986) as a framework for guiding adults through difficult transitions. It has been applied to the leadership of groups and is now perhaps surprisingly, specified as a function of governing bodies in legal statute. Daloz's powerful contribution was to distinguish between support and challenge conceptually and the two notions are often portrayed on an orthogonal grid on different axes. A number of points are significant in the support-challenge model.

1. Daloz sees the notion of support as *'the activity of holding, of providing a place where the student can contact her need for fundamental trust, the basis of growth'*. For Daloz, this holding involves:

- listening
- providing structure
- expressing positive expectations
- serving as an advocate
- sharing ourselves in the relationship with the other
- making the relationship with the other special.

Importantly, support in the support-challenge model is not about supporting the other as for example, football supporters support their favourite club, or agreeing

with, backing and helping with everything the other wants to do. It also goes beyond being supportive, helpful and encouraging all of which must surely be axiomatic for all governors. The concept of support in the support-challenge model is extremely sophisticated.

2. Daloz sets out the purpose of the support-challenge model, a purpose which he terms 'vision'. The purpose sets out the developmental pathway, which in a sense is a metaphorical map of the journey to be travelled with appropriate support and challenge. The vision dimension, in the support-challenge model of school governing is not often articulated when support and challenge are prescribed.

As well as managing the two dimensions of support and challenge, governors have to take on exactly what is meant by these terms. If the support and challenge roles are not properly understood they will not be performed appropriately by governing bodies.

Representation-skill. In the way governing bodies are required to constitute themselves, there is a tension between ensuring representation of different stakeholder groups, and the skills and expertise required. A number of aspects of this tension are worthy of comment here.

- Representation is important because it ensures that the various groups with an interest in the school have voice in the conduct of the school. There is a case for saying that schools could be required to extend the group who have an interest in the school so that consultations, deliberations, and discussions about 'what we want the school to be' can be more inclusive.
- Governors are representatives not delegates. They are not obliged nor expected to obtain mandates from the constituency they represent on decisions relating to the conduct of the school.
- There is a case for arguing that the notion of representation should be reconfigured into the one of inclusion. Viewing inclusion in school governing in this way could be a way of enhancing community participation in the work of schools and in promoting community cohesion. Given the developmental benefits that

participation in school governing can bring, wider inclusion could promote community development.

- Given the inclination there can be for governing bodies to engage in operational school matters, the appropriateness of appointing governors who have a particular functional expertise, may not be appropriate.

Operational-strategic. The time-honoured cliché about operational concerns being about 'doing things right', whereas strategic concerns are about 'doing the right things' is helpful in considering the tension between the roles of school governing bodies. Two matters of interest arise from a consideration of this tension.

1. As already discussed, the way in which the responsibilities of governing bodies are set out does not necessarily help governing bodies to retain a strategic role.
2. In a scrutiny role governing bodies would have a responsibility for ensuring that the headteacher and the senior staff both 'did things right' and that they (and by implication the school) were 'doing the right things'. Arguably, that needs to be informed by a discussion about 'what we want our school to be'. Without that kind of discussion, the governors and the staff simply have a role in ensuring that the school complies with external imposed standards.

Managing-scrutiny. As has already been referred to, school governing bodies have a range of roles some of which may encourage them to become involved in managing the school. Moreover, again as has already been referred to, the scrutiny role can be a very important part of governing. A separation of those two responsibilities – perhaps by means of regulation – might be helpful in enabling school governing bodies to manage the tension between the two.

Managing these different roles and the interaction and balance between them adds substantially to the complexity of governing. A clearer definition of school governors' responsibilities could help governing bodies to manage the different roles and the tensions between these roles and it would assist them in undertaking their work more effectively.

Summary and key messages

This analysis of the literature on school governing – limited though that literature is – reveals much about school governing. The key messages are as follows.

1. Generally school governors are white, well-educated professionals. Minority groups tend to be under-represented, which is a significant issue in areas of social disadvantage, or considerable ethnic diversity in the local community. This imbalanced representation has implications for the legitimacy of schools as institutions. Participation in school governing can have a powerful democratising effect.
2. Vacancies in the different categories of governors in the various types of local authorities have not changed significantly in recent years. However, this lack of change may be the result of efforts of local authorities, schools and organisations such as the School Governors' One-stop Shop to recruit governors which may mask an underlying difficulty. Second, the apparent high level of vacancies at any one time may not be a true representation of a changing picture. Nonetheless, there may be a relatively small number of schools which have persistently high levels of vacancies.
3. The way school governing has evolved has left considerable space for reinterpretation of the purposes and responsibilities of school governing bodies. This space leads to the kinds of variations in school governing highlighted by various studies.
4. Establishing a link empirically between 'good governing' and 'school performance' is difficult. However, if the scrutiny role is undertaken appropriately, it is likely that 'good governing' which encompasses scrutiny will help to ensure effective performance and bring about improvement.

5. According to Ofsted judgements, school governing is good or better in most schools and satisfactory in all but a small minority. Governance is less effective more often in schools in disadvantaged settings. However, as we discussed in Chapter 3, judgements of the effectiveness of school governing by Ofsted are open to challenge and may not reveal the true picture.
6. There are four main tensions in the current responsibilities of governing bodies, the arrangements for school governing and the way schools governing bodies function: support-challenge, representation-skill, operational-strategic, Managing-scrutiny. Managing these different roles and the interaction and balance between them adds substantially to the complexity of governing.
7. There are wider benefits to school governors from participation in school governing.
8. The accountability load on schools is considerable and governing bodies work with and are part of that accountability system, which complicates their role and responsibilities.
9. School governors have a high workload and show considerable commitment.

Chapter 5. Governance and governing in other settings

Introduction

In this chapter we review the literature on organisational governance. Our objective is to highlight alternative approaches to, and models of, organisational governance with a view to evaluating their relevance to the governance of schools. In so doing, we draw upon the substantial literature on corporate governance, that is the governance of private sector organisations, and the growing body of research concerned with the governance of public and voluntary sector organisations. In what follows, we first discuss the definition and scope of governance before setting out the main theoretical perspectives on organisational governance. Subsequently, we evaluate evidence concerning how these models of governance are practiced within private, public, and third-sector organisations.

The definition and scope of governance

Organisational governance is concerned with the system by which organisations are directed and controlled; it relates to the authority structure of an organisation and hence to the arrangements that determine what organisations can do, who controls them, how that control is exercised, and how the risks and returns from the activities they undertake are allocated. As such, it addresses how to secure and motivate the efficient management of organisations by the use of incentive mechanisms such as contracts and legislation.

Good governance has to be understood in the context of the objectives of the organisation being governed. For example, governance in the context of private companies is, as we discuss below, strongly influenced by the contexts within which companies operate and oriented heavily on enhancing the financial performance of companies. In contrast, in public and voluntary sectors, objectives differ there is a greater focus on accountability and on effective service provision, albeit within a context of financial security. In particular, organisations within the public sector are subject to an array of different legislative

requirements and are significantly more diverse in terms of their structure, scope and objectives.

The key characteristics which define the public services and distinguish them from the private sector are as follows.

- The level and nature of services are determined by political choices
- Public service bodies have to satisfy a more complex set of political, economic and social objectives than a commercial company, and are thus subject to a different set of external constraints and influences
- Public service organisations are subject to forms of accountability to their various stakeholders, including the community at large and higher levels of government, that are different to those which a company owes to its shareholders
- Public service bodies are expected to manage their affairs in accordance with a public service ethos, based on a distinct set of values and the highest ethical standards of probity and propriety, which apply in particular to the handling of public money
- In most areas of the public services, auditors have a wider range of responsibilities for reporting on the activities of organisations that is the case in the corporate sector, covering not only the financial statements, but also 'value for money' and public interest issues

Roles of governing bodies

Depending on the context of the organisation that is subject to governance, the particular governing body (e.g. corporate board, board of trustees etc) is charged with a broad range of roles and responsibilities. Hence there is no generally agreed statement of the roles of governing bodies. However, it is generally true that governing bodies are responsible for determining or evaluating an organisation's strategy, monitoring and assessing the

extent to which that strategy is successfully implemented, and ensuring or helping to ensure that sufficient resources are in place for that to happen.

For example, the UK's combined code of corporate governance, often taken as an exemplar for the role of corporate boards, identifies the roles of corporate boards as being to

'set the company's strategic aims, ensure that the necessary financial and human resources are in place for the company to meet its objectives and review management performance. The board should set the company's values and standards and ensure that its obligations to its shareholders and others are understood and met'.

In a related vein, Mintzberg (1983) attempts to synthesise earlier research by identifying 7 roles of a governing board.

- Selecting the chief executive officer
- Exercising direct control during periods of crisis
- Reviewing managerial decisions and performance
- Co-opting external influences,
- Establishing contacts (and raising funds) for the organization
- Enhancing the organization's reputation
- Giving advice to the organization

Roles of governing bodies or their equivalents in the public and third sectors tend to emphasise the supervisory aspect of governance over the more operational aspects. That said, the National Council for Voluntary Organisations' (NCVO) code of good governance identifies 12 key board responsibilities, many of which are quite operationally-oriented.

- Setting and maintaining vision, mission and values
- Developing strategy
- Establishing and monitoring policies
- Setting up employment procedures
- Ensuring compliance with governing document
- Ensuring accountability
- Ensuring compliance with the law
- Maintaining proper fiscal oversight
- Selecting, managing and supporting the chief executive
- Respecting the role of staff

- Maintaining effective board performance
- Promoting the organization.

Within this, however, it is clear that the emphasis is on oversight rather than involvement. In discussing the role of trustees, for example, the code states that 'Trustees, acting as trustees, shouldn't get involved in the detailed, day-to-day running of the organization. All trustees need to understand their role in order to contribute appropriately to governance'.

Theories of governance

In this section, we provide an overview of the range of theories of governance that have been proposed in academic studies. The relevance of this to our enquiry stems from the fundamentally different perspectives on the role and contributions of governing bodies to organisations that are embodied in these alternative theoretical views.

The central attributes of some of the most important theoretical paradigms in organisational governance are summarised in Table 5.1 overleaf. The dominant strand of theory concerning organisational governance stems from the principal-agent paradigm of financial economics. The principal-agent model has its roots in the professionalization of management, the consequent division between ownership and operational control in the modern corporation and the potential for conflicts of interest to arise in such circumstances. Formally, the principal-agent model notes that the owners of companies, the shareholders or 'principals', are often separate from the managers of the company, the 'agents' and that because of this separation the latter often have an informational advantage over the former. Furthermore, managers or agents are assumed to act in their own interests and these do not necessarily accord with those of the principals. Hence, self-serving managers are expected to maximise their personal utility before that of the shareholders, and, in that sense the 'model of man' embodied in the principal-agent model sees management acting as 'some form of homo-economicus.... individualistic, opportunistic and self-serving'. From this perspective, the primary goal of good governance, and its main manifestation, the corporate board of directors, is to reducing the degree of informational asymmetry

between principals and agents by carrying out an effective monitoring and reporting role. The board is responsible for implementing internal systems of accountability and reporting in order that principals are able to more effectively use the authority conferred by their ownership to reign in or replace operational management. This recognition suggests that it is important that the board of directors is, at least to some degree, independent of operational management in order for this monitoring function to be appropriately carried out. A second important role of boards of directors relates to aligning the incentives of agents with those of principals such that the former are inclined to act in the interests of the latter. Central to creating this alignment of incentives between managers and owners is the design and implementation of remuneration packages.

In response to critiques of the principal-agent paradigm, a variety of alternative conceptual perspectives on corporate boards have emerged. In particular, stewardship theory is often juxtaposed and contrasted with agency theory. The key distinction between the agency and stewardship perspectives centres on the 'model of man' embodied in their behavioural assumptions. Where agency theory assumes that managers are self-serving, utility maximising and opportunistic, the stewardship 'model of man' is one who is collectivist, cooperative and maximises utility by meeting the organisation's and shareholder's objectives. Within stewardship theory pecuniary incentives are less important,

whilst intrinsic satisfaction is more so. Since managers want to do a good job of running an organisation, the interests of managers and owners are inherently less divergent and management is seen as possessing superior knowledge and is in a better position to act on this knowledge to the benefit of shareholders. Under stewardship theory, the board's role is one of empowering and collaborating with management and boards are seen as being fundamentally facilitative and exists to collaborate with operational managers in taking actions that are in the best interest of the company.

A third significant theory of the role of boards of directors, the resource dependence theory, asserts that firms try to exert control over its external environment, and sees the corporate board as an important lever is doing so. The resource dependence perspective sees the board as a provider of access to external resources through the boards' network of contacts. The theory focuses on how board directors can build bridges with the firm's external environment. It views the board as an important boundary spanner that makes timely information available to executives. The resource dependent view of the firm's board argues that the intrinsic value of the firm's board lies in their ability to connect the firm with external resources through their network of business contacts, reduce strategic, competitive and environmental uncertainty and manage extrinsic dependencies, the board links the corporation with its environment.

