

The background of the cover is a photograph of an empty classroom. Rows of black chairs with attached writing tablets are arranged in the room. In the background, there is a large window with multiple panes, letting in bright light. The overall color palette is muted, with greys, blacks, and the light from the window.

Who Governs the Governors?

School Governance in the
Twenty First Century

A report by Neil Carmichael MP and Edward Wild

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Introduction

More than half a million people contribute in excess of 2 million working days to serving schools as unpaid governors across England, Scotland and Wales within the state sector alone. This report seeks to acknowledge that contribution and to assess how the role and responsibilities of governors will need to adapt to a changing context and to offer ways in which schools both individually and collectively may develop and enhance the quality of governance and the quality of experience for those who make a substantial and largely unacknowledged contribution to the UK's education system.

The General Election of 2010 marked a watershed in the provision of secondary education in England. The formation of the Coalition Government, with its commitment to widening choice, expanding the academies programme, the creation of Free Schools and reducing the role of local authorities in administration and influence presents many welcome opportunities to improve opportunities for all concerned with the UK education system: teacher, pupils and parents.

At the same time both the removal of Local Education Authorities (LEAs) and changes to the inspection role of Ofsted will create potential risks and challenges which will place new powers in the hands of school governors and make their role of even greater importance in the future than at any time since the 1944 Education Act.

We will consider the implications of the 2010 White Paper, the immediate consequences which it creates and the longer term challenges and opportunities which may arise in terms of improving school performance and the overall standard of taxpayer funded education. And it sets out the importance and contribution which good school governance can make towards that objective.

Whatever your view of the Big Society, School Governors must surely be at the heart of it in terms of their commitment, number and dedication to ensuring schools fulfil their potential.

How boards should be structured and how they address the needs of parents, staff and pupils, will be a critical test of the current reforms and the success of the institutions themselves.

It is our contention that the importance of governing bodies in addressing such challenges will be greater than ever before.

This should be a two way process: both to assess how schools should be governed and how they can secure the highest possible standard of governors to ensure that they provide the oversight and strategic direction to see schools through the rapidly changing environment.

Our report has been underpinned and informed by a series of meetings and interviews with Heads, Chairs and Chief Executives of education providers and institutions. Although focussed on the state sector, this report also combines an analysis of our findings with an assessment of some of the challenges facing independent schools and offers some areas where fresh thinking may be of benefit within the context of some difficult years ahead.

We seek to see how improvements to governance can be a critical element in ensuring the raising standards and improving the quality of education. We hope that it will stimulate discussion, demonstrate the importance and appeal of serving on governing bodies and encourage schools to consider the fundamental challenges of structure, purpose and effectiveness during the years ahead.

Neil Carmichael MP and Edward Wild

Westminster May 2011

Context

“School governors are the unsung heroes of our education system. They are one of the biggest volunteer forces in the country, working in their spare time to promote school improvement and to support head teachers and teachers in their work. To date, governors have not received the recognition, support or attention that they deserve. We will put that right”

‘The Importance of Teaching’

The twentieth century saw many changes within English education, leading to the abolition of the majority of grammar schools during the 1970s, and the introduction of comprehensive schools. Subsequent legislation led to the creation of Grant Maintained schools and, more recently, the establishment of academies under the last Labour Government.

Improving both the performance of individual schools and driving up standards to ensure greater freedom of choice must be the hallmark of any well formulated education policy.

How will academies and other schools, without the day to day involvement of LEAs, ensure that the leadership of their school or groups of schools (in the case of federations) meets the expectations of pupils, teachers and parents whilst addressing the educational challenges of the future?

We have identified six key areas to consider and will consider them in the context of the White Paper, key research undertaken into governance, corporate and other models and the interviews and seminars we have held from November 2010 – April 2011. The key areas are as follows:

1. **The benefits and disadvantages of representative or Skills Based Boards and how to assess them;**
2. **The essential and desirable experience needed on all boards and the specific requirements for each school;**

3. **Remuneration for chairs and board members;**
4. **Attraction and retention of governors from the widest possible range of backgrounds and area to ensure that boards meet the needs of the school they serve;**
5. **Formal assessment of chairs and board members; fixed terms and extension of tenure;**
6. **What opportunities should be provided for a majority of parents, if they see serious failures of leadership and oversight by their governing body, to replace the chair and board?**

Background: 'the importance of teaching'

The 2010 White Paper acknowledges the success of City Technology Colleges (CTCs) and the academies programme, some which are amongst the best schools in the country, citing the fact that **children on free school meals who attend them do twice as well as the national average**. Ofsted's Annual Report confirms the success of CTC's and the academies programme – explaining that “their freedoms allow them to innovate and ensure that educationalists can concentrate on education”.

