

Committee:	<b>Audit, Best Value and Community Services Scrutiny Committee</b>
Date:	<b>5 November 2013</b>
Title of Report:	<b>2012 Review of Governor Services and progress to date</b>
By:	<b>Interim Director of Children's Services</b>
Purpose of Report:	<b>To update the Committee on the actions that are being undertaken to strengthen the local authority's support for governors</b>

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**RECOMMENDATION: The Committee is recommended to consider the progress made to date in addressing the recommendations of the joint reference group and decide whether further updates are necessary.**

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## **1. Background**

1.1 The Audit Best Value and Community Services Scrutiny Committee established a joint member reference group with the Children's Services Scrutiny Committee in 2012. This reference group looked at the main responsibilities of the Council in relation to schools and the associated risks. A key area for consideration was the role of school governors and, in its final report in July 2012, the reference group recommended that the local authority should:

- a) Ensure Governors are kept up to date with changes in legislation and signposted to relevant advice and guidance on their responsibilities..
- b) Use the advisory clerking service to ensure that Governing Bodies' focus on their responsibilities and have access to advice
- c) Consider the costs and benefits of different levels of support to schools and governing bodies in order to mitigate the risks identified here
- d) Provide more tailored support and training for Local Authority and other categories of governor.
- e) Offer packages of targeted support to governing bodies, for example of small schools or where there are concerns about governing body decision making in a school
- f) Target that support for governors by risk assessment based on sharing intelligence collected by officers across different services visiting schools..

1.2 Addressing the issues has required some changes to the way Governor Services is organised. A key development has been to recruit a senior manager with responsibility for governor services and planning for the whole of the Standards and Learning Effectiveness Service (SLES). The aim over the last year has been, firstly, to better integrate support for governance with the core work of SLES and, secondly, to review and develop the service offer to Governing Bodies to ensure that the advice, guidance and training being provided is fit for purpose.

1.3 This work is ongoing and a number of changes have been put in place already, with further developments planned over the current academic year. Appendix 1 sets out progress to date.

1.4 As a result of continued weaknesses in school governance and financial management, Internal Audit has been working together with Children's Services and BSD Finance to develop a range of mechanisms and activities to help improve financial governance in schools. Details of this work are attached as Appendix 2.

## 2. **Conclusion and Reason for Recommendation**

2.1 The Committee is recommended to note the developments to date within Governor Services.

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Local Members: All

Background Documents:  
None

Our Aims	Progress between 1 August 2012 and 30 September 2013
<p><b>a) Ensure Governors are kept up to date with changes in legislation and signposted to relevant advice and guidance on their responsibilities.</b></p>	
<p>i) To promote the role of Training Link Governor to Governing bodies, encouraging them to nominate one governor who will have responsibility for keeping up to date with developments in governance and ensuring the governing body addresses any skills or knowledge gaps among its membership.</p>	<ul style="list-style-type: none"> <li>Governing bodies have been nominating their Training Link Governors (TLGs), which are being added to the SDMS Database. All GBs will be required to have submitted their nominations by Christmas and their TLG to have attended a briefing session.</li> <li>The first briefing session took place on 18 September 2013 and was well attended. A library resource of materials was provided to each TLG, which included model documents such as role description, governor CPD forms and a library of publications on good governance. Two further briefings are due to take place in term two.</li> </ul>
<p>ii) To support the development of Chairs of Governors clusters, particularly around the alliances, to aid school to school support, improve the 'experience' of individual governors and share best practice.</p>	<ul style="list-style-type: none"> <li>We have been providing ongoing support for the Lewes Chairs Cluster since July 2012 and the Newhaven Alliance Chairs since November 2012. Governor Services has been actively developing a programme of training on working in partnership; a first pilot session was undertaken with the Cavendish Alliance, in June 2013, and the programme will be further developed with the new Teaching School Alliance, led by St Marks at Hadlow Down. As part of the programme, their governors will be trained in how to facilitate peer reviews of governing bodies so that they can then offer this to other schools.</li> </ul>
<p>iii) To launch a newsletter for governors to provide regular policy updates, news and useful information for governing bodies.</p>	<ul style="list-style-type: none"> <li>The newsletter was launched in Term 2 of 2012/13 and three editions have now been issued with very positive feedback received. The newsletter is a combination of news, advice and reporting on recent events. Articles have been produced by the Standards and Learning Effectiveness Services, other ESCC staff and governors themselves.</li> </ul>
<p>iv) To hold an Annual Conference for governors to enable them to hear speakers on issues of national and local importance and to debate with their peers.</p>	<ul style="list-style-type: none"> <li>The 2012/13 Annual Conference, held in January 2013, was attended by 83 Chairs of Governors or their representatives. It had the theme of "good Governance" and included presentations from Professor Chris James from the University of Bath, a National Leader of Governance, and the principal of a teaching school in Medway.</li> <li>The 2013/14 Annual Conference has been planned for Saturday 23 November 2013 at the East Sussex National Golf Club. The theme of the conference is the new educational landscape and what it means for governors. The Key Note Speaker is Dave Harris of Independent Thinking Ltd. Dave has worked for over 30 years in schools serving some of England's most deprived communities. His passion for innovation and his belief in the transformational effect of leadership have led to the formation of schools which have gained a national reputation. In addition, facilitated workshops are planned looking at the differing roles of governors in alliances, Federations or in an academy.</li> </ul>
<p>v) To review the information provided for Governors on Czone to ensure that it is up to date and comprehensive.</p>	<ul style="list-style-type: none"> <li>The content of Czone has been updated and improved by the Governor Services Team, following training on writing for the web and on the software used by Czone. Now that the team can have direct control over the content available for governors, it will be possible to react quickly to changing information and provide updates as quickly as possible.</li> </ul>