Table 5.1. Models of corporate governance (after Cornforth, 2003)

Theory	Interests	Board Members	Board Role	Model
Agency Theory	Owners and managers have different interests	Owners' representatives	Compliance/conformance: safeguard owners' interests, oversee management, check compliance	Compliance model
Stewardship Theory	Owners and managers share interests	Experts	Improve performance: add value to top decisions/strategy, partner/support management	Partnership model
Resource-Dependence Theory	Stakeholders and organisation have different interests	Chosen for influence with key stakeholders	Boundary spanning: secure resources, maintain stakeholder relations, bring external perspective	Co-option model
Stakeholder Theory	Stakeholders have different interests	Stakeholder representatives: elected or appointed by stakeholder groups	Balancing stakeholder needs: balance stakeholder needs, make policy/strategy, control management	Stakeholder model
Democratic Perspective	Members/the public contain different interests	Lay representatives	Political: represent constituents/members, reconcile conflicts, make policy, control executive	Democratic model

Governance in practice

Having outlined some of the main conceptual paradigms concerning organisational governance, we now discuss how organisational goals and the diversity of the external environment within which organisations operate have shaped the structures and approaches to governance that have emerged in the private, public and third sectors. As will become clear, a wide variety of governance structures have emerged. In particular, research has highlighted that distinct approaches to the governance of private sector companies have emerged around the world and has sought to identify the key features of these alternatives. The broad spectrum of alternative approaches is highlighted in Table 5.2 overleaf.

Existing research has introduced several dominant 'types' or 'styles' of corporate governance including the 'Anglo-Saxon' and 'Germanic' models of corporate governance. Each 'model' of corporate governance is characterised not only by aspects of board structure, board process, and organisational objectives but also by important elements of the wider environment within which private sector bodies operate. For example, Anglo-Saxon corporate governance has in most research been understood to be a response to the typically widely distributed ownership of companies in such countries which requires an independent board with strong performance incentives to avoid agency problems.

Regarding the structure and role of corporate boards, Anglo-Saxon countries such as the US, the UK and Canada have, in general, adopted variants of the one-tier board model. As Maassen (2002) has noted, in these countries executive directors and nonexecutive directors are both members of a single highest managerial body, the so-called one tier board. Depending on the country and on the company, some one-tier boards are dominated by a majority of executive directors while others are composed of a majority of non-executive directors. However, corporate governance codes in many countries specify that a majority of board members should be independent of the executive management of the company. In addition, one-tier boards often have a board leadership structure that separates the CEO and chair positions of the board. One-tier boards also make often use of

board committees such as audit, remuneration and nomination committees. In contrast to the Anglo-Saxon countries, continental European countries such as Germany, Finland and the Netherlands have adopted variants of the two-tier board model. This model has the distinguishing feature of an additional organizational layer which is designed to separate the executive function of the board from its supervisory role. The supervisory board (the upper layer) is entirely composed of non-executive supervisory directors that generally represent key stakeholders including investors (often banks), employees (often trades unions) and government. The management board (the lower layer) is usually composed of executive managing directors. Since the CEO is not a member of the supervisory board, its board leadership structure is formally independent from the executive function of the board. This arrangement is particularly the case in two-tier boards in the Netherlands and Germany. In variants of the two-tier board model in these countries, executive managing directors are not entitled to have a position in the supervisory board of the corporation.

To place our discussion of the size of school governing bodies in context, we first discuss evidence concerning the size of corporate boards internationally. Table 5.3 provides evidence concerning the range and average size of corporate boards of directors for 20 countries.

What Table 5.3, overleaf, shows is both that there is very substantial variation in the sizes of corporate boards internationally and that there is very significant degree of variation within each given country. Corporate boards are smallest in Australia, Norway and Israel and largest in Germany, Portugal and Italy. In the UK, corporate boards typically have around 10 members but, even there, the smallest board has only 3 members and the largest over 20.

In the context of public and third-sector organisations, there is a similar variety of approaches to governance that, once again, stems from the prevailing governance issue. Most voluntary and public sector organisations employ a variant of the unitary board model whereby a single body, usually termed a board of directors or trustees, acts as the major organ of governance. For example, charities and NHS trusts both employ a version of the unitary board arrangement.

Table 5.2. Systems of governance around the world (after Weimar & Pape, 1999).

Market/Network Orientated System of Corporate Governance	Market-Orientated	Network Oriented		
Country Class	Anglo-Saxon	Germanic	Latin	Japan
Countries (GDP 1995 X US\$ 1,000,000,000; GDP per Capita X US\$1 at current prices and exchange rates)	USA (7,246; 25512) UK (1,107; 17468) Canada (569; 18598) Australia (349; 18072)	Germany (2259; 25133) Netherlands (396; 21733) Switzerland (246; 22389) Austria (233; 24670) Denmark (175; 28181) Norway (147; 28434) Finland (126; 19106)	France (1567; 22944) Italy (1119; 17796) Spain (574; 12321) Belgium (264; 22515)	Japan (4961; 36732)
Concept of the Firm	Instrumental, shareholder-orientated	Institutional	Institutional	Institutional
Board System	One-tiered (executive and non-executive board)	Two-tiered (executive and supervisory board)	Optional (France), in general one-tier	Board of directors; office of representative directors; office of auditors; de facto one tier
Salient Stakeholders	Shareholders	Industrial banks (Germany), employees, in general oligarchic group	Financial holdings, the government, families, in general oligarchic group	City banks, other financial institutions, employees, in general oligarchic group
Importance of the stock market in the national economy	High	Moderate/high	Moderate	High
Active external market for corporate control	Yes	No	No	No
Ownership concentration	Low	Moderate/high	High	Low/moderate
Performance-dependent executive compensation	High	Low	Moderate	Low
Time horizon of economic relationships	Short-term	Long-term	Long-term	Long-term

Table 5.3. Ranges and average sizes for corporate boards in 20 countries

Country	Minimum Number of Directors	Maximum Number of Directors	Mean Number of Directors
Austria	3	14	7.8
Belgium	4	26	9.7
Bermuda	4	18	8.9
Canada	4	20	10.2
Denmark	6	28	12.8
Finland	6	24	9.1
France	3	36	12.0
Germany	4	33	18.6
Greece	6	20	12.4
Israel	4	17	8.2
Italy	5	30	13.4
Luxembourg	5	33	11.9
Netherlands	2	25	9.4
Norway	3	20	6.9
Portugal	7	32	13.9
Republic of Ireland	3	26	9.6
Spain	4	32	14.3
Sweden	4	19	10.0
Switzerland	3	32	11.6
United Kingdom	3	22	9.7
United States	4	26	11.1

Chapter summary

Numerous theories of, and approaches to, organisational governance have been explored in earlier research. Broadly, such research shows that prevailing models of governance in practice are informed by the key features of an organisation’s context (e.g. dispersed share ownership, absence of a strong market for corporate control) and an organisation’s objectives. In that respect, schools share many of the features of most public sector organisations including: a mandate to broad local accountability, multi-faceted performance metrics, and a prescriptive regulatory regime. Absent strong external governance, organisations in the private and public sectors around the world have generally sought to establish a formal separation of the managerial and supervisory aspects to organisational governance. This arrangement could provide a valuable way forward for school governance to proceed.

Chapter 6. Methods

Introduction

The purpose of this chapter is to describe the quantitative and qualitative research methods used in our research. The data upon which our analysis and findings are based were collected through two parallel data collection streams: a series of in-depth interviews with key stakeholders, and on-line surveys comprised of a series of scalebased quantitative questions and open-ended questions which were targeted to particular groups of stakeholders. By combining both qualitative and quantitative approaches, we adopted a mixed-method approach to explore issues relating to school governing. Mixed method approaches have several benefits including the ability to test the consistency of findings obtained through different approaches, and the opportunity to clarify and illustrate results from one method with the use of another method. In our research, in-depth interviews and textual qualitative responses enable us to substantiate and elaborate upon the broad patterns identified in the quantitative element of our research.

In the remainder of this chapter, we provide further methodological detail with respect to the two strands of data that we collected and how these data were analysed and then describe some basic attributes of the sample of school governors that participated in our survey of serving school governors.

In-depth interviews with expert stakeholders

Design

The first strand of our research consisted of a set of in-depth interviews with key stakeholders involved in school governing. The approach of interviewing experts is common in policy-oriented research where it offers an effective way of gauging the spectrum of perspectives on a given topic or issue. Interviews were carried out between 21st May and 13th July 2008 and were carried out by at least one of the four researchers.

Before embarking on interviews an extensive review of academic and policy-oriented

literature was carried out in order to identify key themes. These themes were then built into an interview guide that comprised the themes and questions associated with them. One key feature of expert interviewing is the need for flexible use of the interview guide. A basic set of interview guidelines is modified from interview to interview to take account of the specific experience and differing knowledge base of each of the experts interviewed. This approach ensures that the research findings reflect the diversity of knowledge held by individual participants.

Sampling

Expert interviewing is a form of purposive sampling within which the researcher chooses participants because of their specific knowledge of the research topic. The merits of adopting an expert-interview approach are clearly sensitive both to the definition of 'expert' and to the number of interviews carried out. In our research, expert selection followed an iterative approach which provides for flexible management of the selection process during the period of the research. Our starting point was to draw up a list of categories of key stakeholders including: trade unions, headteachers, members of school governing bodies, employers, volunteer organisations, a variety of bodies active in the education sphere, and policy makers. We also drew upon the expertise of the study's sponsors to identify possible participants. As interviewing progressed, we also asked participants for the names of individuals or groups that they felt we ought to talk to during the progress of the research.

Data collection

Given the tight timeline of the research, the majority of the in-depth interviews were carried out using a telephone interviewing approach. Telephone interviewing enables data to be collected from geographically scattered samples more easily and quickly than by face-to-face interviewing. In order to elicit responses that genuinely reflected the respondents' views, we assured each respondent that their identity and that of their organisation would be kept anonymous.

On average, interviews lasted 25 minutes and ranged from 15 to 65 minutes. Permission was obtained for all interviews to be recorded. In addition, each interviewer compiled field notes during the process of the interview where brief, important data could be recorded so that information would not be lost through forgetfulness and a relatively quick sense of the key themes could be developed. The validity of the data was ensured by carrying out verbatim transcription of each interview. Professional transcribers were employed to undertake the initial transcription.

Data Analysis

The data were analysed using a largely inductive approach allowing the prevailing pattern, themes and categories of the research findings to emerge from the data rather than be controlled by factors predetermined prior to their collection and analysis. The analysis of the transcripts and field notes comprised of labelling the data, creating a data index, sorting the content of the data into meaningful categories, and determining a list of themes.

On-line survey data collection

Design

As for the in-depth interviews, the design of the on-line survey began from a comprehensive review of the academic and policy literature concerned with organisational governing. This review, along with emerging themes from the interview research, highlighted a variety of themes that we sought to address via the online survey. This part of the research aimed to survey those currently involved with school governing in order to obtain their perspectives and to identify the areas where they saw the greatest challenges arising. We chose to administer the survey on-line because of the ease with which it allowed us to approach the very large number of individuals involved with school governing – for example, there are approximately 350,000 serving school governors.

The process of designing the survey instrument began from drawing upon survey items that had been used successfully in earlier research. Once a first draft of the survey had been produced, we distributed it widely among the projects stakeholders and the representatives of organisations that

helped us distribute the survey. This process had very significant benefits in refining the survey. As a result, several questions were reworded, new questions were introduced and other changes were made to reduce confusion.

Sampling

We were very fortunate to receive substantial support from the National Governors Association, the representative body for school governors, the School Governor One Stop Shop (SGOSS), an organisation that helps bridge the interface between businesses and school governing, and the National Co-ordinators of Governor Services (NCOGS). These organisations sent emails on our behalf to their membership lists and hence, in principle, the vast majority of the population of serving school governors were asked to participate in our research.

Data management and analysis

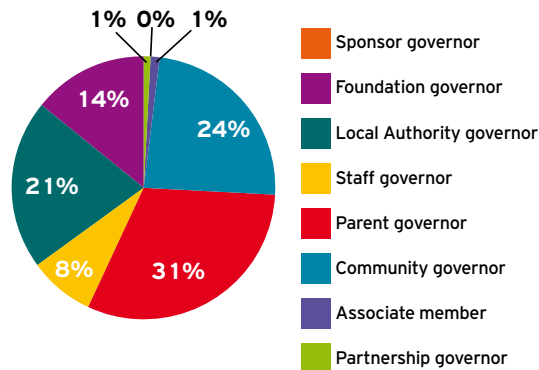
We used an online survey design tool to implement our final survey. The qualitative data generated by responses to the open ended questions were analysed in a similar way to the interview. The quantitative data were analysed using the statistics package for the social sciences (SPSS), version 14.0.

On-line sample characteristics

Over 5,000 serving school governors answered at least some of our survey questions, with most questions being answered by over 3,500 governors and complete responses being available for 3,183 serving governors. Figure 6.1 describes the breakdown of the sample in terms of the type of governor. As can be seen, the sample is broadly distributed across governor types and, most importantly, reflects the broad variation within the population of school governors.

Twenty five percent of the sample were serving chairs of governing bodies, nearly 9% had been a chair in the past, and around 65% had never chaired a governing body.

Figure 6.1. Representation of governor types within the sample



Fifty percent of the sample was female, and 48% male. Figure 6.2, below, provides a breakdown of the sample by age category. This statistic shows that relatively few young people serve as school governors and that over 50% of serving governors are over 50 years of age.