The majority of those we have interviewed acknowledge the need for changes to be accompanied by a streamlined and effective accountability system with Ofsted inspections to refocus “on their original purpose – teaching and learning – and strengthen the performance measures we use to hold schools accountable”. It continues:

“The best performing and fastest improving education systems in the world show us what is possible.... They combine high levels of autonomy for teachers and schools with high levels of accountability: so that professionals both feel highly trusted to do what they believe is right and highly responsible for the progress of every child.”¹

The White Paper seeks to improve accountability to parents and the local community, whilst committing to increasing school independence: “governors, head teachers and teachers – have responsibility for improvement. We will end the requirement for every school to have a local authority school improvement partner (SIP) and end the current centralised target-setting process.”²

Our research has firmly reinforced this view.

1 Department for Education (2010), The Importance of Teaching, Cm 7980, p.18

2 Department for Education, The Importance of Teaching, p.14

Schools and confederations should consider how they shape their board structures to ensure that they oversee and work with heads to deliver significant and ongoing improvements in standards and accountability at all levels without LEA involvement. Identifying areas of oversight for individual governors and different sub committees that bring in outside perspectives could be used to enhance this framework and improve performance.

Different models of governance

‘Freedom and flexibility’

The governance models of academies, federations, cluster schools, and free schools suggest that the freedom to develop innovative approaches to schools and their governing bodies has often been associated with improved education across the country for many children, regardless of their catchment areas.

The success of academies, such as Ark Schools and the Harris Federation of South London Schools, where “results for English and mathematics have improved by up to four times the national average in each of the last four years”³, demonstrates, that the independence to introduce strategies that are suited to individual school circumstances allows for rapid and often dramatic improvement in failing schools.

Free Schools Movement

The Free Schools Movement advocates a similar degree of autonomy for schools. Founded by parents, organisations, and other interest groups dissatisfied with the provision of education in their catchment area, a free school can be set up if the group can show a viable business plan.

A key difference between academies and free schools is the latter’s funding by the government. Another difference is that academies are also built on the foundations of unsuccessful schools, concentrating on their positive features and reforming the negative, including “an approach to attendance monitoring and educational welfare which has significantly improved attendance and timely procurement of educational psychology and special needs support”.⁴

3 Department for Education, *The Importance of Teaching*, p.57

4 Department for Education, *The Importance of Teaching*, p.57

This argument which propagates the benefits of economics of scale that can be achieved by schools working in federation has previously been outlined in the Policy Exchange report, ‘Blocking the best – Obstacles to new independent schools’⁵:

“One of the arguments against schools outside local authority control is that they will also be outside local authority support...Yet local authorities are not the only route to those economies. School chains or federations – where ‘back office’ functions are shared by a number of schools to cut down costs standardise practice, and free up schools to teach – and have the advantages of a local authority without removing the benefits of competition and innovation.”

The academy movement has seen an increasing number of ‘multi-academy sponsors’ – central institutions which take on administrative functions and leave their individual schools to educate. Like local authorities these have the advantages of scale, but without being a geographical monopoly. Other school providers can compete and costs are lowered.

Just as federation and partnership models are being developed for teaching, we see a powerful case for developing this model for school governance as one way in which accountability can be increased and the calibre of governors may be improved at the same time. Giving boards wider responsibility and oversight for more than one institution will also appeal to potential candidates to serve on such boards.

5 Anna Fazackerley, Rachel Woolf, Alex Massey, *Blocking the best – Obstacles to new independent schools*, March 2010, Stable URL: http://www.policyexchange.org.uk/images/publications/pdfs/BLOCKING_THE_BEST-HDS_Web.pdf, 7th January 2011, p.7

Teach First

Promoting the role of governors

One of the best ways to give back to the community is by serving and supporting local schools to become more successful and to enable their pupils to achieve their best. Many companies encourage their employees to become more involved in their local communities. Developing a stronger pool of talent, particularly to populate the boards of failing schools which are historically the least successful, is already being achieved through effective partnerships.

We see this as one clear area where the Government should encourage further links to improve the contribution businesses can make to improving the quality of boards and, in so doing, driving up standards in schools.

Ultimately we also need to raise the profile, opportunities afforded and overall appeal of becoming a school governor. It will also be essential to ensure that there is a greater and more widespread awareness of the role, responsibilities and rewards of such a position to potential candidates.

We view Teach First's effective recruitment and training of able graduates as an ideal model upon which to develop and increase opportunities for talented young people to become involved in teaching and volunteering in the education sector.

