The Active Learning Trust

# ROLES and RESPONSIBILITIES

***of a***

# Local Governing Body

***and***

# Individual Governors

# The Active Learning Trust

**This document is designed to assist governing bodies in understanding the role of the governing body and individual governors who undertake specific responsibilities on behalf of the governing body with the school**

## The role of the Local Governing Body (LGB)

The LGB acts in accordance with the scheme of delegation agreed by the ALT Board. Each LGB should receive the scheme at their first meeting and a copy should be held in each school. This scheme sets out what the Trust board asks the LGB to carry out on its behalf. In essence the role of the LGB (which should then underpin the work of the LGB) can be summarised as follows:

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

## Governor Roles

Each ALT Local Governing Body has three types of governor – Trust Governors, Parent Governors and Staff Governors. Trust Governors are appointed (the chair is specifically appointed by the Trust board) and Parent and Staff Governors elected.

### Trust Governors

Trust Governors have a specific duty to the Trust board, as appointees and that relates to the first bullet point in the role of the governing body. They are the eyes and ears of the Trust board locally and need to ensure that the work of the school is aligned with the agreed vision and values of the Trust and to ensure that the strategic direction of the school is aligned with that of the Trust.

In addition, Local Governing Bodies need to ensure that one of the body takes on a specific role for them. These are outlined below:

## Special Educational Needs (SEN)

The governing body should have an SEN Governor to champion the issue of special educational needs within the work of the governing body and to have specific oversight of the school's arrangements and provision for meeting special educational needs.

**Why does the Governing Body need an SEN Governor?**

The Governing Body has some key responsibilities towards pupils with special educational needs. Governing bodies should, with the headteacher, decide the school's general policy and approach to meeting pupils' special educational needs.

They must set up appropriate staffing and funding arrangements and oversee the school's work.

In particular, the governing body has a legal duty to:

- Do its best to ensure that all pupils with special educational needs are appropriately catered for;
- Appoint a 'responsible person' to oversee the assessment of individual pupils' needs and to make sure that all staff likely to teach pupils with special needs are aware of those needs;
- Ensure that all teachers are aware of the importance of identifying and providing for any pupils with special educational needs;
- Ensure that pupils with special educational needs have the opportunity to participate as fully as possible in all aspects of school life;
- Ensure that parents are notified of a decision by the school that their child has special educational needs;
- Establish an SEN policy which is publicly available and can be easily understood by parents; and review that policy on a regular basis
- Report on how the school's SEN policy is being implemented and how resources are allocated in the governing body's Annual Report to Parents;
- Ensure that the SEN Code of Practice is followed

**Governing bodies should delegate some of these responsibilities to a named SEN Governor who reports back to the governing body on a regular basis.**

**What skills and qualities are needed?**

- ✓ An interest in special educational needs
- ✓ Good communication skills, with a willingness to report back verbally at
- ✓ meetings or to provide a brief written report
- ✓ Time and availability – in particular to meet regularly with the SENCO, to
- ✓ visit the school and to take advantage of relevant briefing and training
- ✓ opportunities
- ✓ Enthusiasm and energy
- ✓ A willingness to participate in the development and review of the school's SEN policy

**What does the role of SEN Governor involve?**

- Developing and maintaining an awareness of special needs provision in the school on behalf of the governing body
- Understand how the responsibilities for SEN provision are shared within the school
- Discuss with school staff the outcomes of the school's monitoring and evaluation of the provision made for pupils with special educational needs;
- Observe at first-hand what happens in school both inside and outside the classroom to ensure that SEN pupils are actively involved in all aspects of school life;
- Take opportunities to meet and talk with parents of pupils with SEN
- Ensure the school keeps you informed about developments in the area of special educational needs, nationally, locally and within the school
- Support the implementation of the school's Special Educational Needs Policy
- Be familiar with the SEN policy and involved in its review and development;
- Agree with the governing body and the headteacher the indicators which should be reported on by the school to the governing body to say whether the policy is working, and the timescale for that reporting
- Ensure that the SEN policy is linked to the School Development Plan and the budget setting process
- Ensure that funds are allocated each year within the school budget specifically to cater for SEN pupils and to support the implementation of the SEN policy; be aware of the various headings under which the schools spends the SEN budget each year (i.e. resources, training, support assistants, SENCO management time, medical time etc.)
- Monitor and evaluate the use of these funds and other resources, considering cost effectiveness and best value for money in terms of increased progress for pupils with SEN
- Encourage the governing body to ensure that all school policies are consistent with the aims of the special educational needs policy

