

## Proposed Education Measure (Wales)

### Response from Governors' Wales



*Promoting and developing high quality school governance*



### Proposed Education (Wales) Measure

Governors Wales promotes the effective governance of schools in Wales and provides support to individual governors, local governors associations, fora and other groupings. Governors Wales is committed to the promotion and effective management of quality provision in schools in Wales.

Governors Wales welcomes the opportunity to comment on the proposed Education (Wales) Measure and offers the following comments:

- 1. Is there a need for a Measure to make collaboration commonplace in the education system, to improve school governance and to simplify the planning of school places in Wales?**
  - 1.1 Yes. Governors Wales welcomes the proposed Education (Wales) Measure that would assist in raising standards of school governance. This is crucial to school effectiveness.
  - 1.2 Governors Wales recognises the important role collaboration can play in delivering education functions and as a reinforcement for existing Welsh Assembly Government policies, but is mindful that it needs to be based on true partnership working and a willingness to work together in the first instance, rather than being mandated. This should be encouraged and developed further via the School Effectiveness Framework, the overarching policy for school improvement.
  - 1.3 There are existing regulations that currently cover the planning of school places. Whilst consultation is essential for matters such as school closure and amalgamations, the process needs to ensure that this happens as speedily as possible whilst allowing for due and proper consultation amongst stakeholders.
  - 1.4 Governors Wales believes that governing bodies should always consider the best option for the school/s in the long run, through dialogue with the relevant Local Authority and diocesan authority as appropriate. We are mindful however, that federation is in its very early stages of establishment and development in Wales and would like to know more about the successes and problems encountered before further legislation is made in this respect.

## **2. What are your views on collaboration by education bodies?**

- 2.1 In the present economic climate, collaboration cannot be avoided and should be encouraged in order to raise overall standards. Such collaboration should be tightly focused on raising standards in the performance of all pupils, with the resulting provision offering the range and depth of curriculum choices, essential for a fair and comprehensive service. True collaboration must be based on true and honest partnership working between educationalists, practitioners and governors.
- 2.2 Governors Wales recognises however, that the School Effectiveness Framework already facilitates collaborative working between the different education sectors and aims to make it more commonplace. This should now evolve and develop if effectively introduced.
- 2.3 Governors Wales believes that case study material of current collaborative work being undertaken across Wales should be collected and evaluated to assess its overall impact on school performance and learner outcomes. Governors Wales notes however, that statutory guidance on collaboration will be issued as part of the Measure (paragraph 3.36 explanatory memorandum).
- 2.4 It is presumed from the section in the proposed measure that there will be no modification to the current regulations on collaboration (SI.3082 W.271 and SI.168 W.21) in relation to “functions”.
- 2.5 Lastly, training will be required for governing bodies who work collaboratively and on a federation basis.

## **3. What are your views on a federation of maintained schools?**

- 3.1 Please refer to point 1.4 above. In addition, Governors Wales believes that federation may well be appropriate for a small group of schools geographically close together. Federation can therefore, offer many advantages, i.e. preserving small schools which may not be financially viable.
- 3.2 Governors Wales notes in section 13 of the Measure, that federated schools may be regarded as “one school” in prescribed cases and feels that further clarity is needed on this provision. Governors Wales believes that this would be difficult when different categories of schools federate, especially in relation to maintaining the religious ethos of the school when faith schools federate with community schools etc.
- 3.3 Section 15 provides Welsh Ministers with the power to make an Order to define a ‘small school’ by referring to the number of registered pupils at the school. Governors Wales believes that the formula used to measure the capacity of schools against the number of pupils on role/surplus places would be more beneficial. The one size fits all approach would not necessarily be appropriate.
- 3.3 It is important, therefore, that the regulations and guidance that will accompany the Measure contains clear and user friendly guidelines on the benefits of federations, including case study material.

3.4 Lastly, it is not thought appropriate that Welsh Ministers may direct a local authority, a governing body or a governing body of a federation, to provide for a federation of schools. Governors Wales believes that Local Authorities are better placed and informed to make a responsible decision working in conjunction with the relevant governing bodies. It is hoped that this would only be used as a last resort.