The strong competition for places on the Teach First scheme (5,000 graduates competed for 560 places on the scheme and Teach First is currently seventh in *The Times* Top 100 list of graduate employers⁶) ensures the very best are recruited to improve levels of teaching in failing schools. The contribution which Teach First graduates will be able to make to boards, even when they have changed careers, should be developed as a key source of candidates who would bring first-hand experience of education to school boards.

6 Department for Education, *The Importance of Teaching*, p.21

The Governance for Change initiative

The 'Governance for Change' initiative emphasises the worthwhile nature of volunteering as a school governor, and encourages graduates from Teach First to continue to make valuable contributions to schools after completing the scheme⁷. It will give Teach First ambassadors "the opportunity to contribute their unique perspective and develop their leadership skills whilst maximising their long-term impact on addressing educational disadvantage by serving on a school governing body."⁸ We hope that this program will help to raise the social prestige of volunteering as a governor, in demonstrating that this is a meaningful way to influence long-term, positive change in schools.

7 Teach First Ambassador Initiatives, Stable URL: <http://www.teachfirst.org.uk/OurWork/ambassadorinitiatives.aspx>, 3rd February 2011

8 Teach First Ambassador Initiatives, Stable URL: <http://www.teachfirst.org.uk/OurWork/ambassadorinitiatives.aspx>, 3rd February 2011

Board models and composition

Growing autonomy for schools will force governors to take on more responsibility and an increasingly strategic role in a deregulated system. It could also initially place them under even greater strain.

It follows that the Education Bill should define what governors do and what their responsibilities should be. Our research has reinforced our view that this is exactly the right strategy. Too often schools have sacrificed quality in order to ensure proportional representation from parents, local politicians and particular professions to the detriment of other groups or individuals who may not easily fall into a specific category. Whilst we would not advocate any policy which would prescribe and exclude, we believe that **governors should be appointed on the breadth of skills and experience they would bring and in relation to each school's background, future ambitions and any specialisms it pursues.**

The Eversheds Board Report (2011) shows the results of a comprehensive investigation that sought to establish the relationship between the composition of corporate boards and their success, in light of the financial crisis. It included an analysis of the size of the boards. The vast majority of board directors agreed that size was a major factor in the overall efficiency of the board in making strategic and effective decisions.

This was also reinforced by the quantitative findings of the report. We believe that this serves as a useful comparison when analysing the structure and relative efficiency of school governing bodies.

The role of chair

There can be no doubt that in the changing political and educational landscape, with the devolution of responsibility to individual schools or federations, that the role of chair will become more important than ever before.

We regard the importance of boards with strong chairs and appropriate succession planning as being vital to ensure that schools both manage risk and secure further and necessary improvements during the years ahead.

The relationship between chairs and parents will also be an increasingly important one as parents – perhaps less well represented on boards in the future – seek to ensure that schools are effectively managed in the absence of LEAs.

Board numbers: confederations vs individual schools and improving the candidate pool

Traditional school governing bodies will typically number anything from 15 to 30. It was the widespread view of those we interviewed that **15 should be the upper limit and that boards should have 12 as a target number**. This would focus the chair and nominations committee on ensuring healthy competition and seeking to appoint candidates with broad and varied skills.

Having investigated the number of members of governing bodies of a number of prominent education providers, we found this to be an interesting comparison between the size of the board at individual schools and those of confederations.

Institution	Number of board members
Haberdashers' Aske Federation	30
CfBT Education Trust	11
Board Emmanuel Schools Foundation	10
Academies Enterprise Trust	9
New Schools Network	15
United Church Schools Trust	18
United Learning Trust	14
Alpha Plus	6
Cognita	8

We would suggest that a large number of governors is not necessary even at 'cluster' schools or for those who act on behalf of a group of schools. Greater size does not entail greater strategic success or efficiency; indeed the trend would suggest the opposite to be more commonly the case.

Duration of service

We also considered the duration of term. Whilst there are benefits of continuity and institutional knowledge, we would **recommend a maximum term of nine years per governor, with three year terms having the potential to be extended twice**. This would ensure that succession planning for both chair and board members was fresh and vibrant and that a sense of immediacy and focus was enhanced in meetings.

Comparisons with membership and trade bodies may be made. Many such organisations have an annual rotation of president or chairman with office holders spending one to three years in the most senior position.

Time commitment

The time commitment given by governors will vary significantly. Fewer governors may well demand a greater individual commitment. However, fewer board members could increase competition and interest and improve the overall quality of those serving in some schools.