Our Aims	Progress between 1 August 2012 and 30 September 2013
	<ul style="list-style-type: none"> <li>Governor Services is now working on a communication strategy to further improve communication with governors and clerks, including investigating the use of the Communications Hub and social media such as facebook and twitter.</li> </ul>
vi) To review the Governors' Area Meetings and County Forum to ensure they provide the best opportunity to hear about local authority policies and discuss the implications for schools.	<ul style="list-style-type: none"> <li>From the Summer Term 2012/13 round of meetings, we have been holding Area Meetings in advance of the County Forum. This is to enable Governors to hear about our policies and discuss with their ESGRG representatives before the ESGRG speak to elected members at the County Forum meeting. This should ensure that the feedback we receive is more reflective of the views of the wider body of governors.</li> <li>We are reviewing the forward plan to ensure that the topics and structure of the meetings provides information for governors in a timely way.</li> </ul>
vii) To review the training package for governors to ensure that we are providing a comprehensive menu of quality training for both new and experienced governors.	<ul style="list-style-type: none"> <li>Work continues on reviewing and revamping the training package for Governors to fill gaps identified. This has already led to the provision of new courses including School Complaints, Advanced Finance training and Headteacher and Governing Body Working together. We have also been reviewing and updating existing courses such as the induction course and Governor Visits and have more new courses planned, including How a School Works, for those new to the world of education.</li> <li>We continue to expand our bank of Associate Trainers to ensure we can meet the demand for training and have attracted a number of well-qualified consultants including ex-senior school leaders and a National College consultant. These are starting to have a real impact and have received very good feedback from governing bodies – one Chair said that their recent session “was the best support they had ever received from governor services in all her years as a chair”.</li> <li>We are working in partnership with the South-East Learning Trust (SELT), West Sussex County Council, Medway Council and a Medway teaching school to deliver the National College Chairs' Development Programme. 30 East Sussex Chairs and aspiring Chairs have already started the Programme and SELT have reported several further enquiries from East Sussex governors which they are following up.</li> </ul>
viii) To work with the East Sussex Governors' Representative Group to ensure that they are up to date on governance issues so that they can provide advice and guidance to those they represent.	<ul style="list-style-type: none"> <li>We are developing our relationship with the ESGRG – we have helped them recruit some new members and have agreed a new Memorandum of Understanding. They have also agreed to work with us on developing Chair to Chair Support and have fed in to the development of the programme for the next annual conference.</li> </ul>
<b>b) Use the advisory clerking service to ensure that Governing Bodies' focus on their responsibilities and have access to advice</b>	
ix) To undertake an evaluation of the Clerking Service, which provides training and advice for clerks to fulfil an advisory capacity, to assess what is working well and where we need to	<ul style="list-style-type: none"> <li>An external evaluation of the Clerking Service was completed in August 2013. Governors, clerks, Council staff and school staff were invited to complete surveys, take part in interviews and participate in a number of focus groups. The findings have concluded that the provision of Advisory Clerks through the Clerking</li> </ul>