Figure 6.2. Distribution of the sample across age categories

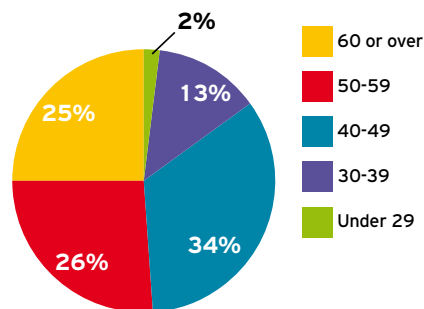
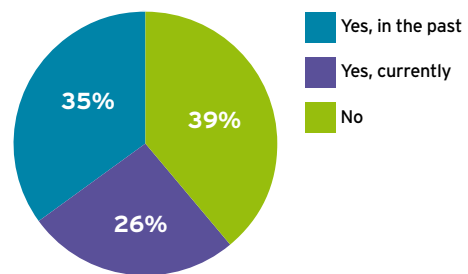


Figure 6.3 shows that over 60% of the sample have, either currently or in the past, had children in the school where they serve on the governing body.

Figure 6.3. The link between governing and parenting



The sample also drew upon schools of many different types, once again suggesting that the breadth of experience of school governing is reflected in our sample. Table 6.1 provides a breakdown of the percentages of different types of schools in our sample. Bear in mind that the categories in Table 6.1 are not mutually exclusive and that, therefore, a given school might fit into more than one category.

Table 6.1. Representation of different school types in the sample

A Nursery School	5.4%
A First School	2.8%
A Infant School	11.8%
A Junior School	11.3%
A Primary School	51.1%
A Middle School	2.0%
A Secondary School with 6th Form	12.8%
A Secondary School without 6th Form	7.6%
A Special School	3.6%
A Specialist School	5.8%
A Community School	8.9%
A Foundation School	4.1%
A Voluntary Aided School	9.9%
A Voluntary Controlled School	3.7%

Chapter 7. Findings: The effectiveness of governing bodies

Introduction

This chapter summarises the findings of the Study’s work on aspects of governing body effectiveness. We acknowledge that the notion of effectiveness is extremely complex and is dependent on a number of factors such as: what the task is, how being effective relates to issues of economy and efficiency, and how effectiveness is measured. A full-blown analysis of those matters is beyond the scope of this Study.

Our purpose has been to consider in a general sense whether school governing is working and to analyse issues related to governing body functioning. In this chapter, we draw mainly on the data from the survey of governors and use the interview data to illuminate specific issues. Following this introduction, there are sections which explore what governors say about the effectiveness of their governing bodies, other issues related to effectiveness and views of Ofsted’s inspection of governors work.

Governors’ views about the effectiveness of their governing bodies

We asked governors a range questions concerned with board processes and activities. The percentage of governors, who are or have been involved with chairing governing bodies,

who agree or strongly agree with various statements about the effectiveness of their governing bodies is shown in Table 7.1.

There are several observations.

- there is a generally very high level of perceived effectiveness of governing bodies with roughly six out of seven governors expressing the view that, overall, their governing body works effectively
- perhaps not unexpectedly, current and past chairs have a slightly more positive view of governing body effectiveness than those governors who are currently not or who have not been in that role
- about three quarters of governing bodies review their performance and activities
- almost all have clearly structured agendas for their meetings, although it is perhaps surprising the one in 20 governing body meetings do not
- over 85% of governors feel that they have a strong grasp of their role and responsibilities
- areas where respondents felt there governing bodies performed slightly less well were in the areas of periodic review and in discussing how well it was performing

Table 7.1. The percentage of school governors with different roles who agree with statements about aspects of the work of their governing bodies

	Current Chairs	Past Chairs	Non-Chairs	All Respondents
Overall, our school governing body works very effectively	92.2%	85.8%	83.6%	86.4%
The governing body has a clear understanding of its role and responsibilities	92.5%	86.5%	84.0%	86.8%
Meetings of the governing body have a clearly structured agenda	97.3%	93.9%	94.6%	95.3%
The governing body periodically reviews how it is working	80.5%	72.3%	67.3%	71.7%
The governing body has participated in discussions about the effectiveness of its performance	83.1%	77.7%	70.9%	75.2%

Further analysis of this data, as shown in Table 7.2, indicates that there is little variation in the views of different kinds of governors on the overall effectiveness of their governing bodies and other aspects of their work.

Table 7.2. Percentage agreement with statements concerned with GB effectiveness for groups of governors

	Overall, our school governing body works very effectively	The governing body has a clear understanding of its role and responsibilities	Meetings of the governing body have a clearly structured agenda	The governing body periodically reviews how it is working	The governing body has participated in discussions about the effectiveness of its performance
Community governor	87.8%	87.2%	95.5%	70.7%	74.9%
Parent governor	82.9%	84.2%	94.4%	67.0%	69.9%
Staff governor	84.6%	85.9%	96.0%	78.0%	80.6%
Local Authority governor	87.4%	88.0%	96.2%	73.7%	79.0%
Foundation governor	90.2%	90.0%	95.3%	76.6%	78.3%
Sponsor governor	91.7%	91.7%	91.7%	83.3%	83.3%
Partnership governor	96.3%	92.6%	96.3%	77.8%	74.1%
Associate member	81.5%	77.8%	96.3%	70.4%	70.4%

Parent governors and associate members consider their school governing bodies to be somewhat less effective than other kinds of governors. Although this difference is consistent, it is small.

An analysis of the views of governors from governing bodies of different types of school on their governing bodies' effectiveness is shown in Table 7.3.

Table 7.3. The percentage of governors from governing bodies of different agreement agreeing with statements about the effectiveness of their governing body

	Overall, our school governing body works very effectively	The governing body has a clear understanding of its role and responsibilities	Meetings of the governing body have a clearly structured agenda	The governing body periodically reviews how it is working	The governing body has participated in discussions about the effectiveness of its performance
A Nursery School	71.4%	71.4%	78.6%	71.4%	64.3%
A First School	92.9%	83.9%	92.9%	76.8%	73.2%
An Infant School	90.6%	91.0%	95.0%	77.1%	82.0%
A Junior School	85.3%	83.4%	95.0%	68.3%	74.1%
A Primary School	84.9%	85.3%	95.4%	70.8%	74.4%
A Middle School	90.2%	92.2%	98.0%	64.7%	74.5%
Secondary School with 6th Form	86.4%	88.1%	94.2%	72.4%	68.7%
Secondary School without 6th Form	85.6%	87.5%	96.3%	69.4%	78.1%
A Special School	84.6%	84.6%	92.3%	69.2%	77.9%
A Specialist School	89.9%	89.9%	97.5%	70.9%	82.3%
A Community School	85.4%	85.4%	95.8%	73.2%	75.3%
A Foundation School	86.9%	89.8%	94.9%	73.0%	76.6%
A Voluntary Aided School	89.1%	90.6%	95.4%	74.8%	76.6%
A Voluntary Controlled School	86.3%	86.3%	96.6%	68.5%	69.9%

The percentage of respondents agreeing that their governing body works well ranged from 71.4% (nursery schools) to 92.9% (first schools). There is no discernable trend or pattern in the effectiveness of the governing bodies of different kinds of school.

Tables 7.1 - 7.3 together indicate six out of seven governing bodies are working effectively according to their members, which is broad agreement with Ofsted assessments (see Chapter 4). The one seventh of governing bodies deemed to be ineffective is not the result of the type of school or particularly harsh views of particular types of governors. These initial observations suggest that any consideration of school governing should be set in the context of a high overall level of effectiveness. This finding is supported broadly by all those we interviewed who have a detailed understanding of school governing. There is a good case for arguing that one out of seven schools is not at all satisfactory. In the

words of one respondent, *'Too many are not well governed'*.

Table 7.4 below shows the differences between the characteristics of those governing bodies that were deemed by respondents to be effective and those that were not. A number of features are significant. Generally, effective governing bodies:

- have a clear understanding of their role and responsibilities
- share a common vision of what the school is trying to achieve
- are well attended
- have good communication
- work to clearly structured agenda
- are effectively chaired
- have meetings where members feel able to speak their minds
- are supplied with good quality, relevant information.

Table 7.4. Differences in perceived effectiveness between more and less effective governing bodies

	Less Effective Governing Bodies	More Effective Governing Bodies
The governing body has a clear understanding of its role and responsibilities	38.6%	94.4%
Governors from different stakeholder categories work well side-by-side	52.4%	90.9%
Attendance at meetings of the governing body is usually very good	59.8%	93.4%
The governing body and I share a common vision of what the school is trying to achieve	56.6%	96.3%
The governing body periodically reviews how it is working	29.7%	78.3%
Communication between myself and the governing body is good	47.8%	93.7%
Meetings of the governing body have a clearly structured agenda	75.1%	98.5%
Meetings of the governing body often run on too long	42.8%	29.9%
The chair of the governing body plays a very effective role	46.9%	90.7%
Members of the governing body feel able to speak their minds on issues	51.5%	95.2%
Our governing body has formal Terms of Reference	64.2%	87.3%
The clerk of the governing body offers specialist advice and guidance	48.7%	72.2%
The organisation of our governing body's business is greatly facilitated by our clerk	51.5%	77.0%
Balancing their role as a member of our governing body with other responsibilities is challenging for our governors	63.5%	72.7%
The Clerk to the Governing body also works in the school in a different capacity	28.8%	35.7%
The main job of the Clerk is to take the minutes of the meetings	41.3%	49.4%
The governing body has participated in discussions about the effectiveness of its performance	42.1%	80.4%
Members of the governing body are supplied with good quality, relevant information	44.5%	92.7%

In those governing bodies reported as being less effective, governors do not have a clear understanding of their role and they do not receive good quality and relevant information. Attendance may be poor as may the chairing of the meetings. In addition the members do not:

- work well together
- communicate with each other well
- share a common vision
- feel able to speak their minds on particular issues.

Importantly, effective governing bodies are more likely to periodically review how they are working than ineffective ones.

Less effective governing bodies underperform in a large number of dimensions. Their lack of effectiveness does not seem to be linked to any particular aspect of their work.

Lack of effectiveness does not seem to be linked to any particular aspect of their work. The only areas where there is anything approaching close agreement in the dimensions of the work of effective and less effective governing bodies are:

- in the difficulties experienced by governors balancing their school governor responsibilities with other responsibilities
- that the clerk is also likely to work in the school in a different capacity
- that the main job of the clerk is to take the minutes of meetings.

The largest discrepancies between effective and ineffective governing bodies in what could be described as input factors - those aspects that need to be in place to the governing bodies can work well - are in:

- the clarity of understanding of role and responsibilities
- the extent to which there is a shared common vision
- the provision of good quality relevant information to the governing body.

The largest differences between effective and ineffective governing bodies in what could be described as process factors - the ways the governing bodies work - are in:

- the extent to which the governing body reviews how it works
- the effectiveness of the chair
- the extent to which members of the governing bodies can speak their minds.

As regards the amount and quality of information provided to governors, it is likely that as the role of the School Improvement Partner (SIP) develops and understandings of how SIPs should relate to governing bodies develop, the quality of information schools receive should improve. A number of interviewees considered that the SIP would make a substantial difference to the work of governing bodies, especially as good practice amongst SIPs improved.

All the findings very much reflect the views of respondents who have direct experience of governing bodies, particularly in relation to the importance of the role of the chair, understanding the ethos of the school, the provision of information, and the ability to scrutinise policies, plans and practices. Having the authority to 'speak their minds' was considered to an important characteristic of governors, although that characteristic was expressed in a variety of ways.

Headteachers' views of the effectiveness of their governing bodies

As we outlined in Chapter 6, it was not possible to survey a large number of headteachers, but we were able to elicit the views of 42 headteachers. (The time-frame of the research meant that the data collection took place towards the end of the school summer term, when headteachers are extremely busy. Following consultations with headteachers, local authorities and headteacher professional associations, we decided not to pursue collection of data from a larger sample of headteachers). In general, headteachers are less positive about the effectiveness of their governing bodies. For example with about three quarters of headteachers agreeing that overall their governing body works very effectively, which is a slightly lower proportion than governors' own view. The pattern is similar for aspects of effectiveness. Generally, headteachers have a slightly less positive view.

Ofsted inspection of governing bodies

As we discussed in Chapter 3, the inspection of governing bodies has been scaled down as part of the New Relationship with Schools. The general view from respondents on the inspection of governing bodies was that

'Ofsted more or less gets it right'. However, as one respondent put it,

'If the school is doing well - good results and have done a good assessment of themselves in the SEF - I don't think governance is investigated particularly thoroughly so in some cases a good school with a weak governing body might not be identified as such'.

Another respondent was quite clear:

'The grade for governance depends on pupil achievement - governing cannot get a good grade where performance is lower than it should be'.

In the view of another respondent,

'In many schools governors fulfil their responsibilities well, even where the overall grade and that for leadership and management may be lower'.

As regards inspection, one respondent was clear, *A lot depends on what the head says to the inspector about the governors'.*

There was some frustration that the lack of scrutiny of the work of the governing body during inspections had 'devalued governing'. As one governor trainer put it:

'I was involved in drawing up the criteria for 2000 - and believe that governors should be fully accountable via Ofsted. It also enhances their status if they are'.

The responsibilities of school governors and the relationship with effectiveness

A consistent theme amongst interviewees was that the responsibilities of school governors had increased substantially, and particularly so in recent years, especially in response to government initiatives. As one respondent put it:

'We go from School Managers in the 1870's and it is a gradual if you like, change in that role until you get to the early 21st century now where we have governors who are much more involved in the strategic delivery of education'.

Some respondent expressed frustration at the way the responsibilities had grown as a result of successive policy changes.