Sharing information

- Discuss the outcome of school visits with the SEN Coordinator and the headteacher;
- Report on a termly basis to the full governing body on the implementation of the school's SEN policy;
- Encourage effective communication with parents on the school's support for pupils with special needs

**What does the SEN Governor need to know?**

The SEN Governor should aim to meet the Headteacher and SENCO on a termly basis to keep up-to-date with SEN developments within the school and to review the implementation of the SEN policy on an ongoing basis.
A good relationship with the SENCO is key to the effectiveness of the SEN Governor.
The sort of issues the SEN Governor might discuss with the SENCO and other school staff will include:

- Current numbers of the SEN register at the different stages (but not their names)
- Identification procedures for pupils with SEN
- Staffing arrangements for pupils with SEN
- Staff training
- Use of resources
- How pupils with SEN are ensured access to the curriculum
- Provision being made for individuals
- Progress on any parts of the School Improvement Plan relating to SEN
- Progress with the implementation of the SEN policy
- Whether statutory reporting requirements are being met
- Liaison with external agencies and support services
- Links with special/mainstream schools
- Communication with parents

***Whilst the SEN Governor is not responsible for the day to day management of special needs provision in the school, he or she may on occasion have access to sensitive information about the circumstances of individual children, particularly in smaller schools. It is essential that the SEN Governor respects the confidentiality of such information.***

**How should the governing body support the SEN Governor?**

It is important that the governing body both understands the role of the SEN Governor and supports the SEN Governor in carrying out that role.

The Governing Body will need to:

- Establish the responsibilities that the SEN Governor should undertake and provide support for the role
- Take an informed interest in special educational needs issues
- Monitor, evaluate and review the Special Educational Needs policy on a regular basis
- Ensure that the other school policies fully support the principle of inclusion for all pupils
- Provide an opportunity for any outgoing SEN Governor to pass on information

## Human Resources Management

**The staffing of the school is its most precious resource and the large majority of the schools financial resources are expended on ensuring the proper remuneration and management of the schools human resources. All governors, but especially those who sit as members of the personnel sub-committee will play an important role in the HR management of the school.**

It is important that governors (and again especially those who sit on the personnel sub-committee) have a general understanding of the key employment policies, procedures and practices, and that they stand ready to support and/ or challenge the Headteacher in applying them in the day to day management of the staff of the school.

The role of governors in the delivery of secure and appropriate human resources management will vary somewhat between schools across the Trust because the Trust has inherited the majority of its staff on transfer arrangements from their former LA employers, and results in some variance between levels of involvement of governors. However in general the role of governors (mainly though not exclusively delivered by the personnel sub- committee governors) will be:-

- To hold the Head to account for having in place robust performance management arrangements for teaching and support staff.
- To determine the appropriateness of recommendations from the Headteacher for Performance Related Pay (PRP) increases and that they are based on a fair and transparent assessment procedure which accords with the school and Trust Pay Policy. This will include hearing of appeals brought by members of staff against the judgements of the Headteacher.
- To ensure that an appropriate staffing structure is in place for the school and to hold the Headteacher to account for the allocation of the school's financial resources for staffing so that it best delivers the teaching learning and support functions of the school. Where staffing restructures need to take place the governors involved in the reduction/redundancy process will hold the Headteacher to account for the proper and fair conduct of the redundancy processes.
- One member of the Personnel sub-committee ( in all likelihood the Chair of the sub-committee) will be expected to work with the Chief adviser of the Trust in the performance assessment of the Headteacher once the school has been a member of the Trust for at least one year.
- To ensure that the Headteacher provides the committee with appropriate reporting on the equal opportunities characteristics of recruitment to and make- up of the school and determines appropriate strategies to improve representation.
- To take part in recruitment and selection processes for some categories of staff at the school when determined, in liaison with the Headteacher.

Importantly governors ( normally and mainly governors who are members of the personnel sub-committee) will also ensure that processes and procedures relating to the conduct, attendance, discipline and capability of staff at the school are properly and fairly carried out and are in line with the HR Polices of the school and the Trust. This important role will largely be carried out by personnel sub-committee governors but where there are a needs for both first hearing and appeal stages of a process it may be necessary for other governors to become members of hearing panels. Such responsibilities and activities will relate to:-

**Capability** – To hear appeals against first or final warnings and to hear cases or appeals against Headteacher decisions where dismissal of a member of staff is involved.

**Disciplinary** – To hear cases and/or appeals about matters of staff conduct, including dismissal for gross misconduct where this is relevant.