<b>Progress between 1 August 2012 and 30 September 2013</b>	
<b>Our Aims</b>	<p>improve.</p> <p>Protocol has, overall, had a major impact on the advice and guidance available to Governing Bodies. It usefully identifies some areas for development which are being considered by the Standards and Learning Effectiveness Service. The findings and a proposed response will be presented to members and to the Schools Forum (which funds the Clerking Service) in due course.</p>
x)	<p>To explore ways of supporting the continuing professional development of advisory clerks to ensure they are able to provide effective support to their governing bodies.</p> <ul style="list-style-type: none"> <li>• We are working with the Clerk Trainers to develop post-accreditation CPD for Clerks</li> <li>• We have subscribed to TEN Governor for Clerks of Governing Bodies that are signed up to the Clerking Protocol (80% of schools). To date 273 governors and clerks have registered to use of the service, from 97 schools. TEN Governor is an on-line database of questions asked by governors and responses provided by specialist advisers. We have provided three briefing sessions for Clerks on how to make the most of the database and have given all clerks material to enable them to present this in turn to their governing bodies. We expect that registrations will continue to rise as a result of this promotion.</li> </ul>
xi)	<p>To develop a pool of "Super" Clerks who can undertake projects, support Interim Executive Boards and Special Measures Schools and who can mentor new clerks in the first few months of the role.</p> <ul style="list-style-type: none"> <li>• We have already identified a number of clerks who are now deployed to the Interim Executive Boards currently in place and another who has supported a Federation Working Group. In addition, we have been able to deploy an experienced clerk as an interim measure until a school in Special Measures is able to recruit a new permanent clerk. We have agreed that once that clerk is in place, we will fund some time for the new clerk to receive some mentoring, given the circumstances of the school.</li> <li>• We have also written to all clerks to invite expressions of interest and are compiling a database so that when future opportunities arise we have a pool of potential clerks to draw on. We are also exploring the use of Democratic Services to provide administrative support for future IEBs.</li> </ul>
<b>c) Consider the costs and benefits of different levels of support to schools and governing bodies in order to mitigate the risks identified here.</b>	
xii)	<p>To review the traded service offer alongside the rest of the Standards and Learning Effectiveness Service</p> <ul style="list-style-type: none"> <li>• 70% of schools in East Sussex are currently signed up to one of the Governor Services Support SLAs and a number of other schools, mainly academies, use Governor Services on a pay as you use basis. The offer is currently being reviewed and consideration is being given to combining the SLA with the SLA for the rest of the Standards and Learning Effectiveness Service. Additionally, the charges that sit below the SLA are being reviewed to give flexibility to offer services to groups of schools, such as alliances and Chairs clusters.</li> </ul>
xiii)	<p>To update the standard operating procedures and carry out CPD for managers and consultants to better integrate support for governance into the work with teachers and senior leadership teams in schools, especially for those schools on support plans.</p> <ul style="list-style-type: none"> <li>• New Standard Operating Procedures have been developed for the Standards and Learning Effectiveness service which make it clear that all managers and consultants are expected to look at governance as part of the leadership and management of the school. Training will be provided so that they can provide support to governors directly when needed, or can commission appropriate support from Governor Services. This will greatly expand the capacity of the service to improve governance.</li> </ul>