'But they (the government) do not actually bring it all together and make it into a cohesive whole—it is a kind of tagging on bit and it is never a removal of the obsolete bits. It is additional responsibility rather than conflation and coordinating responsibilities'.

There was concern amongst interviewees that the overloading of the role was preventing governing bodies taking up its more strategic, monitoring and scrutinising role and that they were being drawn into taking up a more operational role. The high workload may also prevent deliberation of other broader issues related to the school and its purpose.

There was also some concern about the lack of clarity in relation to the role especially in the way it was set out in the regulations and legislative guidance.

'I do not think that the government has a clear expectation of what governance should be and what governors should do'.

Many felt that this lack of clarity had resulted in school governing being undertaken in a range of ways and to the whole process of governing being more complicated than it needed to be. As a result, the benefits of good governing were being lost. As one headteacher put it:

'The jobs always fall back to the school to actually do I am not sure what we get out of the governance process'.

Another headteacher was clear that could most improve school governing:

'Reducing the governing body's responsibilities to a manageable level and allowing the oversight provided by the SIP and LA (local authority) to be accepted as their role'.

The contribution from the non-education (business) community to school governing.

As a number of interviewees made clear, there is already considerable involvement of the non-education (business) community to school governing. Many 'parent governors' work or have worked in non-education settings. The expertise and skills that people bring from settings outside education are valued as these two quotations from headteachers illustrate.

'We are a business and enterprise college and so the role of business is very important. We do feel that the skills that people have in business are helpful in working with some of the issues that the school now face I think the business governors have brought a clarity of purpose - we can sometimes get a bit woolly—it does not do us any harm to have our assumptions and ethos challenged. And that has been really good'.

'Their strength is to give a completely different perspective and they can take. They understand what the strategic role looks like. What sorts of things they should be discussing, how they discuss them and how they progress what the strategic role looks like. What sorts of things they should be discussing, how they discuss them and how they progress'.

A number of respondents felt there was scope for enhancing the contribution of employees and 'whole companies' to school governing. Often they added the proviso that in addition to the skills and qualities brought by those who worked in noneducational settings, such governors needed to be sensitive to the culture, purposes and ethos of the school and to be ready to learn.

The benefits from being a school governor

Many respondents argued that there are considerable benefits from being involved in school governing. They felt that those involved developed new skills (including high level leadership, strategic and analytical skills), an understanding of the work of schools and developed self esteem and confidence. These benefits are more likely to happen when the governing body is effective and when the school is successful. A number of respondents were clear that this development would be enhanced by governors reflecting individually and collectively on their practice as governors and would also improve governing body practice. They felt such reflection and review should be standard practice. Interestingly, this kind of reflection and review takes place on only one-third of ineffective governing bodies and about 75% of effective governing bodies. One respondent, a company secretary for a major multinational firm reported that such reviews were standard practice for the

company and the company pension fund boards. Another respondent drawing on his experience as a board member of a charity felt that governing bodies should engage an independent person to facilitate the review process, which reflected the importance he attached to it.

Summary and concluding comments

1. We found that about 85% of governors consider their governing bodies be very effective which is broadly in line with Ofsted judgements that school governing is good or better in most schools and satisfactory in all but a small minority. Headteachers have a less positive view of the effectiveness of their governing bodies.
2. School governors are now required to be effective across a wider range of responsibilities. Governing bodies have strategic management, monitoring, evaluation and a range other responsibilities. As a result they have a high workload and governing bodies as a result may not engage in discussions about 'the kind of school they want'. The increase in governing bodies' responsibilities has resulted in school governing becoming much more complicated.
3. Effective governing bodies:
 - have a clear understanding of their role and responsibilities
 - share a common vision of what the school is trying to achieve
 - are well attended
 - have good communication
 - work to clearly structured agenda
 - are effectively chaired
 - have meetings where members feel
 - are supplied with good quality, relevant
4. The non-education (business) community effectiveness of school governing.
5. Respondents felt that there are significant governing. The benefits are likely to be reflecting individually and collectively and reflection would also improve governing reviews of this kind should be standard
6. The inspection of the work of governing involved in inspections are limited, which importance of school governing.

Chapter 8. Findings: The function of governing bodies

Introduction

In this chapter, we report our findings with respect to the activities undertaken by governing bodies. Clearly, the contributions made by individual governing bodies are many and varied. Nevertheless, in light of the discussion of the intended roles of governing bodies as set out in legislation and policy, it is illuminating to ask how these intended roles are generally enacted in practice.

A significant part of our investigation addressed governor perceptions of their most prevalent contributions. Here, we would stress that this evidence relates to the contributions made by governing bodies as perceived by members of those bodies. Table 8.1 reports the percentages of serving governors that agreed with each of a set of statements concerning the contributions made by their governing body in the last year, ranked by the overall level of agreement.

Table 8.1. Contributions made by governing bodies in the last year

	% Expressing Agreement	Rank
Supporting the Headteacher	95.4%	1
Financial Management	90.4%	2
Monitoring Plans and Targets	88.1%	3
Ensuring the accountability of the Governing Body	82.7%	4
Long and medium term strategic planning	82.1%	5
Representative of community and parental interests	79.5%	6
The Scrutiny Role	78.1%	7
Challenging the Headteacher	72.3%	8
Carrying out operational tasks	60.8%	9
Collaboration with other community institutions, including schools	54.3%	10

Table 8.1 clearly shows that supporting the head teacher is a contribution made by almost all governing bodies, along with participating in financial management and the monitoring of plans and targets, each of which was done by around 90% of governing bodies.

Perhaps most striking about the evidence presented in Table 8.1 is the relatively low percentages of governors that perceive that their governing body had carried out the scrutiny role or provided challenge to the head teacher. Between 20% and 30% of governors felt that their governing body had not carried out these roles in the last year. Given the importance of scrutiny and challenge within policy and its importance in ensuring good governing, this is a worrying observation.

Although ranked in 9th place with just over 60% agreement by governors, the proportion of governors stating that they contributed through carrying out operational tasks is surprisingly high, and contrasts with both the intended role of the governing body in law and perceptions of its ideal role in practice.

Further insight into these issues can be obtained by distinguishing between the contributions made by more and less effective governing bodies, defined in the same way as above. The results of doing so are presented in Table 8.2, below. As above, and as expected, less effective governing bodies tend generally to make fewer contributions than more effective governing bodies. However, the difference between the two groups is more marked in some areas. In particular, the difference is particularly striking in the extent of: participation in the scrutiny role, challenging the head teacher, and monitoring plans and targets. This suggests that weaker governing bodies are particularly prone to deficits in these areas.

A number of interviewees felt that flexibility in provision was important and that the increasing use of on-line training would be helpful. Locally tailored provision was valued because it provided a local context. Views on the quality of national programmes varied. Some local providers used national programmes as a basis for their provision. Some respondents felt that a national college for school governor training perhaps in virtual form should be considered but it would need to recognise local provision and work with current providers.

Table 8.2. Differences between more and less effective governing bodies regarding board contributions

	Less Effective Governing Bodies	More Effective Governing Bodies
Supporting the Headteacher	76.1%	98.4%
Challenging the Headteacher	37.3%	77.8%
Financial Management	65.6%	94.3%
Monitoring Plans and Targets	52.3%	93.7%
The Scrutiny Role	37.0%	84.5%
Carrying out operational tasks	34.4%	65.0%
Representative of community and parental interests	48.3%	84.4%
Ensuring the accountability of the Governing Body	39.7%	89.5%
Collaboration with other community institutions, including schools	25.7%	58.7%

The analysis above raises an important question: Why are the scrutiny and challenge roles less prevalent among governing bodies, especially less effective governing bodies, than is desirable? To answer this question, it is necessary to go beyond the top level quantitative analysis to examine respondent's fuller responses.

One primary difficulty experienced by governors seems to have its origin in one of the fundamental tensions present in school governing – the asymmetric position of members of the governing body with respect to the headteacher. For example, one governor with six years experience as a secondary school governor highlighted that it is:

'not always easy to be a 'critical friend' - the headteacher is so dominant in terms of her professional expertise, drive, success and wisdom, it is difficult to critique her decisions'.

Another governor echoed this observation, noting that:

'it is quite difficult to be a 'critical friend' with a governing body which does not feel in a position to always challenge the head simply because he/she knows so much more'.

A second key influence on the failure of governing bodies to carry out their scrutiny and challenge roles stems from the tendency for these to be crowded out by more pressing operational matters. Many governors raised frustration with the variety of policy initiatives and bureaucracy facing school and the level of operational work these generated. One chair of a governing body noted his frustration with the emphasis on involvement in *'operational tasks to compensate for lack of capacity within school'* and with *'bureaucracy which can dominate main governing body meetings rather than give time to strategic debate'*. Another governor with eight years experience as a governor highlighted the prevalence of

'top-down legislation, which often seems to have little to do with children's education, but has too much emphasis on issues that should be dealt with by paid employees and not volunteers. It has too much confusion between strategic involvement and management'.

A third governor noted that he felt that his governing body was affected by a 'tendency of senior team to use [the] GB to make difficult 'day to day' decisions'.

Finally, the absence of scrutiny and challenge can often be seen as originating in the perception among some governors that they lacked the expertise to carry out these duties effectively. For example, one governor noted that *'I do not believe I am at all qualified for this role in relation to professional staff'* while the current chair of another governing body observed that he felt he was *'not adequately equipped to make some of the decisions required, especially when it is the GB who is held to account at the end of the day'*.

Chapter summary

1. Reflecting the development of the role of school governing bodies in policy and legislation, governing bodies make a very wide set of contributions to their schools.
2. Our evidence suggests that the support of the head teacher and involvement in some operational aspects of school management are the most widely enacted roles, while aspects of scrutiny and challenge are substantially less prevalent, particularly among less effective governing bodies.
3. Where these issues arise, governors generally express frustration at the extent to which operational matters crowd out strategic considerations.
4. Respondents raise concerns about whether they are equipped with the information and expertise necessary to challenge and scrutinise effectively.

Chapter 9. Findings: Structure and process in school governing

Introduction

Having discussed the effectiveness of school governing bodies and their contributions, we now shift our attention to aspects of the structure of school governing bodies and processes of recruitment, induction and training of school governors.

The size of school governing bodies

The size of school governing bodies has been highlighted as an area of interest in recent policy discussions of school governing. Here, we present our evidence with respect to the size of school governing bodies and the relationship between size and effectiveness. The data presented in Table 9.1 below shows a substantial variation between types of schools in the size of their governing body, and that schools within each category have widely varying sizes of governing bodies with the largest comprising around 30 members. On average, a school governing body in our sample has 14 members with smaller schools involved in primary education generally having smaller governing bodies, and larger specialist and secondary schools generally having larger bodies.

Table 9.1. Ranges and average sizes for governing bodies for different types of schools

Type of School	Minimum Number of Governors	Maximum Number of Governors	Mean Number of Governors
A Nursery School	7	24	11.9
A First School	6	15	11.9
A Infant School	8	23	12.3
A Junior School	6	20	13.2
A Primary School	3	25	13.5
A Middle School	8	20	14.7
A Secondary School with 6th Form	7	30	18.0
A Secondary School without 6th Form	8	26	17.0
A Special School	7	22	12.5
A Specialist School	8	25	17.7
A Community School	8	30	15.5
A Foundation School	8	24	16.8
A Voluntary Aided School	7	30	14.6
A Voluntary Controlled School	5	22	14.3

Turning to the link between the effectiveness of governing bodies and their size, we disaggregated our data regarding aspects of board effectiveness according to the size of a school governing body. This analysis is provided in Table 9.2, overleaf. Broadly, this breakdown shows that there is no significant or substantive relationship between the size of a governing body and aspects of its effectiveness. For example, perceptions of overall effectiveness are comparable (at 88% and 86%) for the smallest and largest governing bodies, as are the indicators for periodic review of activities (73% versus 70%), understanding of role and responsibility (87% versus 88%), and effective chairing (85% for both groups).

The equivocal pattern concerning the implications of board size seen in our quantitative findings is borne out by a qualitative analysis of the perceptions of the members of governing bodies concerning their size. Generally, opinions regarding size are mixed. For example, some governors strongly perceive that reducing the size of the governing body would improve effectiveness. One governor noted that one of the key improvements that could be made to his governing body was *'a smaller governing body. Our meetings are too large and cumbersome'*, while another stated that *'now we have a governing body of 22 - way too big to achieve anything'*.