We would also consider whether more **flexibility of timing of meetings should be reviewed**. Although there are no immediate plans to review the school year, many schools are increasingly seeking to remain active and commercially focussed throughout the calendar year.

Confining governors' meetings to term time should be reviewed and opportunities for board away days – already part of the programme for some schools – could become more widespread as smaller, more focussed boards develop their full operational potential.

Widening the appeal of boards

The majority of those we interviewed agreed that current parents may be attracted to individual school boards for personal reasons such as a direct association with the institution. It is likely that this will remain the case to a greater or lesser extent. We would regard the number of parents as being a matter for individual schools and confederations.

We did not find any evidence to demonstrate the benefits of a fixed number of governors who are parents of pupils within a school, nor did we see a board without current parents as being in any way less effective than one with a number of them.

We would encourage boards to consider the benefits of all governors – including current parents – on merit through **a more arms length appointments process. This**

would serve both to avoid potential conflicts and to encourage those from outside the institution/s to be considered. Advertising and other forms of recruitment should be seen as important ways to widen the appeal and ensure transparency of process.

Parents continue to have strong presence in particular on the boards of academies and free schools. There is also an emphasis in the maintained sector on parent representation which may evolve through introducing the fixed terms advocated above. Former parents were considered by several of those we interviewed, on balance, to be more constructive and beneficial than parent governors as a category, since parents may sometimes wish to steer the agenda towards matters of immediate concern and away from the more strategic parts of an agenda.

Alumni who are appointed to governing bodies are more widespread in independent than state schools. We saw this as a category which may be able to contribute more governors – again on the assumption of prior skills and experience requirements being met – than may be widely the case in state schools (not least in underperforming ones). There are many ways in which schools may promote wider applications and interest from their alumni and we would strongly encourage this as another way to widen the talent pool in the future.

The corporate model

We suggest that **the corporate model of executive and non-executive boards would be a good one for school governing bodies to emulate.** The governors must set the strategy and vision for the school. Executive members – both teaching and operational staff – seem best placed to formulate a strategy for arriving at a given objective however it was agreed that often they do not have enough educational experience to know best how to achieve this vision. **It will be highly desirable to have a good mix of experience to ensure an adequate skill set across the board** in preference to the more traditional representative models widespread amongst schools. We address this area in further detail below.

The NHS Trust Board model

In comparison, NHS Trust Boards members are recruited not only on the basis of their “skills in finance or marketing... they must also represent their communities.”⁹ Many parallels can be drawn between the responsibilities of governors in the health

9 Daloni Carlisle, ‘Health Trust Boards are models of diversity’, 27 January 2010, Stable URL: <http://www.guardian.co.uk/society/2010/jan/27/health-trustboards-models-of-diversity>, 21st January 2011

and education sectors, and as school governing bodies becomes increasingly independent, they have a greater responsibility to realise the strategic potential of schools and their pupils; it follows that this must always remain the primary goal of the board.

What does the governing body look like if it is structured more like a corporate board?

The ideal composition for a school board could include the following experience:

- Accountancy (especially for the Audit Chair)
- Academics (to bring an Higher Education perspective)
- Heads or Deputies of primary schools for the board of a secondary school and vice versa
- Human Resources leadership
- Surveying/architecture/property
- Marketing/media /fundraising

We believe this will create an environment of professionals handling other professionals, able to make appropriate/suitable judgements and who would understand the difference between executive and non-executive roles.

Examples of health trust boards and the newly reformed housing association boards demonstrate this to be a successful model for composition. At the same time, **we want to make schools boards increasingly diverse, without sacrificing expertise.**

We also want this to be a model which will enable the best relationship possible between a head teacher and the board, and encourage taking responsibility for shared decisions.

Accountability and sanctions

We need a more structured, systematic approach to internal auditing. The head and governing body must work together to deliver on set targets – both qualitative and quantitative.

The Schools White Paper highlights: “[there is a] need to make it easier for parents and the public to hold schools to account.

In the past, too much information has been unavailable to parents, too difficult to find or not presented comprehensibly.”¹⁰

We want parents to be able to make a more informed choice about the schools they choose and the opportunity to ensure that it meets their expectations.

This will be a move away from nationally regulated provision of education; we are now looking toward local solutions and services for local communities. Information about the education services provided must become more easily available:

Furthermore, the board needs to become adept at self-evaluation and review, particularly if members are elected by virtue of their skills set rather than through a representative structure. **Boards should become self-regulatory with an external eye.**

‘Accountability for performance’ is a key aspect of the Policy Exchange’s paper ‘Blocking the Best – Obstacles to new independent schools’¹¹, which highlights increasing “[a] fair and rigorous framework for monitoring educational standards and holding schools to account for their performance [as] an essential component of a successful education system”. This must be flexible enough to allow for innovation, which will be a complex but crucial balance to strike.