#### **4. What are your views on training for governors and clerks and provision of clerks?**

##### **Governor training**

4.1 Governors Wales has advocated for some time that training for chairs of governing bodies should be made compulsory, as the role of the chair is crucial in ensuring that a governing body fulfils its duties effectively. Equally, Governors Wales believes that consideration should be given to compulsory training for all school governors at the induction stage, bearing in mind the huge responsibilities that governors undertake.

4.2 Governors Wales recognises that good clerking plays a pivotal role in contributing to effective governance and school improvement. Governors Wales has also called for the promotion of training, support and development for governing body clerks to enable them to fulfil their functions to a high standard. In this respect, we welcome the proposed Measure.

4.3 In addition to the above, Governors Wales recognises that all governors should be offered training by their Local Authority. Furthermore, Governors Wales believes that accessibility, flexibility and equality of provision are paramount when considering training needs, to ensure that governors benefit from timely, high quality training as and when required. Governors Wales believes that the introduction of a national 'e' training package for governors and clerks should be considered, to complement existing training provision.

4.4 Governors Wales is mindful however, that any form of compulsory training should be funded and resourced appropriately.

##### **Clerking provision**

4.5 Governors Wales has mixed feelings regarding the provision of a clerking service from all Local Authorities. Many governing bodies will employ a clerk not provided by the Local Authority and this can be just as an effective. There should certainly be a duty on the Local Authority to support (and provide a service to) schools where those schools cannot appoint a suitable clerk.

4.6 Governors Wales is mindful of the research being undertaken on the role of clerks. The Welsh Assembly Government has recently commissioned a review of school governing body clerk's performance and the training and support provided for them, and would suggest that it would be useful to consider any recommendations in the first instance.

4.7 Governors Wales believes that national training material is the way forward but would ask for additional consideration to be given to training the trainer.

4.8 Following on from the above, a common all-Wales training programme should be made available to all governors and clerks to governors. The content should be produced following full and comprehensive consultation. Additional local requirements can then be added to the training material as and when required.

4.9 It is felt that further detail/clarity is needed in relation to section 23 (3)(b) “within a prescribed period” and section 23 (3)(e) “provide for exceptions and exemptions”.

**5. What are your views on foundation schools?**

5.1 Governors Wales recognises the differing views of governors on this issue and is unable to give a consensus view at this point.

**6. What are the potential barriers to implementing the key provisions of the proposed Measure (if any) and does the proposed Measure take account of them?**

6.1 Implementation of the mandatory training provisions will require careful drafting of regulations regarding, for example, disqualification of governors who do not undertake suitable training.

6.2 The provisions regarding clerking will carry financial implications. There will be associated costs for Local Authorities in providing a clerking service and training for clerks.

6.3 The driving force behind change must be for a very tight and explicit focus on the delivery of higher standards of achievement for learners. The framework for such vision is now in place.

6.4 Other barriers include:

- Job security for existing headteachers and teachers;
- Conflict of interests between governing bodies;
- Availability of key practitioners to lead new approaches;
- Co-operation from schools in developing new approaches to funding/support;
- When teachers, staff and leaders are not fully briefed on all implications of the Measure;
- Need to base on true partnership and willingness, rather than being mandated;
- Competition amongst schools
- Reduction in number of governing bodies;
- Complicated procedure for governing bodies to federate;
- Pressure to federate.

**7. What are the financial implications of the proposed Measure for your organisation?**

7.1 Governors Wales may be asked to play a greater role in supporting improved training for governors and improvements to clerking services, especially if in the current financial climate some Local Authorities may find it difficult to increase their commitment in these areas. Collaboration could be a good way of tackling this, and some increase in the staffing of Governors Wales might be a cost effective way of meeting the higher levels of training required.

7.2 Some of the benefits could include shared resources etc. There may be additional costs incurred for the proposed measure, i.e. guidance/case study material, training/conference events etc. Not all collaboration however will mean there will be cost savings.

**8. Do you think an appropriate balance has been struck between powers on the face of the proposed Measure and those contained in Regulations to be made by the Welsh Ministers?**

8.1 Yes. Regulations and statutory guidance will necessarily deal with the detailed implementation of the Measure.

8.2 As previously mentioned in point 3.4, there is provision in the Measure to direct federation. However, Governors Wales believes that any imbalance could lead to the opposite of collaboration and be consequently divisive.