Table 9.2. Effectiveness indicators for governing bodies of different sizes

	1st Quartile (i.e. Smallest 25% of schools)	2nd Quartile	3rd Quartile	4th Quartile (i.e. Largest 25% of schools)
Overall, our school governing body works very effectively	88.1%	87.5%	84.6%	85.9%
The governing body has a clear understanding of its role and responsibilities	86.6%	87.9%	84.8%	88.4%
Governors from different stakeholder categories work well side by side	85.0%	87.9%	83.5%	86.7%
Attendance at meetings of the governing body is usually very good	91.1%	88.7%	87.1%	89.1%
The governing body and I share a common vision of what the school is trying to achieve	91.6%	91.5%	90.2%	90.9%
The governing body periodically reviews how it is working	72.8%	73.5%	71.1%	70.0%
Communication between myself and the governing body is good	87.5%	87.7%	88.2%	87.4%
Meetings of the governing body have a clearly structured agenda	96.2%	95.2%	94.9%	95.8%
Meetings of the governing body often run on too long	33.7%	32.7%	30.1%	30.8%
The chair of the governing body plays a very effective role	84.7%	85.1%	84.4%	85.4%
Members of the governing body feel able to speak their minds on issues	90.8%	90.4%	88.8%	87.8%
Our governing body has formal Terms of Reference	81.6%	86.9%	84.0%	84.8%
The clerk of the governing body offers specialist advice and guidance	72.6%	68.0%	69.6%	66.7%
The organisation of our governing body's business is greatly facilitated by our clerk	74.3%	71.8%	72.3%	76.3%
Balancing their role as a member of our governing body with other responsibilities is challenging for our governors	72.9%	75.7%	71.7%	65.9%
The Clerk to the Governing body also works in the school in a different capacity	31.0%	35.4%	28.8%	43.6%
The main job of the Clerk is to take the minutes of the meetings	49.6%	48.8%	50.0%	44.9%
The governing body has participated in discussions about the effectiveness of its performance	76.5%	76.5%	74.3%	74.3%
Members of the governing body are supplied with good quality, relevant information	86.2%	87.5%	85.0%	86.8%

On the other hand, some governors reported that size brought substantial benefits to their governing body, while others noted a contradiction between the government's desire to reduce the size of governing bodies at the same time as increasing their responsibilities. For example, one governor with eight years experience noted that:

'I believe that by having a large governing body we are able to divide responsibility and share expertise so that no one person has too much to do. If the size of our governing body was reduced, I think that this would present significant challenges'.

Similarly, a current chair of a governing body suggested that:

'I would be concerned to see our overall numbers reduced. This would either lead to subcommittees being too small or individual governors having to take on more. I fear this would lead to high quality governors with limited time availability being lost to the detriment of the quality of work of the governing body'.

Finally, a governor noted that a key challenge for their governing body was *'keeping our governing body at the same size (i.e. 12). Smaller would not work'.*

Governor recruitment, induction and training

Another important aspect of the working of governing bodies concerns the recruitment, induction and training of governors. Concern has been expressed regarding the high rate of vacancies present on some governing bodies and of the possible links between vacancy rates and governing body effectiveness.

A baseline for our analysis is provided in Table 9.3 overleaf, which reports the level of agreement with a number of indicators of concern in recruitment, induction and training.

Perhaps the most obvious point to be made concerning the results presented in Table 9.3 is the finding with respect to the general experience of governors regarding identifying suitable candidates for governing bodies. On

the basis of our evidence, most governing bodies have at least some difficulty in finding good people for their governing bodies, with only a third of governing bodies finding it fairly easy. From a further analysis, governor induction appears to be mixed with only half of governing bodies having a structured induction process for new governors, only 44% adopting a mentoring scheme for new governors, and more than a quarter of governing bodies lacking a formal description of the roles and responsibilities of governors.

The picture for training looks somewhat better than for induction, though a significant proportion of governors failed to express agreement with questions concerned with the availability and quality of governor training. Around two-thirds to three-quarters of respondents expressed satisfaction in these areas.

'A number of interviewees felt that flexibility in provision was important and that the increasing use of on-line training would be helpful. Locally tailored provision was valued because it provided a local context. Views on the quality of national programmes varied. Some local providers used national programmes as a basis for their provision. Some respondents felt that a national college for school governor training perhaps in virtual form should be considered but it would need to recognise local provision and work with current providers.'

Table 9.3. Indicators of governing body experience in recruitment, induction and training

	% of Governors Expressing Agreement
It is generally very easy for us to find suitable people for our governing body	33.6%
We have a structured induction process for new governors	51.9%
Most of our governing body has participated in training activities in the last year	57.5%
We find identifying willing governors with the right skills very challenging	45.1%
We have a high degree of turnover among our governing body	16.0%
Members of our governing body participate in local authority governor training programmes	77.2%
When a new member joins the governing body, an existing member is appointed as a mentor to help them learn the ropes	44.0%
All new members of the governing body are required to participate in an induction process	60.3%
We have a service level agreement with our local authority for governor training	67.3%
The quality of our governor training is excellent	63.2%
A formal document describing the roles and responsibilities of governors is provided to all new governors	73.6%

The difficulty that many governing bodies express regarding recruitment raises a further question concerning the possible impacts of non-recruitment on governing body effectiveness. To explore this, we distinguished between four groups of responses on the basis of the rate of vacancies present on their governing body and linked this to aspects of board effectiveness. This analysis is presented in Table 9.4, overleaf.

The evidence regarding the link between vacancy rates and effectiveness suggests that while there may be some relationship, the link is generally speaking modest overall. For example, the difference in perceptions of overall effectiveness between governing bodies with the lowest and highest vacancy rates is around 6%. Similarly, there is only a small difference in apparent understanding of roles and responsibilities of around 4%, and when it comes to participating in discussions of effectiveness, governing bodies with the highest vacancy rates out perform those with lower vacancy rates by around 3%. What this suggests is that, while vacancy rates do appear to influence effectiveness, the effect of size is modest.

Table 9.4. The link between vacancy rates and effectiveness

	1st Quartile (i.e. Lowest 25% Vacancy Rates)	2nd Quartile	3rd Quartile	4th Quartile (i.e. Highest 25% of Vancancy Rates)
Overall, our school governing body works very effectively	88.6%	87.6%	88.5%	82.4%
The governing body has a clear understanding of its role and responsibilities	87.9%	88.3%	89.0%	83.1%
Governors from different stakeholder categories work well side by side	86.9%	88.2%	86.3%	82.5%
Attendance at meetings of the governing body is usually very good	94.1%	92.8%	88.9%	81.5%
The governing body and I share a common vision of what the school is trying to achieve	89.6%	92.0%	93.6%	89.5%
The governing body periodically reviews how it is working	72.3%	71.9%	76.6%	68.0%
Communication between myself and the governing body is good	88.9%	88.1%	89.4%	85.0%
Meetings of the governing body have a clearly structured agenda	96.4%	95.6%	96.5%	93.5%
Meetings of the governing body often run on too long	28.3%	31.7%	31.4%	35.2%
The chair of the governing body plays a very effective role	86.5%	85.1%	85.7%	83.6%
Members of the governing body feel able to speak their minds on issues	91.5%	88.8%	89.3%	88.1%
Our governing body has formal Terms of Reference	83.8%	83.8%	86.8%	84.2%
The clerk of the governing body offers specialist advice and guidance	67.7%	70.0%	70.8%	67.4%
The organisation of our governing body's business is greatly facilitated by our clerk	73.8%	73.6%	75.2%	71.6%
Balancing their role as a member of our governing body with other responsibilities is challenging for our governors	67.9%	67.7%	74.2%	77.6%
The Clerk to the Governing body also works in the school in a different capacity	36.9%	36.1%	36.3%	29.9%
The main job of the Clerk is to take the minutes of the meetings	49.4%	49.41%	47.2%	47.4%
The governing body has participated in discussions about the effectiveness of its performance	73.0%	74.5%	78.7%	75.5%
Members of the governing body are supplied with good quality, relevant information	87.9%	87.7%	86.8%	83.7%

Desired attributes of school governors

An important aspect of governor recruitment is to understand the qualities and attributes that are most sought after by governors as these tell us something about the perceived needs of school governing bodies. Table 9.5 summarises responses to our survey on this point. Our evidence shows that school governing bodies place most value on 'fit' between an individual and the school and on particular skills that individuals bring to the governing body. Less important are the ability to represent aspects of the wider community. These observations reflect those made above with respect to the contributions being made by most governing bodies which typically relate to actively involving themselves in the school and in making practical, rather than strategic, contributions.

The role of the governing body chair and clerk

School governing bodies are committees and, like committees in other contexts, their smooth and successful operation is influenced by how they are led and managed. Chairs and clerks have an important role to play in this regard. As the discussion in Chapter 7 indicated, the roles of the chair and clerk are perceived to make a significant contribution to school governing by most governors. Notwithstanding that, the role of the clerk, in particular, appears to be variously enacted with a substantial proportion of governors seeing the role narrowly as 'a minute taker'. To a significant extent, this observation stems from the wide variety of experiences of clerking.

Table 9.5. Attributes sought by school governing bodies

	Less Effective Governing Bodies	More Effective Governing Bodies	Overall	Rank
Ability to support the school ethos	78.4%	93.7%	91.5%	1
Skills relevant to your school	66.8%	77.1%	75.5%	2
Functional capabilities (e.g. Financial, Legal, Marketing)	58.5%	62.6%	61.9%	3
Recognised strategic capabilities (e.g. Planning, Performance evaluation)	56.6%	60.8%	60.1%	4
Specialist expertise	49.8%	54.5%	53.8%	5
Ability to represent the interests of particular community groups	49.8%	53.8%	53.2%	6
Recommendations from members of the governing body	28.6%	44.1%	41.9%	7
Standing in the community	26.9%	35.9%	34.5%	8
Well respected within the business community	15.7%	24.4%	23.1%	9
Recommendation from the head	11.6%	23.5%	22.0%	10

Reflecting this, when asked to raise innovations in school governing that would most help to improve its effectiveness, many governors identified the administrative support for school governing as an important area. For example, one governor noted that it was desirable to have *‘a better admin function within the school that could provide a clerking service to the governing body and ensure that minutes etc were distributed in a timely fashion’*, while another observed that their governing body needed *‘a better informed and more efficient clerk’* but that it was *‘very difficult to replace existing helpful but stumbling person’*.

Chapter summary

1. Our evidence shows that governing bodies vary greatly in size.
2. Size within the limits specified by current regulation is unrelated to aspects of governing body effectiveness.
3. There is only a modest relationship between governing body effectiveness and vacancy rates exists as reported by respondents.
4. A wide variety of practice concerning clerking is seen within our research with many governors expressing a strong preference for the ‘professionalization’ of the clerking role.

Chapter 10. Findings: School governing and the business community

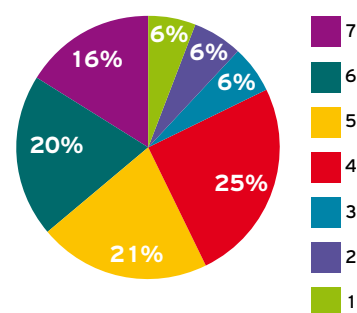
Introduction

In this chapter, we explore the contributions made by members of the business community to school governing. In so doing, we draw upon the views of serving members of governing bodies, the perceptions of employee volunteers themselves, and the insights of those within the corporate sector that are involved with managing employee volunteer programmes. Together, these provide a comprehensive insight into the multiple contributions being made by the business community, and its individual members to school governing.

Contributions and benefits of business involvement in school governing

It is important to note that the vast majority of school governors are currently, or have been, employed. In that sense, may be expected to bring skills and expertise from their current or past professional activities to bear in carrying out their role as a school governor. Nevertheless, there are particular perspectives, skills and expertise that current business practitioners, particularly those holding managerial positions, bring to the context of school governing. The School Governors One Stop Shop (SGOSS) has made a very substantial contribution to building bridges between the business community and schools that require governors. Their evidence tends to suggest that the contributions of employee governors can make a real difference to the educational experience of children.

Figure 10.1. Responses to the statement 'I can think of a number of times in the last year when the contribution of governors with business expertise for example in finance, human resource management or project management has been crucial.' (1= strongly disagree, 7= strongly agree).



In our survey, we asked members of school governing bodies about the contributions that governors with business experience made to the effectiveness of their governing bodies. The findings are illustrated in figure 10.1, above. The evidence suggests that the expertise of employee governors is perceived to have been crucial by over 80% of the respondents. This finding suggests that the specific expertise of business governors is very much appreciated by the majority of school governing bodies.

Figures 10.2 and 10.3 below extend this analysis by exploring perceptions of serving school governors concerning the recruitment of employee governors. Together, these figures show that most school governing bodies find it hard to recruit employee governors and perceive that business has a role to play in solving this issue by being more proactive in helping employees volunteer.

Figure 10.2. Responses to the statement 'It is difficult for us to get governors from local businesses because they can't get the time off work to attend meetings and take part in other governing matters.' (1= strongly disagree, 7= strongly agree).

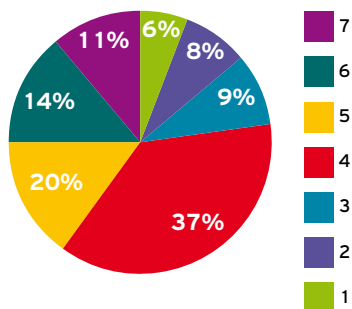
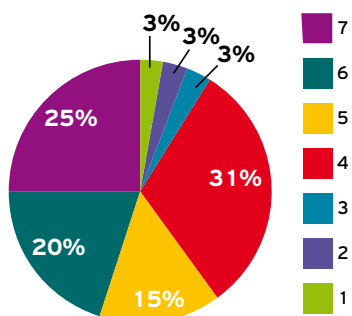


Figure 10.3: Responses to the statement 'Companies are not proactive enough about promoting the involvement of their employees in school governing' (1= strongly disagree, 7= strongly agree).



Involvement in school governing is not only beneficial for school governing and schools. We explored the perceptions of those in 'business organisations' of the effects that involvement in school governing has had on their employees. Many businesses operate very substantial employee volunteering initiatives, within which school governing plays a big part. Many of those we interviewed provided employees with a number of days leave per year for volunteering and supported employee volunteering activities with financial and other forms of support.

