



Go-Governance - a newsletter for Governors and Clerks

Issue 2 - October 2016

Introduction

Welcome to the second edition of *Go-Governance* and may I say thank you for the positive feedback I received after the launch of the first edition, which was much appreciated. Rather than sending group emails to Chairs and Clerks, general news and action points will now usually be shared with you via *Go-Governance*, although of course there may be occasions in-between issues, where it may be necessary to send an email. All editions of *Go-Governance* will be kept on our website and are available via http://schools.cliftondiocese.com/?page_id=2013

Foundation Governor Recruitment Process

Statutory guidance issued by the Department for Education in September promotes the use of a meeting to help establish if potential governors have the required skills to contribute to effective governance. As a result of this when nominations for Foundation Governors are received by the Diocese, the Chair and at least one other governor will therefore be asked to meet with the nominee, at the school to discuss the role, before a decision to appoint or not is made by the Bishop. I should emphasise that whilst feedback from the chair will be sought, it is ultimately the Bishop's decision whether to appoint.

Any meetings with potential applicants before they submit a nomination form, should, to protect the Governing body from accusations of being inappropriately selective, be with the Chair of Governors and not with the Head Teacher.

Foundation Governor Induction Training

Some schools based at the far ends of the Diocese have requested if induction training could be provided on a more regional basis, rather than in Bristol. Because new governors are appointed throughout the year from all across the Diocese, induction training is held at Alexander House in Bristol as it is (roughly) in the centre of the Diocese with good parking and is close to the M32, bus & train stations. We can accommodate up to 25 people from all over the Diocese in one session. We offer an evening and Saturday morning session to try to cater for those with work and/or child-care commitments.

We are prepared to provide other training sessions linked specifically to being a governor of a Catholic school when requested, but a school would have to ensure that at least 20 people would be in attendance in order for it to be viable. Schools in Swindon recently arranged such an event. If you think you may wish to have such an event please let me know.

CES Governor Training Survey

You've hopefully been made aware that the Catholic Education Service in London is asking all governors (not just Foundation) to complete a very brief online survey to find out where governors are currently accessing their training. It is hoped that, as a result, the CES will be able to signpost training resources which are relevant, high quality and flexible.

I understand that some governors have had a problem both with accessing the questionnaire and also selecting more than one option for some of the questions. This has now been resolved and I can confirm it is open to **all** governors. The link below should now give access to the amended questionnaire.

<https://docs.google.com/forms/d/1ooepkCktIOsrGYBcX0oJkjkxtmrFOmUOSqNPKrebOYw/edit>

The deadline for completed questionnaires is Monday 7 November 2016.

Education Sunday

As mentioned in Issue 1, 11 September was Education Sunday which this year had a particular focus on governance and an appeal encouraging people to volunteer to be a Foundation Governor was made at many Churches. This has

resulted in 35 expressions of interest and 11 actual nomination forms being received so far, with more to follow - so once again many thanks to anyone who supported the day in anyway.

Associate Members

Governors may not be aware that it is possible to appoint Associate Members to your governing body without compromising your Instrument of Government or Articles of Association. They should be appointed because of the specific expertise and experience they can contribute to the effective governance and success of the school for between 1 and 4 years. They do not have voting rights on the FGB but may vote on the committees they serve. Please refer to Paragraphs 28 and 29 of The Governance Handbook and A.8 of the statutory guidance issued by the Department for Education in September 2016.

Governor Conference

Our Governor Conference is on **Saturday 12 November from 10.00am - 2.30pm at St Brendan's Sixth Form College in Bristol**. Please note the slightly revised times. The theme for the day is 'Developing Distinctiveness' and all governors are invited. If you would like to attend but have not yet booked your place please email Graham Tiley at graham.tiley@cliftondiocese.com **as soon as possible**. Attendance at this event is part of formal training and so Clerks should include all Foundation Governors who attend on the 'CLERK and FOUNDATION GOVERNOR TRAINING FORM 2016/17' form that was attached to Issue 1 of Go-Governance.

Academies

The Annual General Meetings for Academies will take place on 7 and 8 December and formal invitations have been emailed to Chairs and Heads. Please remember to return both the Report Form and the Attendance Form **by 18 November**.

Academy Clerks are reminded that Article 45A of your Articles of Association requires that all Directors give a written undertaking to uphold the Object of the Academy Trust. Please kindly ensure that all new Directors fulfil this legal requirement and let me know if you would like a sample form that can be used for this purpose.

Admissions

Just a reminder that if you wish to make any changes to your admission arrangements for the 2018-19 school year you will once again have to undertake a formal consultation by 19 December **at the latest** to be completed by 31 January at the latest. Our own Diocesan Admissions Guidance has been updated for 2018-19 and is available at: http://schools.cliftondiocese.com/?page_id=104

A Primary School for every Parish

Our consultation on proposed schools for those parishes that did not have a designated primary school ended on 16 October so many thanks to those who responded with their views on the proposals.