**Flexibility** – To her appeals against decisions by the Headteacher on requests for flexible working and job sharing arrangements

**Grievance** – To hear grievances of some categories of staff (especially senior staff where it may not be appropriate for these to be heard by school employees due to seniority issues) where it is not policy for this to be undertaken by the Headteacher. To hear appeals against outcomes/sanctions where the decision of the Headteacher is challenged

**Absence/Attendance** – To hear cases/appeals (depending on the levels of delegation present in the schools policies) concerning warnings or dismissals.

In addition the nominated group of governors will also:-

- Agree the provisions for counselling and well-being services to be provided and funded by the school
- Put in place classroom observation and monitoring protocols for the management of teacher appraisal and receive review and challenge the Headteachers assumptions concerning the quality of teaching and learning in the school.
- Hear and determine complaints against the staff or the school where the complainant is not satisfied with the Headteachers response. Such complaints will be considered by a panel of three persons, two of which will be governors of the school.

As a specific role the Chair of Governors (or his/her nominee) will;-

- Approve absence requests and arrangements for the Headteacher
- Undertake ( or delegate to another named governor) responsibilities for the performance management and appraisal of the Headteacher alongside the Chief Adviser of the Trust
- Deal with grievance or disciplinary matters relating to the Headteacher

## Safeguarding

**The Children's Act 2004 places a duty on agencies to ensure that their functions are discharged having regard for the need to safeguard children and promote their welfare.**

By safeguarding and promoting welfare we mean:

- Protecting children from abuse or neglect
- Preventing impairment of the child's health or development
- Ensuring children's are growing up in circumstances consistent with the provision of safe and effective care
- Creating opportunities to enable children to have optimum life changes in adulthood

It is recommended that the Safeguarding and Child Protection Governor should not be a parent governor or teacher governor as this could lead to them being compromised in the event of a disciplinary matter.

The safeguarding governor will:

- Need to be familiar with guidance and policy relating to Safeguarding and Child Protection and associated issues, and to attend training for nominated Safeguarding and Child Protection governors
- Be responsible for ensuring that the Governing Body puts in place a suitable Safeguarding and Child Protection Policy and associated procedures and be a champion for safeguarding and child protection issues within the school
- Encourage other members of the governing body to develop their understanding of the governing body's responsibilities with regard to Child Protection and assist them to perform their functions in respect of Safeguarding Children and Young People
- Contribute to ensuring any deficiencies in the school's safeguarding practices are addressed which may be brought to Governors' attention by a member of school staff, a parent, an officer of the Authority or from any other source
- Meet regularly with a senior member of the school's team who is the designated teacher for safeguarding and child protection in order to monitor the effectiveness of the governing body's Safeguarding and Child Protection policy. It is recommended that this is at least a termly meeting

***The safeguarding governor will also ensure that the governing body receives an annual report on the implementation of the school's safeguarding and child protection policy and procedures and that report includes how the school has ensured the following is in place****:*

- Arrangements for ensuring that the school's safeguarding and child protection policy is communicated to, and implemented by, all staff:
- that the school has a designated member of staff with lead responsibility for Safeguarding and Child Protection who is a senior member of school staff and has sufficient time and resources at his /her disposal to carry out his / her duties effectively the school has identified a deputy designated teacher for safeguarding and child protection
- the school has ensured that the Designated Teacher for Safeguarding and Child Protection and his/her deputy receive training every two years
- the school has training in Child Protection in place such that training is undertaken by ALL staff, including Lunch Time Supervisors, clerical staff and other ancillary staff, every three years
- the school has arrangements are in place for the inclusion of child protection procedures in an induction programme for all people working in the school, no matter for how long, nor the status of that individual
- that the school has arrangements to ensure safer recruitment and employment procedures and undertakes and records appropriate checks on all staff and volunteers such that they are cleared to work with unrestricted access to children.
- The number of students currently subject to a Child Protection Plan ***(NB details of names will not be provided to maintain confidentiality)***
- How Safeguarding and Child Protection issues are addressed through the curriculum
- The provision of information to the LA about how the governing body's duties in respect of Safeguarding and Child Protection have been discharged

In addition the governing body must ensure that the requirements of the Keeping Children Safe in Education legislation and guidance on Safer Recruitment and Employment practices in schools are carried out properly. This will include ensuring that at least one member of every interview panel coveyned for the recruitment of staff ( teaching and support) has received Safer Recruitment training delivered by an approved training provider.