Currently, relatively few businesses incorporated involvement in school governing within formal staff development processes, but a number were considering developing this activity. Nonetheless, most businesses reported that they perceived that there were substantial benefits to both employees and the company from employee involvement in school governing. One company manager noted that *'the people who do it gain a lot out of it'*, a second observed that:

'if they become a school governor they then develop other skills such as leadership skills, problem solving skills, business focus skills etc'.

Another pointed out that involvement in school governing provided *'a good team building opportunity'*. The importance of volunteering among staff was underlined by one respondent who highlighted that:

'in terms of people actually doing things, then it is very much from the staff that are approaching us, the troops on the ground saying, 'we want to do this, we want to do that' and all that stuff'.

Businesses and employee volunteers were quick to highlight that the contributions that they made went beyond the narrow provision of specific functional capabilities. One company representative pointed out that:

'I can say this because I've worked on both sides but I know that schools can get so entrenched in their own world and in their own academic world. They won't look at the whole thing or the bigger picture to see what is happening outside of their own school or even consider what other schools are doing. (Business governors can) bring a different perspective which can be a refreshing perspective, a healthy perspective into a governing body'.

In a similar vein, one employee of a finance sector company noted that:

'they think they are going to get a financial expert which they might well do but of course they are going to bring a whole range of other skills to the team as well, so people with good communications skills or good facilitation skills etc'.

Barriers to greater involvement of the business community in school governing

We have highlighted the considerable value that participation in school governing can bring to schools, individual members of governing bodies, and businesses. In spite of these benefits, schools are often unable to recruit sufficient numbers of governors with the skills they require. This difficulty suggests that there are barriers that prevent individuals from volunteering for school governing. We

now turn our attention to what our evidence suggests the main difficulties that need to be overcome are.

Our evidence suggests that there are three principal barriers to greater involvement of employees in school governing.

1. The role that businesses play in making more time available for employees to participate in school governing. One member of a governing body noted that it would be desirable for:

'More employers to provide staff with paid time off for governor duties so that more meetings could happen during working hours and governors could engage more effectively with the school during its working hours when the children are on site.'

One respondent observed that it was necessary for:

'private companies and public organisations to give staff paid (her emphasis) time off to act as governors. This would prevent the main cause of people refusing to become governors, and those who are governors from making excuses and not turning up',

Another interviewee felt that

'recruitment may become a problem from the business sector in coming years. Companies are reluctant to release staff to carry out their governing duties, and in the current economic climate, I can't see that this is likely to improve'

Often, individuals involved in school governing noted that time that was available to them in principle as part of volunteering schemes was seldom available in practice once the 'demands of the day job' were understood. Hence, companies have an important role to play in facilitating their employees to become involved in school governing.

2. Misperceptions of who is eligible for participation in school governing. As one volunteer noted:

'I think one of the biggest barriers and I know when we have done some recruitment and some awareness events, is 'I am not a parent, I do not have children', and there is also the perception, the image perception which School Governor One-Stop Shop are looking to change and that is a bunch of older people who are school governors'.

3. A general misperception of the role of a school governor which leads many potential volunteers to overestimate the work involved in school governing. As one employer representative put it:

"I think one of the things that stops people from doing it is the perception about what is involved. They fear it might be more onerous than they can actually discharge".

Chapter summary

1. The involvement of businesses and their employees in school governing is greatly appreciated by schools, employee volunteers themselves and the businesses that are most proactive in supporting their employees' volunteering activities.
2. Schools find it hard to recruit sufficient employee governors and employees themselves often find it hard to obtain time off from work to participate fully in school governing.
3. Employees also often overestimate the amount of work involved in school governing and misunderstand their eligibility to become a school governor.
4. Businesses, together with government and SGOSS, can help to remove these barriers so that business can play a fuller role in school governing to the benefit of society, its employees, and the companies themselves.

Chapter 11. Main messages and recommendations

Introduction

In the School Governance Study, we have considered the ways in which state-funded schools and the maintained school system have changed in recent times, reviewed the regulatory arrangements for school governing, analysed what published research has to say about school governing. We have also reviewed the arrangements for governance in the non-education sector. As part of the Study, we have interviewed representatives of a variety of interested organisations and agencies about various aspects of school governing, elicited the views of headteachers and surveyed a large sample of school governors.

The intention of this chapter is to summarise the main messages from the Study, to outline the argument that develops from our analysis, and to make some recommendations based on the argument and the recommendations. All the messages come from a synthesis of our analyses of the policy and research literatures and the empirical elements of the Study.

The main messages from the Study

The main messages for the Study are as follows.

1. School governing is important and it is generally working well thanks to the efforts of all those involved. However, it could be improved and it will need to change if it is to respond to the ways schools are changing.
2. At present, school governing is:
 - **overloaded** - governing bodies are responsible for too much
 - **overcomplicated** - their work is very complex, difficult and demanding
 - **overlooked** - what governing bodies are responsible for and how they should function has not received enough of the right kind of attention and the work of governing bodies goes largely unnoticed.

The findings

1. School governing bodies are important

During the last 20 years or so since schools became self-managing institutions, school governing bodies have had an important role in the governance of the school system. In that time, they have taken on a number of new responsibilities.

School governing is important and is likely to continue be so. School governing bodies can add value to the management and performance of schools in a range of ways and can help to legitimise schools as institutions.

2. Generally, school governing is working well

The quality of school governing. According to Ofsted judgements, school governing is good or better in most schools and satisfactory in almost all schools. Generally, school governing is less effective more often in schools in disadvantaged settings. However, judgements of the effectiveness of school governing by Ofsted are open to challenge and may not reveal the true picture.

The data from the project indicates that on school governors' own assessment, about six out of seven governing bodies are working very effectively. Headteachers view of the effectiveness of governing bodies is slightly less positive. Effective governing bodies:

- have a clear understanding of their role and responsibilities
- share a common vision of what the school is trying to achieve
- are well attended
- have good communication
- work to clearly structured agenda
- are effectively chaired
- have meetings where members feel able to speak their minds
- are supplied with good quality, relevant information.

Importantly effective governing bodies are more likely to periodically review how they are working than ineffective ones. Self review can both improve practice and enhance the development that can arise from the engagement in school governing. Effective governing bodies are likely to be those where the benefits from participation are greatest.

Contribution of the governing body.

Generally, those governing bodies reported as being more effective contribute to a greater degree across a range of functions:

- supporting and challenging the headteacher
- being involved in financial management, monitoring plans
- undertaking a scrutiny role, carrying out operational tasks
- representing community and parental interest
- ensuring the accountability of the governing body and collaborating with other institutions.

The differences between effective and ineffective governing bodies are most marked in the extent to which they challenge the headteacher, monitor plans and targets, undertake a scrutiny role and ensure the accountability of the governing body. Both effective and ineffective governing bodies offer more support to headteachers than challenge.

The impact of the governing body.

Establishing a link empirically between 'good governing' and 'school performance' is difficult. However, if the scrutiny role is undertaken appropriately, it is likely that 'good governing' which encompasses scrutiny help to ensure effective performance and bring about improvement.

The contribution from the non-education (business) community to school governing. There is already considerable involvement of the non-education (business) community to school governing. Generally, that contribution is valued. There is scope for enhancing the contribution of employees and 'whole companies' in school governing.

The benefits from being a school governor. There are significant benefits from participation in school governing. The benefits are likely to be enhanced by governors reviewing and reflecting individually and collectively on their practice as governors and

would also improve governing body practice. Respondents felt that reviews of this kind should be standard practice.

Inspection of governing bodies. Given the governing body's responsibilities, the inspection of their work and their involvement in inspection process are limited.

The characteristics of school governors.

Generally, schools governors are white, well-educated professionals. Minority groups tend to be under-represented. This imbalanced representation has implications for the legitimacy of schools as institutions. In areas of social disadvantage, or considerable ethnic diversity in the local community, particular groups may be under-represented on governing bodies.

Reporting responsibilities. The requirements on governing bodies to report to parents (and the wider community) on the work of the school have been scaled down and in practice the report - the School Profile - is compiled by the headteacher and agreed by the governing body. Governors are not required to undertake any formal reporting on their work.

3. Schools are changing and school governing will need to change

Recent policy changes and the initiatives taken by schools themselves are changing schools in England. The main changes are as follows.

Types of school. The number of different types of maintained schools has increased in recent years. This increased diversity has complicated the arrangements for school governing.

Collaboration between schools. Increasingly, schools are collaborating and there are considerable benefits to joint working. When this inter-school collaboration becomes extensive, increasingly it is being formalised in a number of ways.

Extended services. Many schools now provide an extended range of services outside normal school working hours and term times. The communities the schools serve benefit considerably from this new way of working, which also increases the importance of schools for the communities they serve. The extended services model will change the ways schools are organised which has implications for school governing.

Schools' responsibilities. The implementation of the 2004 Children Act, gave schools, and therefore school governing bodies a broader range of responsibilities and tasks than previously. This broader remit goes beyond ensuring high and improving levels of pupil attainment and requires schools to work with a range of different agencies and organisations.

The school workforce. Following the implementation of workforce remodelling, the ways in which teaching is undertaken and organised have changed. These changes have implications for in-school leadership and management and therefore the governing of the school.

Headteacher training and development.

There has been a considerable investment in developing the leadership and management capacity of headteachers and other senior staff in schools in recent years.

The importance of 'the school'. Despite all the recent changes to schools and the ways they are organised, individual schools, albeit in a multiplicity of different forms, continue to be the bedrock of the school system. Moreover, they are at the heart of communities and, if anything, the importance of thriving, successful, individual, selfmanaging, well-governed schools is growing.

4. School governing is overloaded

The governing body responsibilities. The governing body is responsible for the conduct of the school which entails them undertaking an extensive range of responsibilities. Many of their responsibilities would appear to be better assigned to the headteacher directly who, by default, already typically ensures they are discharged. A surprisingly large number of regulations are relevant to school governing and they apply to all schools regardless of size. A quarter of schools in our survey did not provide new governors with information describing their roles and responsibilities.

The strategic management responsibility. At present, school governing bodies are required both to oversee the work of the school and to be strategic managers. In practice, that dual role is very difficult to achieve and may also contribute to the overloading of the governing body role.

Headteacher appointment responsibility.

The governing body is responsible for appointing the headteacher, the headteacher's performance review, deciding the headteacher's pay and undertaking the headteacher's dismissal should that become necessary, which are the four key employment responsibilities. The local authority only has a peripheral involvement in the appointment process. Currently, in all schools the governing body recruits and can dismiss staff although staff in most schools are employed by the local authority.

Governing in non-educational settings. In non-education settings, governing primarily entails scrutiny.

Governor workload. Published research indicates that being a school governor entails undertaking a high workload. Governors show considerable commitment.

5. School governing is overcomplicated

The definition of the role and responsibilities of governing bodies.

The governing body role is described ambiguously in policy documents and regulations. Governing bodies have to decide which of their responsibilities to delegate to the headteacher. Moreover, many of the responsibilities are couched in metaphorical terms, such as 'critical friend' providing 'support' and 'challenge', ways which are then open to wide interpretation. Governing bodies' responsibilities are also therefore complex and have a range of different aspects.

Variation in governing body practice. The way school governing has evolved has left considerable space for reinterpretation of the purposes and responsibilities of school governing bodies. This space leads to the kinds of variations in school governing highlighted by governing body research.

The tensions in the work of school governing bodies.

There are four main tensions in the current responsibilities of governing bodies, the arrangements for school governing and the way schools governing bodies function: support-challenge, representation-skill, operational-strategic, organising-scrutiny. Managing these different roles and the interaction and balance between them adds substantially to the complexity of governing.

School governors and accountability. The accountability on schools is considerable and has intensified in recent years. Governing bodies work with and are part of that accountability system, which complicates their role and responsibilities and in particular their accountability responsibilities. One result of the focus on accountability, together with the considerable responsibilities on governing bodies and their workload, has been a diminution of the governing body as a forum to discuss and to deliberate on the kind of schools they want. The outcomes of these discussions form an important context for the work of governing bodies.

Schools, governing bodies and local authorities. Schools and therefore governing bodies have a complex yet important relationship with local authorities. Local authorities are increasingly taking on a commissioning role with schools as they discharge their responsibilities assigned to them under the 2004 Children Act and take responsibility for organising 14 - 19 provision. They have an important role in keeping a watching brief on schools and being ready to intervene should the need arise. The staff of community and other schools are currently employed by the local authority and not the school.

The role of the School Improvement Partner. SIPs will increasingly influence school governing providing the governing body and the local authority with more extensive and in-depth analysis of the school's current performance and its plans to improve.

The role and responsibilities of the clerk to the governing body. The clerk has a clearly specified and important role in ensuring that the governing body performs its functions properly. The role requires a wide range of high level skills and qualities. The Study's findings indicate that there is an association between the effectiveness of the clerk and the effectiveness of the governing body. In about a third of survey respondents' governing bodies, the clerk to the governing body also works in the school in a different capacity, which may lead to conflicts of interest. There is a national accredited training programme for clerks and a set of national standards.

Governing body size. The average size of the governing bodies of respondents reported in the survey is 14 members with the largest

having 30 members. In the UK, boards of companies have about 10 members on average and range from 3 - 22 and our analysis of board size in 20 countries reveals a range from 3 members to 36 members. There is no substantive relationship between the size of the governing body and its effectiveness as reported by respondents. In the interview data there was only some support for reducing the size of governing bodies.

6. The overloaded and overcomplicated nature of school governing is likely to make recruitment challenging, training complicated, and retaining governors difficult.