Designated schools have now been determined and so with effect from the 2018-19 school year, every child living in any parish within the Diocese will have a designated primary school. Schools in Gloucestershire, Somerset, Swindon and Wiltshire have been notified of the final determinations and so any school that has been designated to serve a new parish must consult on their admission arrangements for 2018-19.

Ordnance Survey Maps

A map of every parish within the Diocese that is compliant with Ordnance Survey requirements has been produced and emailed to the primary school designated to serve the parish. Please ensure they are available at your school for parents and are posted on your school website.

Coordinated Admission Schemes

As you probably know each Local Authority must set a Coordinated Admission Scheme that details the arrangements and timetable for the processing of all new intake applications. These are often divided into separate schemes for Primary and Secondary Admissions and all schools within the LA are legally required to participate. These schemes should specify how an alternative school place will be allocated to any child who will be refused all of his/her parent's preferences. For example it may something like:

A - "Where applicants do not qualify for the school(s) they have applied for, they may be offered a place at the nearest alternative school/academy with a place available"

Or B - "Where applicants do not qualify for the school(s) they have applied for, they may be offered a place at the nearest alternative school/academy (**excluding Catholic Schools**) with a place available"

Example A would mean that once all named preferences for your school have been allocated, the LA may allocate any remaining places to children who have not named your school but have been refused all of their preferences.

Example B would mean that once all named preferences for your school have been allocated, the LA would **not** allocate any remaining places to children who have not named your school but have been refused all of their preferences.

It is up to individual governing bodies to decide if they would prefer to accept children who have been refused all of their named preferences or not, but we would recommend, that if you have not done so already, you ensure that you are aware of what the Coordinated Scheme of your LA says. If the Scheme of your LA is not in line with your school's individual wishes, we would recommend that you write to the LA as soon as possible, requesting that the scheme for 2018-19 be altered accordingly (schemes for 2017-18 should have already been set and should be on LA websites).

In-Year Admission Applications

Just two reminders for when schools receive an In-Year application for a school place:

i) It is a legal requirement under Paragraph 2.22 of the School Admissions Code, that schools must on receipt of an in-year application, notify their LA of both the application and its outcome (to allow the LA to keep up to date figures on the availability of places in the area).

ii) Under the Schools Standards and Framework Act (see Paragraph 12 on page 35 of the School Admissions Code), schools must comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources. This means that if governors decide to refuse an application, it must not be on the basis that the

year group or class is full or any other reason - but must be on the basis that admission would "**prejudice the provision of efficient education or the efficient use of resources**". Yes the fact the class or year group is full may help you determine if the child's admission would cause "prejudice etc." but in itself it is not the legal reason for refusal. You must therefore ensure that Admissions Committees consider cases on this basis and that any letter of refusal gives the reason for refusal as "prejudice the provision of efficient education or the efficient use of resources". Appeals by parents could be successful if the letter of refusal does not include reference to 'prejudice etc.'

Where Infant Class limits are an issue, the committee must obviously also consider this and ensure that the letter of refusal goes on to explain that the 'prejudice etc.', would be caused by the school having to take Relevant Measures, for example employing an additional teacher, to comply with the legal requirement to ensure there is no more than 30 children per teacher. The letter of refusal must also inform parents about their right to appeal and how they do so.

Local Authority Charges

With the government requiring all Local Authorities to save more & more money, it has already resulted in increased charges for some of the services provided to schools by LAs. Two areas that governors should pay particular attention to are:

- a) Computerised Distance measurements (for applying over-subscription criteria). Governors will be aware that for reasons of fairness and equality, the Diocese does not support the use of 'distance measurements' within admission arrangements. However if schools insist on including them, we would recommend that they are fully aware of what the likely charge for providing distance measurements from your LA will be, both now and in the future, before including them within your admission arrangements. To include them commits you to buying the distances from your LA, potentially for up to 7 years.
- b) Governor Services. It is obviously imperative that governors access good quality training. Whilst the cost of LA training may be significantly increasing, governors should be aware that the Diocese is only able to provide basic induction training for governors & clerks and will not be providing other training.

Governors are asked to consider where they will obtain training for governors if they do not buy into the LA offered by their LA. Schools cannot rely on the Diocese to provide training and advice.

Next Issue

I sincerely hope you have found this edition helpful and if there are any items or topics that you would like to see included in the next edition please just let me know.

Best wishes

Bill

Bill McEntee
Strategic Officer for Governance
0117 9025599
bill.mcentee@cliftondiocese.com