## Appendix 1 – Progress against actions arising from the joint member reference group recommendations on governance

Our Aims	Progress between 1 August 2012 and 30 September 2013
<p>xiv) To work with the ESGRG to identify experienced governors who are willing and able to provide peer support to other governors so that we can broker such support when required.</p>	<ul style="list-style-type: none"> <li>• 13 experienced Chairs of Governors from East Sussex schools put themselves forward as learning partners for participants on the Chair of Governors' Development Programme which we deliver in partnership with SELT.</li> <li>• We also have expressions of interest from a number of governors in becoming peer mentors and we have already allocated a number of these work alongside individual governors or with governing bodies.</li> <li>• We are now looking at developing a Local Leaders of Governance programme and have been speaking with other local authorities which have taken this approach.</li> </ul>
<p><b>d) Provide more tailored support and training for Local Authority and other categories of governor.</b></p>	
<p>xv) To arrange briefings for Local Authority governors to help them to understand the local authority's policies on school improvement so they can better fulfill their role as LA Governors. This will supplement the promotion and support of the Training Link Governor role.</p>	<ul style="list-style-type: none"> <li>• We have planned two events in the autumn term 2013 specifically for LA governors which will enable them to understand the local authority policies on school improvement. These sessions will be led by Councillor Nick Bennett.</li> <li>• We agreed with the Governors Panel in November 2012 that, as not all LA Governors can be assumed to have the skills or capacity needed to take an active role in strengthening their governing bodies, we also ask GBs to nominate Training Link Governors instead (see above for plans). This then gives two governors on every Governing Body, alongside the Chair and the Clerk, who are provided with opportunities for keeping up to date with local and national policy.</li> </ul>
<p>xvi) To review the Job Description and application process for Local Authority Governors so that the Panel can better assess their skills.</p>	<ul style="list-style-type: none"> <li>• We have revamped the JD and application process for LA Governors so that the Panel can assess their skills better. We have also set up a pool arrangement so that the Panel can approve an LA Governor before they are matched to a school. This gives us more control over matching to schools on the basis of skills.</li> </ul>
<p><b>e) Offer packages of targeted support to governing bodies, for example of small schools or where there are concerns about governing body decision making in a school.</b></p>	
<p>xvii) To review our programme of Whole Governing Body (WGB) training to ensure that the offer is comprehensive and provides for the needs of all schools.</p>	<ul style="list-style-type: none"> <li>• We have a programme of Whole Governing Body (WGB) training which includes Governing Body Healthcheck, Strategic Questioning, Effective Governing Body Coaching, Chairs Coaching and so on. We put these in either at the request of the Governing Body or in response to a support plan which identified governance as an issue. We have undertaken an exercise to identify gaps and will be developing some new packages, particularly for schools at serious risk of going into special measures where more tailored interventions are required and follow up sessions.</li> </ul>
<p>xviii) To develop a tool and carry out formal reviews of governance for all schools where one is</p>	<ul style="list-style-type: none"> <li>• As an interim measure, Governor Services adapted the Healthcheck tool and has carried out two formal reviews following an Ofsted. The tool has now been refined in partnership with the National College and a</li> </ul>

## Appendix 1 – Progress against actions arising from the joint member reference group recommendations on governance

Our Aims	Progress between 1 August 2012 and 30 September 2013
<p>recommended by Ofsted following an inspection. Necessary support by governor services for schools in Ofsted categories will be commissioned via the School's Support Plan.</p>	<p>new process for review has been developed and rolled out which meets Ofsted's requirements..</p> <ul style="list-style-type: none"> <li>Governor Services is providing support as required for five IEBs of schools in Special Measures and has provided support and training to three other schools in Special Measures, as well as to a number of schools at risk of going into a category at their next inspection..</li> </ul>
<p>xix) To explore how the capacity of the Governor Services team can be supplemented to provide more, good quality support to governing bodies of schools the East Sussex categories of 4, 3s and 3.</p>	<ul style="list-style-type: none"> <li>Governor Services is working to develop an effective way of working with managers and consultants so that they are able to discuss governance issues, only drawing in Governor Services when required – this will help mitigate against the problem of GS having a very small capacity compared to the number of schools that need support and will ensure that all schools have access to advice when it is needed. .</li> </ul>
<p>xx) To work with the School Governance One Stop Shop (SGOSS) to recruit skilled governors and match them to schools with vacancies. We will also place experienced additional governors onto governing bodies of schools in Special Measures.</p>	<ul style="list-style-type: none"> <li>We started a recruitment campaign in March 2013, in partnership with the School Governance One Stop Shop (SGOSS). 34% of schools are now signed up to SGOSS and are actively being provided with potential candidates when needed.</li> <li>SGOSS are continuing to undertake regular promotion activities in East Sussex, the latest being a breakfast briefing and publicity material for the Federation of Small Businesses, which took place on 19<sup>th</sup> September 2013.</li> </ul>
<p><b>f) Target that support for governors by risk assessment based on sharing intelligence collected by officers across different services visiting schools.</b></p>	
<p>xxi) To ensure that Governor Services visit reports are shared with the rest of the Standards and Learning Effectiveness Service.</p>	<ul style="list-style-type: none"> <li>Governor Services is now adding copies of visit and training reports to the Visits database used by the rest of the Standards and Learning Effectiveness Service.</li> <li>The Senior Manager for Governor Services and Planning attends the newly formed Strategic Planning Group within SLES with other strategic managers from across the service. The Governor Services Support Manager attends the equivalent group for operational managers. These new developments are ensuring that governance and other school interventions are better co-ordinated.</li> </ul>
<p>xxii) To review the roles within the Standards and Learning Effectiveness Service to ensure that responsibilities for collating intelligence on schools is clear and that information is accessible and up to date.</p>	<ul style="list-style-type: none"> <li>We have recruited an Intelligence Officer who has responsibility for collating all the intelligence sources in SLES to ensure that everyone working with schools has a clear picture of strengths and weaknesses, including for governance. This will further improve connectivity across the service and enable better targeting of intervention to schools, including for governance.</li> </ul>