Recruitment. A number of barriers may prevent people from volunteering to become school governors including:

- competing time commitments
- the cost of taking part
- the lack of publicity given to school governing
- a lack of confidence and self-esteem amongst potential volunteers
- negative feelings about schools
- the perceived attitude of existing governors
- accessibility.

Only one third of the survey respondents reported finding recruiting governors easy and about half reported finding governors with the right skills difficult. The most important attribute sought by governing bodies when recruiting new members was the ability to support the school ethos. Relevant skills and functional capabilities, strategic capabilities and specialist expertise were all considered important by well over half the respondents. The ability to represent the interests of particular community groups was considered important by about half of the respondents. It is highly likely that governor recruitment will be built on high quality relationships between schools and the communities they serve.

Training for school governors. School governors are not required to undertake training, nor are chairs of governing bodies. There is a range of providers and a national programme. The number of hours of training for governors provided by local authorities has declined in recent years, but participation by governors in local authority provision has not changed significantly. Participation in induction

training by new governors is apparently low and arguably is unduly so. About a half of the respondents reported that their governing bodies had a structured induction process for new governors, and a similar proportion of governing bodies made participation in induction mandatory. About two thirds of respondents had a service level agreement with their local authority. A similar proportion found governor training to be excellent. The budgeting arrangements for governor training vary.

Retention. Factors that help governor retention include the motivators:

- being valued and welcomed,
- undertaking work for the governing body
- being associated with successful schools
- seeing children benefit
- involvement in the life of the school
- working with and supporting staff
- being part of and celebrating the school's success
- making a difference
- advocacy on behalf of the school, their own development
- using skills acquired elsewhere to benefit children
- supporting and coaching other governors.

Factors which may encourage governors to leave - dissatisfiers - include the workload and complexity of being a governor, dealing with outside agencies and financial problems. Sixteen per cent of governors in our study reported high levels of turnover of governing body members.

Vacancies on governing bodies. The level of vacancies in the different categories of governors in the various different types of local authorities has not changed significantly in recent years. However, this lack of change may be the result of efforts of local authorities, schools and organisations such as the School Governors' One- Stop Shop to recruit governors which may mask an underlying difficulty. The apparent high level of vacancies at any one time may not be a true representation of a changing picture. Nonetheless, there may be a relatively small number of schools which have persistently high levels of vacancies. The survey data indicates the link between high vacancy rates and low effectiveness is not substantive.

7. School governing does not have a high profile

Knowledge of what it does and its contribution. It is not widely publicised, understandings of it are not widespread and its contribution is largely hidden.

8. New arrangements for school governing

New forms of school governing. New forms of school governing are emerging, some of which are quite radical, such as soft and hard federations. There has been little systematic evaluation of the different models.

Models of school governing. It is possible to devise a number of different arrangements - models - that would enable governing to discharge to be undertaken appropriately. We have described the different models, some of which are beginning to emerge in practice, and evaluated them. All have strengths and weaknesses. However, the Collaborative (Governing Board plus Advisory Council) has a number of distinct advantages, particularly in enabling community cohesion amongst the group of schools, providing opportunities for strengthening the scrutiny role, raising the status of governing, providing more manageable units for local authorities to oversee and reducing the atomisation effect, where 24000 schools are operating as independent, autonomous entities, whilst enabling each school to retain its identity and individuality (See Chapter 12).

The main argument that has developed from the analysis and interpretation of the findings of the School Governance Study

This section summarises the main arguments that develop from an analysis and interpretation of the findings of the School Governance Study.

1. The responsibilities currently assigned to governing bodies could be split into management responsibilities (operational and strategic), which become the headteacher's, and scrutiny responsibilities, which become the responsibility of the governing body. The governing body would discharge its scrutiny responsibilities in the general context of discussions about 'the kind of

school we want'. It would therefore have two tasks: scrutiny and discussion about 'the kind of school we want'.

2. As a result of the investment in headteacher training, headteachers are more capable of running their schools than in the past. By default, they are already doing much of the work for which governing bodies are responsible. Headteachers would still need to be responsible to governing bodies for the management of the school. Given the importance of headteachers and their responsibility for the performance of the school, the local authority would always need to be involved in their appointment.
3. The scrutiny role of governing bodies would not be at odds with the stakeholder involvement dimensions of school governing. Indeed it is supported by stakeholder involvement because members of all the main stakeholder groups would have an opportunity to scrutinise the conduct of the school. Implicit in the scrutiny function of governing bodies would be a sense of 'what kind of school we want' and scrutiny of decisions and plans would take place within that context. Thus the stakeholder dimension of school governing would remain important. It would:
 - facilitate a discussion of 'what the school should be like' which would help to frame the scrutiny responsibility
 - connect the school with its local community
 - be a vehicle for individual and community development and the promotion of community cohesion.
4. Accountability in educational systems is complicated but could be simplified by clarifying the accountability responsibilities of the headteachers and the governing body as follows.
 - The headteacher could be primarily accountable to the parents to the governing body
 - There would also be an accountability relationship between the headteacher and the local authority especially in respect of the services which it has 'commissioned' the school to provide services under the local authority children's plan.
- The governing body would be responsible for ensuring (through the scrutiny process) that the headteacher is 'doing things right and doing the right things'. It would inform the local authority that it is undertaking its duties, would evaluate its own practice in relation to its scrutiny powers and the outcomes of that evaluation could feature in the school self evaluation form (SEF) which is the basis of school inspections by Ofsted.
- The local authority would, as now, have the power to intervene if the conduct of the school gave cause for concern.
5. The management-scrutiny/discussion forum split would have the effect of reducing what governing bodies are responsible for and simplifying their work.
6. Governing bodies would be much more likely to be effective. Their tasks would be more clearly defined. Their responsibilities would be focussed and more clearly specified, so there would be less to do and more clarity about what needed to be done. Their role would remain very important. Impact would be more easily identified and ascertained, as would high quality governing.
7. Recent changes in what schools do and what they are responsible for would need to be included in what governing bodies scrutinise and discuss.
8. The focus on scrutiny and providing a discussion forum would obviate confusing notions of 'support and challenge' and being 'a critical friend' in the way the responsibilities of governing bodies are defined.
9. The main skills governing bodies require would relate to scrutiny. They would not necessarily need specific functional skills such as finance and human resource management, although those skills may help their scrutiny responsibilities. Functional skills should be available to all schools as part of their operational management. This change would require some upgrade in skills among school staff and the introduction and support of a 'bursar' role in primary schools, perhaps on a shared basis in smaller schools.

10. Governing bodies would not make the strategy of the school, the headteachers would. All strategic and operational decisions and plans would be open for scrutiny by the governing body, which would need to sign them off when they were content with them.
11. Work on the scrutiny task and the discussion task could be undertaken by one body/group, or by different bodies/groups. The management work of headteachers of individual schools would need to be scrutinised. The ways in which this scrutiny could happen could be the basis for different models of school governing. Some of these models already exist in part at least.
12. Governors would need to be trained specifically for their scrutiny role. Training could be more narrowly focussed if the responsibilities and tasks of school governing bodies were more narrowly specified.
13. Recruitment to school governing bodies could be enhanced by the simplifying and focussing of the responsibilities of governing bodies, as could the increased involvement of under-represented groups and the business community.
14. At the same time that the responsibilities of governing bodies are simplified and focussed, school governing could be given a higher profile to raise its status and to enhance recruitment.
15. Inspection of governing bodies would need focus on how well they undertook their scrutiny role and provided a forum for discussion about 'what kind of school we want'.
16. An important role for the clerk would be to ensuring that the governing body fulfilled its scrutiny role. The school improvement partner (SIP) would also help the governing body's scrutiny work.
17. With regard to the size of the governing body, the capability to undertake the scrutiny role within the context of full stakeholder engagement in the discussion forum is the central concern.

18. Given the importance of including stakeholders in the discussion forum, good governing would be built on good school-community relationships and vice versa.

Recommendations

The recommendations we are making have come from our analysis of the history and background of policies relating to the governance of schools, the regulations under which school governing operates and the outcomes of published research and our analysis of the data collected during the Study. The argument we have developed then shapes the recommendations.

The recommendations relate mostly to governing bodies, but because school governing is part of school governance some of the recommendations relate to school governance, which is the wider set of relationships within which schools are governed.

The main recommendations from the Study are as follows.

1. The range of governing body responsibilities should be reduced.
2. The role of governing bodies should be simplified.
3. The status of governing bodies should be enhanced, their contribution more widely recognised, and greater publicity given to school governing in all sectors of society especially the business community.

Together, these recommendations are likely to:

- enhance the quality and effectiveness of school governing
- improve recruitment to governing bodies
- reduce the workload of governors and governing bodies
- enhance governor satisfaction and motivation
- lead to improvements in governor training and increase participation.

Specific recommendations are as follows.

1. Governing body responsibilities should be reviewed

The responsibilities of the governing bodies are reviewed and any new configurations of the task (what they are required to do) and role (how they are required to operate) should be described simply, clearly and unambiguously.

In any review of governing body responsibilities, those that can be assigned to the headteacher should be. Such responsibilities should include those that by custom and practice are usually currently undertaken by the headteacher. The headteacher will of course delegate responsibilities to their colleagues as appropriate.

The headteacher should be responsible for all strategic, school policy matters and the day to day operation of the school and should be accountable to the governing body for discharging that responsibility.

The governing body's strategy responsibility should be: to scrutinise relevant aspects of strategic management and policy development, and when content, to sign off and agree school policies and strategic plans; and to provide a forum for discussion of strategy and policy matters. Implicit in the discussion forum role of governing bodies is that they are supportive towards the headteacher, the staff and the school in general. Being supportive of 'the school' - its values, guiding principles and ethos - must be axiomatic for involvement in school governing.

The governing body's scrutiny role should encompass:

- the extended service provision which is now part of the work of many schools
- the broader range of schools responsibilities and tasks following the implementation of the 2004 Children Act.
- changes in the ways teaching is undertaken and the work of the school is managed following workforce remodelling.
- joint working by the school with other schools

The accountability relationships in which governing bodies are involved should be clarified

The relationships, and in particular the accountability relationships, between schools their governing bodies and their local authorities, and pupils and their parents should be clarified. One way of explicating this relationship is to clarify reporting responsibilities. We recommend the following.

- Headteachers should be required to report to governing bodies more frequently than at present.
- The headteacher should be required to report to parents at least once a year on the operation of the school. The report should be agreed by the governing body.
- The practice of SIPs reporting to the Governing Body and to the local authority on the performance of the school and on improvement plans should continue.
- Minutes of Governing Body meetings should be routinely sent to the local authority.
- Headteachers should meet regularly and frequently with the local authority to discuss the school and its progress. The records of these meeting should be sent to the governing body.
- Local authority monitoring assessments of schools should be sent to the headteacher and the governing body to enable the governing body's scrutiny responsibilities.
- Every school governing body should be required to review and evaluate its practice and performance, which could contribute to the school's SEF.

Employment of staff

Governing body should continue to be responsible for appointing, appraising, and managing the performance of the headteacher and other senior staff and the local authority should be routinely involved in the appointment process if only in an advisory capacity.

School should be the employers of the staff who work in schools rather than the local authority and should take responsibility for all employment matters.

The Clerk to the Governing Body

The status of the clerk to the governing body should be raised. The clerk should not work in the school in a different capacity, in order to ensure the independence of the clerk in discharging the clerking responsibilities and to avoid any conflicts of interest.

Governor recruitment and the public profile of school governing

The public profile of school governing should be raised, which, together with a reduction in the range of governing body responsibilities and a simplification of the role of governing bodies, should help to improve recruitment.

Companies and all 'non-school' work organisations of all kinds should be encouraged to play an active part in recruiting governors. Where schools or groups of schools within a hard governance federation have a business partner and a higher education partner, the partners could be represented on the governing body.

Efforts should be made to recruit members of groups currently under-represented on school governing bodies.

The beneficial outcomes for those involved in school governing should be made more widely known.

All schools should continue to endeavour to establish and maintain very high quality relationships with the communities they serve for a range of important reasons and in the context of school governing because it is on these relationships that governor recruitment will be built.

Governor training

Training for new governors, chairs and clerks should be compulsory.

There should be a quality assurance system for school governor training programmes.

Consideration should be given to establishing a Virtual College for Governor Training with specific responsibilities for quality assuring governor training, overseeing national governor training programmes, and analysing governor training needs.

The inspection of school governing by Ofsted

The inspection of school governing bodies within the new arrangements should be strengthened. Evaluation criteria for the performance of school governing bodies as recorded in the SEF should be enhanced. Scaling down and simplifying the role of the governing body would help in this regard. The involvement of the governing body in the inspection process should be mandatory. Improvement in the inspection process will help to gauge the quality of school governing, to note those aspects of which are of high quality, and to help to identify those features that could be improved.

New models of school governing should be evaluated

In view of the fact that new forms of school governing are emerging, an evaluation of new arrangements for governing, especially the new forms of shared governing, should be carried out.