## Pupil Premium

Whilst there is no statutory obligation to have a link governor for the use of the pupil premium, given the importance given to raising the attainment of disadvantaged pupils, governing bodies may well wish to consider such a role. In determining how that role is carried out the following may be useful when determining who on the governing body could carry out that role:

### The Importance of knowing your school

- Obtain information and data on and become familiar with the school's use of the pupil
- Know basic pupil premium facts for the school, such as how many pupils attract the premium, how this figure compares with other local and similar schools, and how the money is spent
- Meet termly with the staff responsible for performance data to discuss issues around under-performing groups, including those eligible for the pupil premium
- Challenge the allocation of the pupil premium grant if there is no clear audit trail evidencing appropriate use of the resources

### Monitoring data

- Understand relevant school pupil performance data that shows progress of different groups over time
- Ensure the school is monitoring and reporting on spending of the pupil premium, ensuring the money is spent in identifiable ways to support target groups of pupils
- Ensure the school is monitoring and reporting on the attainment of different groups of pupils over time to provide evidence of how pupil premium pupils are progressing compared with others

### Governing body meetings

- Take an active part in any governing body or committee discussions when the allocation and monitoring of the pupil premium is discussed and decided
- Report back to the governing body on the school's use of the pupil premium

**Attendance**

Whilst there is no statutory obligation to have a link governor for attendance, given the importance of attendance for learning in raising aspirations and standards of achievement, governing bodies may well wish to consider such a role. In determining how that role is carried out the following may be useful when determining who on the governing body could carry out that role:

- An awareness of the school's attendance policy and Ofsted expectations
- A strategic understanding of the connection between attendance, teaching and learning, behaviour for learning, parent/carer pupil engagement and achieving high standards for all pupils
- An ability to interpret attendance data and challenge the headteacher and senior leaders to secure improvements through a range of interventions, as appropriate
- Check the school is regularly monitoring attendance, reviewing progress and taking action
- Meet termly with the school attendance lead to scrutinise plans on improving attendance including rewards for good attendance, escalation processes for those who struggle with attendance, links with external support agencies where additional challenge is required
- Make sure that parent/carer issues are addressed in liaison with the family liaison/support worker team
- Track the profiling of the importance of attendance in classrooms, around the school, on the school website, in communications with parents/carers
- Report to governors on the outcomes of discussions, identifying areas of concern as well as highlighting examples of effective practice

**Health and Safety**

The role of the governor with a lead role in monitoring health and safety in school is important both in terms of supporting school leaders and the Trust but also in ensuring the governing body is supported in its role to monitor health and safety at the school.

The Trust supports the following Health and Safety Executive advice on the role as being:

- To take reasonable steps to make sure that the school is following the Trust's policy and procedures e.g. through regular discussion at governance meetings.
- Ensure that school leaders have supported staff through the receipt of adequate training to enable them to carry out their responsibilities.
- To help promote a sensible approach to health and safety, making use of competent health and safety advice when required.
- To report back to the governing body and its committee on how well the school is meeting its obligations and to ensure areas for improvement are highlighted and acted upon (paying particular attention to reports from the Trust’s health and safety system)
- In overall terms the governor with the link role should work in close partnership with the head teacher and senior management team to support sensible health and safety management and to challenge as appropriate.

## Committees

The Active Learning Trust asks that each school establish two committees to support the Local Governing Body – these are:

- The Finance and Property Committee
- The Personnel Committee

Detailed Terms of Reference for each committee are available to Local Governing Bodies (LGBs), but the main duties can be defined as:-

1. Assisting the decision making of the LGB, by enabling more detailed consideration to be given to the best means of fulfilling the LGB's responsibility to ensure sound management of the school's finances and human resources, including proper planning, monitoring and probity.

2. Making appropriate comments and recommendations on the management of the school's resources (including finance, premises, staffing) to the LGB on a regular basis.

*It should be noted that committees do not have delegated powers and major issues will be referred to the full LGB for ratification*.

Each committee consists of a minimum of four governors and the Headteacher. Associate members (such as the lead finance officer in the case of the Finance and Property Committee) are recommended.

Each committee meeting will require three governors present to be quorate.

## Statutory Committees

Schools are required to have a group of governors that are able to support the school when committees are needed for the following:-

- Staff Disciplinary Hearings
- Pupil Exclusions Hearings
- Complaint Hearings

The Active Learning Trust recommends that all governors agree to be members of Statutory Committees, giving the person convening a hearing (usually The Clerk to Governors) flexibility should an occasion arise.