## **Increased Support for Schools**

### **Introduction**

As a result of continued weaknesses in school governance and financial management, Internal Audit has been working together with Children's Services and BSD Finance to develop a range of mechanisms and activities to help improve financial governance in schools.

Establishing good governance in schools is important to the Council in order to limit the risk of:

- schools getting into financial difficulty, including where deficit budgets become too large to allow the school to continue to operate effectively;
- costs associated with disciplinary procedures which fall under the Council's normal processes, where the Council would suffer financial loss if an award is made in favour of a school employee;
- reputational damage, either in relation to an individual school or a general perception of standards in East Sussex;
- depressed pupil attainment levels and the risk of an Ofsted category of concern.
- costs associated with harm to an employee or pupil with regard to their safety, e.g. on school premises or trips;
- costs associated with failure to make adequate provision for special educational needs.

Whilst school budgets are delegated and managed fairly autonomously by the Board of Governors, Head Teacher and Business Manager/Bursar, the County Council maintains responsibility for ensuring sound financial management and providing assurance on this to the Department for Education (DfE). Where schools face difficulties, there are a range of measures available to the Council, including the removal of financial delegation, the implementation of an Interim Executive Board (IEB) or the implementation of a Management Intervention Board (MIB).

During 2012, the Audit, Best Value and Community Services Scrutiny Committee (ABVCSSC) formed a joint member reference group with the Children's Services Scrutiny Committee aimed at reviewing the main responsibilities of the Council in relation to schools. The work of this group focussed on understanding the risks to the authority and how it could influence school governors to ensure appropriate decision-making. A progress report on this work is included elsewhere in the ABVCSSC papers. The actions outlined below have taken into consideration the

recommendations from the joint member reference group in order to provide a co-ordinated approach to improving governance in schools.

### **Council Activity**

Throughout the authority, a number of different teams are involved in providing support to schools, including, Standards Learning and Effectiveness (SLES), BSD Finance, Personnel and Training and Internal Audit. In recognition of the need to ensure that this support is properly co-ordinated and to improve the use of information and intelligence about individual schools, a new joint liaison group has been formed.

This group will meet periodically throughout the year with the objective of strengthening governance across all schools, as well as using a risk based approach to provide an early warning of potential issues at individual schools, with a view to providing more targeted support and intervention. One of the key activities of the group is to review the Council's financial training offer for schools, incorporating:

- An assessment of who has, and has not, previously undertaken training;
- Identifying and plugging any gaps in previous training programmes;
- Developing more targeted training based on areas of common weakness, for example, internal audit findings, Schools Financial Value Standards returns, budget plans and surpluses/deficits.

In addition to this, Internal Audit will continue to deliver the Schools' Audit Strategy, covering:

- Audits of individual schools, selected on a risk basis (the number of these visits has been increased for 2013/14 in response to a continued pattern of poor internal control);
- Themed reviews focussing on common areas of weakness;
- Follow-up reviews to assess progress against agreed recommendations;
- Action tracking for all high priority recommendations;
- Issuing regular internal audit bulletins directly to governors, outlining common weaknesses and prompts for governors when considering financial matters;
- Specific audit training sessions for governors, including an offer to provide briefings for governing bodies at the conclusion of audit visits;
- Use of the results from school audits to inform the topics for future themed reviews;
- Continued ad hoc advice and support to schools.

The effectiveness of these measures will be assessed on an on-going basis through the joint liaison group.