Chapter 12. Models of school governing

Introduction

The responsibilities of school governing bodies, however they are configured, do not have to be undertaken under by governing bodies in their present form. School governing bodies can be arranged in a number of different ways based on different organisational models. The intention of this chapter is to explore different models of school governing. Model 1 considers what governing bodies would be like if present arrangements were enhanced by making modest changes. Model 2 looks at what the arrangements would be if school governing was enhanced by making the more substantial changes which we recommend in Chapter 11. In essence, those changes would be the clear separation of the management and scrutiny roles, where headteachers are responsible for the operational and strategic work of the school but that that work - the

decisions and plans - is scrutinised by the governing body. An important aspect of governing is stakeholder involvement and the provision of a forum for discussing 'the kind of school we want'. To function as this kind of forum, governing bodies would require wide stakeholder involvement to provide a setting and a basis for their scrutiny responsibilities. These scrutiny and discussion forum roles can be undertaken under various arrangements, which are the basis for the other models. Some arrangements for governing, which bear some similarities to the models we discuss are already starting to emerge through for example, hard and soft governance federations. The chapter starts by setting out the differences between the various models and goes on to describe the various models. We give a brief evaluation of the various models, elaborating the strengths and weaknesses of each.

The different models

Table 12.1. The arrangements and responsibilities of the headteacher and the governing bodies under the various models.

Model	Arrangements	Headteacher responsibilities	Governing body responsibilities	
Model 1 Current Model Enhanced	Single Governing body	As delegated by the governing body	The conduct of the school	
Model 2 Current Model Changes to governing body and headteacher responsibilities	Single Governing body	Leadership and management of the school	Scrutiny and discussion forum	
Model 3 Unitary Governing Board	Single Governing body	Leadership and management of the school	Scrutiny only. No discussion forum responsibility	
Model 4 Single institution (Governing Board plus Advisory Council)	A Board and an Advisory Council for each school	Leadership and management of the school	A Board with a scrutiny responsibility.	An Advisory Council - as a discussion forum
Model 5 Collaborative (Governing Board plus Advisory Council)	Each school has an Advisory Council. A group of schools share a Board	Leadership and management of the school	A Board with a scrutiny responsibility for a group of schools	Advisory Council for each school - as a discussion forum

Table 12.2. Model 1 (The Current Model Enhanced) and Model 2 (Current Model with Changes to governing body and headteacher responsibilities)

	Model 1 Current Model Enhanced	Model 2 Current Model Changes to governing body and headteacher responsibilities
Principal Theoretical Logics	Stakeholder, Stewardship Theories	Principal-Agent Theory, Resource Dependence, Stakeholder, Stewardship Theories
Empirical Points of Resonance	Current School Governance	Trusteeship Model of Charities and Public Bodies; Corporate Governance in Germany, Italy, for example.
Governing Structure	Single governing body for each school	Single governing body for each school
Governing Body Responsibility	The conduct of the school. Stakeholder representation Sets the school's vision and strategic aims Monitors and evaluates performance Approves the school's budget Ensure the school is accountable to those it serves Appoints, manages the performance and sets the salary of the headteacher	Scrutiny of the leadership and management of the school To provide a discussion forum to consider 'what we want our school to be' Appraises, and manages the performance, sets the salary of and if necessary dismisses the headteacher Appoints the headteacher in conjunction with the local authority
Headteacher Responsibility	As delegated by the governing body	The leadership and management of the school
Governing Body Membership	Representatives of key stakeholder groups, selected expertise - often functional expertise	Members of key stakeholder groups with the ability to scrutinise the work of the school.

The essential difference between the models is in the arrangement (how the governing body is constituted) and in the responsibilities (principally, what the headteacher's responsibilities are and what are the governing body's are). The nature of the different models is shown in Table 12.1.

Models 1 and 2

Table 12.2 summarises Models 1 and 2. Model 1 retains the existing arrangements and responsibilities of school governing bodies but enhances it by making relatively modest changes, such as publicising school governing more widely, promoting recruitment, ensuring good clerking and making induction training compulsory.

Model 2 retains the existing model but makes a clear distinction between leadership and management of the institution - the school - which is the headteacher's responsibility and the scrutiny of the leadership and management of the institution. In our discussion of all the models we draw on the governance theories (Principal Theoretical Logics) and where these theories are put into practice (Empirical Points of Resonance).

New models of school governing

The new models that we outline in this section split the scrutiny and discussion forum tasks and responsibilities of the governing body into different groups which are then dealt with in different ways. These models are shown in Table 12.3. In all the models, the headteacher has responsibility for operational and strategy matters.

Model 3 Unitary Governing Board

In this model, the 'governing body' would focus exclusively on its scrutiny role. It would be a governing board. In this configuration, it would forego its role in providing a deliberative forum where matters that are related to the school generally and 'the kind of school we want' could be discussed. Such matters would be specified by national regulation and the predispositions of the headteacher and the staff, and perhaps through informal and ad hoc consultations. Without the need for wide stakeholder involvement, the governing body could be much smaller.

Advantages. There are a number of benefits to this model.

1. The board has a focussed and clearly defined task - scrutiny - and is therefore more likely to be successful in that task.
2. Fewer governors would be required which would help to reduce any recruitment difficulties and should improve governor quality.
3. Through self-evaluation and review there would still be scope for improving practice though the collective and wider benefits of participation in school governance would be reduced.

Disadvantages. This model also has a number of disadvantages.

1. The school may well lose touch with the stakeholder groups it serves.
2. The wider and higher level benefits from stakeholder involvement - community involvement, engagement, development and cohesion - are less likely.
3. The outcomes of the deliberative forum help to frame and provide the context for scrutiny of the operational and strategic management of the school. Thus scrutiny will be undermined.
4. The number of governors would be reduced and the pool of expertise about and interest in schools would be lost. Making governors 'redundant' might be both difficult and unacceptable.

Model 4 Single institution (Governing Board plus Advisory Council)

In this model, the governing body would be split into two groups, which we have labelled, the Governing Board and the Advisory Council. The Governing Board would be responsible for scrutinising the leadership and management processes of the school. The Advisory Council would be a discussion forum, where there would be a discussion about the nature of the school and what it should be like. It would be a place where the headteacher could discuss, consult on and explain school matters with stakeholders, and be informed by stakeholders' views.

Advantages. This model has a number of advantages.

1. It assigns the two responsibilities - scrutiny and stakeholder discussion to two different groups. Separating responsibilities in this way is likely to enable the two tasks to be achieved more effectively.
2. Recruitment would be more specific, members of the two groups would be clear what they would have to do and if they were interested in being involved in governing the school could join the group they preferred.
3. There could be considerable flexibility on the sizes of the two groups - especially the Advisory Council in order to ensure full stakeholder engagement. There is a good case for arguing that the Governing Board should be small.

Disadvantages. There are some disadvantages and they could be significant.

1. The inter-relationship between the two groups could be problematic for a variety of reasons.
2. Establishing the two groups could result in a 'reaction formation' where the Advisory Board became very supportive of the headteacher while the Governing Board became unhelpfully strict, probing and antagonistic.

Model 5 Collaborative (Governing Board plus Advisory Council)

In this model, each school has an Advisory Council but a group of schools share the same Governing Board. The model is similar to the hard governance federation models that are already developing. The Governing Board would be responsible for scrutinising the leadership and management of a group of schools. The Advisory Council would be a deliberative forum, where there is a discussion about the nature of the school and what it should be like. It would be a place where the headteacher could consult on, explain, and listen to views on strategy matters with stakeholders.

Advantages. This model has a number of advantages.

1. It brings a group of schools - perhaps in a neighbourhood - under one Governing Board, which provides a way of establishing some community cohesion amongst the

group of schools. They are all required to work together for the common good of the community - which is part of the basis for scrutiny. All schools under the governing board are required to perform.

2. The shared Governing Board arrangement could provide opportunities for strengthening the scrutiny role. There could be some sense of local benchmarking of practice and performance and consequent learning.
3. It might raise the status of governing. For example, to be Chair of the 'Community Governing Board' could carry considerable status - perhaps akin to that of being a magistrate. Higher education institutions and local companies could be represented on the shared Governing Board.
4. The arrangement provides more manageable units for local authorities, which have commissioned the services of the group of schools, to oversee their performance.

5. The arrangement reduces the atomisation effect where the 24000 schools in England operate as independent, autonomous entities.

6. Each school would be helped to retain its identity and individuality through its Advisory Council.

Disadvantages. There are some disadvantages.

1. It firmly establishes two levels of governing with the Governing Board with its scrutiny responsibility and covering a group of schools probably having higher status. The two-tier governing structure could have some advantages.
2. The framing of scrutiny through the discussions at each school's advisory group could be weakened, which could impact on quality of the scrutiny work of the Governing Board. The Governing Board would have to have a secure sense of the outcomes of each school's discussions about what kind of school it wanted to be.

Table 12.3. A summary of Model 3 Unitary Governing Board, Model 4 Single institution (Governing Board plus Advisory Council) Model 5 Collaborative (Governing Board plus Advisory Council).

	Model 3 Unitary Governing Board	Model 4 Single institution (Governing Board plus Advisory Council)	Model 5 Collaborative (Governing Board plus Advisory Council)
Principal Theoretical Logics	Principal-Agent Theory	Principal-Agent Theory, Resource Dependence, Stakeholder, Stewardship Theories	Principal-Agent Theory, Resource Dependence Theory, Stakeholder, Stewardship Theories
Empirical Points of Resonance	Corporate governance in UK and US	Trusteeship Model of Charities and Public Bodies; Corporate Governance in Germany, Italy.	Trusteeship Model of Charities and Public Bodies; Corporate Governance in Germany, Italy.
Governing Structure	Single governing body for each school	Two-tier governing body for each school: Supervisory Board and Advisory Council	The collaborating group is governed by a Governing Board. Each school has an Advisory Council. The school is a member of a wider group of collaborating schools, which are typically geographically close.
Governing Body Responsibilities	Monitoring, evaluating strategy and performance, ensuring compliance	Governing Board: Scrutiny, evaluation of strategy and performance. Advisory Council: Stakeholder representation and engagement, headteacher support, consultation on school matters	Governing Board: Scrutiny, evaluation of strategy and performance. Advisory Council : Stakeholder representation and engagement, headteacher support, consultation on school matters
Governing Body Membership	Representatives of authority agents, experts. limited stakeholder involvement	Governing Board: Narrow, including key experts, local authority, business representatives and higher education; Advisory Council: Representatives of key stakeholder groups	Governing Board: Narrow, including key experts, local authority, business representatives and higher education; Advisory Council: Representatives of key stakeholder groups
Size of Governing Body	Smaller than current governing bodies, focused on expertise and links to clearer lines of authority	Governing Board: Small to facilitate effective operation; Advisory Council: Broad to facilitate stakeholder representation and engagement.	Governing Board: Small to facilitate effective operation; Advisory Council: Broad to facilitate stakeholder representation and engagement.

Chapter 13. Concluding comments

This report is an account of the work of the School Governance Study, which was commissioned by Business in the Community, funded by Freshfields Bruckhaus and Deringer LLP and undertaken by the University of Bath.

The aims of the study were as follows.

Aim 1. To review the arrangements for school governance and to propose improvements.

Aim 2. To review the business contribution of governors.

Aim 3. To analyse what can be learned from the business and human/public service sectors about governance and how those insights might enhance school governance

Under Aim 1, our main interests were in the organisation and structure of governing bodies and alternative models, the relationship between governing bodies' representative and functional responsibilities, governing body size, what functions best support the headteacher, and governor skills, expertise and training. Within Aim 2, we were predominantly interested in recruitment, awareness of the work of school governing, and company employee governor programmes and the benefits of such programme and what might help to make them work better. Our work under Aim 3 was most concerned with analysing governing practice in other settings and identifying lessons that could be learned that might improve school governing.

In achieving those aims, we analysed the policy and research literature relevant to school governing. This literature included published work on governing in the non-education sector. We carried out 38 in-depth interviews with key stakeholders, undertook a large-scale random on-line survey of 3183 school governors and elicited the views of 42 headteachers.

We are confident that the conclusions we have reached are secure and that our recommendations are soundly based. The findings are as follows.

1. School governing is important and it is generally working well thanks to the considerable efforts of all those involved. However, school governing could be

improved and it will need to change if it is to respond to the ways schools are changing.

2. At present, school governing is:

- **overloaded** - governing bodies are responsible for too much
- **overcomplicated** - their work is unnecessarily complex, difficult and demanding
- **overlooked** - what governing bodies are responsible for and how they should function has not received enough of the right kind of attention and the work of governing bodies goes largely unnoticed.

The recommendations, in summary, are as follows.

1. The range of governing body responsibilities should be reduced.
2. The role of governing bodies should be simplified.
3. The status of governing bodies should be enhanced, their contribution more widely recognised, and greater publicity given to school governing in all sectors of society especially the business community.

As the work of the Study progressed, and our findings began to emerge, it became clear to us that the central problems, that school governing is overloaded, overcomplicated and overlooked, should be addressed. Further, responding to these central concerns should be undertaken as a priority and perhaps before efforts to improve the quality of governing by other means such as improving recruitment and training. Indeed, we consider that responding to those pressing problems will help to enhance recruitment, performance and training. Thus we conclude that our recommendations are likely to:

- enhance the quality and effectiveness of school governing
- improve recruitment to governing bodies
- reduce the workload of governors and governing bodies
- enhance governor motivation
- lead to improvements in governor training and increase participation.

A final word

As with all aspects of organising in schools, it is tempting to think that there is one particular ingredient which, if all schools had, would significantly improve their performance—especially those that under-perform.

Unfortunately, that is not the case and if there was such a 'magic bullet' it would have been found long ago. All that can be done is to try to make all the aspects of a school work as well as possible. That is what must be done with school governing. Improving school governing will not be the whole solution but it will be an important part of it.

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