¹⁰ Department for Education, *The Importance of Teaching*, pp.66-7

¹¹ Fazackerley, Woolf, and Massey, *Blocking the best – Obstacles to new independent schools*, March 2010, Stable URL: http://www.policyexchange.org.uk/images/publications/pdfs/BLOCKING_THE_BEST-HDS_Web.pdf, 7th January 2011, pp.57-9

We would argue that in the event that a governing body demonstrably fails to deliver its obligations to the staff and pupils, then mechanisms put in place should give the majority of parents the opportunity to vote to force a resignation of chair or – in extreme cases – full boards.

Failing boards may have an even more detrimental impact on schools than failing teachers by their inability or unwillingness to take decisive action. This situation should be changed and the opportunities which the White Paper presents should be seized by forward looking schools.

Recruitment

“In order to ensure that governing bodies have the necessary skills and the independence to perform their function effectively, the routes by which governors are recruited need to be reviewed and improved. This will increase the number of skilled volunteers and help avoid the position where the head teacher has to “twist arms” to recruit sufficient governors who then find themselves having to scrutinise the head teacher’s performance, potentially compromising their independence.

Governing our Schools – A report by Bob Wigley
and Business in the Community

If we accept the common sense and logic of this approach, what is the mechanism for attracting the best governors into schools?

- We suggest **the recruitment process should be set more fully in the public domain, to allow for increased transparency and diversity**. The current model for candidates wishing to become governors is through the Public Appointments vacancies database or through word of mouth. We regard this course as too reactive and unresponsive.
- We would argue the need for **a national database** to which both candidates and schools have access through a password protected scheme, and which can match the two appropriately. This could be provided through a commercial education business and would enable candidates to update their profiles at any time and for schools to search by skills, location and experience. This would enable chairs and nominations committees to draw up their own shortlists of candidates for vacancies quickly and efficiently through an annual subscription. At the same time, vacancies could be emailed to candidates directly and advertised.

- **A national advertising campaign** could also be provided to support the above, such as earlier successful campaigns to recruit new teachers.
- Headhunting for specific skills needed may also be an option which individual schools may wish to consider when advertising fails to generate the quality of candidates needed.

Alongside this, we suggest **campaigns to increase awareness** of this new form of recruitment and raise the profile and opportunities of becoming a school governor as a valuable non executive opportunity alongside a full time role or within a non executive and trustee portfolio.

What can the state sector learn from the independent sector?

Comparisons between the state and independent sector should not be made too closely, since the size and scale of the former provision is much greater, more complex and the challenges are, overall, greater. However, there may be some useful lessons to be learnt in terms of governance which may be applied in some state schools.

Earlier research into the governing bodies of 100 leading independent schools in 2008 sought to establish their composition, typical size and diversity and background. These are the key findings:

Size and diversity

1. The average number of governors is 21.
2. There are, however, significant variations which are not always based on the size of school in terms of pupil numbers.
3. The gender balance amongst governing bodies varied, to some degree, according to the type of school.
4. Of the 34 girls' schools considered, only 10 had a majority of female governors.
5. Of the 23 boys schools, all had a male majority governing body, with only Trinity School Croydon (part of the Whitgift Foundation) having equal numbers of male and female governors.
6. The coeducational schools considered varied in terms of whether or not they are fully coeducational and whether or not their status changed in recent years (several were previously all boys). Nonetheless, all those considered had a majority of male governors.

The ratio of male to female governors reflected these findings as follows:

- All boys' schools being 3.6:1
- All girls 1.2:1
- Coeducational schools 2.4:1.
- Average ratio: 2.2:1.

What cannot be so easily established is whether or not these figures reflect either the interest in joining boards or applications made by gender since such data is not available.

- Most of the schools considered have at least one lawyer; sometimes 2 or 3.
- The majority of schools we researched have one or more academics on their boards.
- Clergy are another group commonly represented, notably in the cases of schools with an ecclesiastical foundation or endowment.
- A final area which is common to almost all schools is to have professionally successful alumni serving on the board

In the independent sector, without the presence of an LEA to whom schools must hold themselves accountable, the governing body has long been the alternative structure which has effectively monitored school standards.

Corporate comparisons: a model to emulate?

We suggest that the corporate model of executive and non-executive boards would be a good one for school governing bodies to consider emulating. The governors must set the strategy and vision for the school. Executive members seem best placed to formulate a strategy for arriving at a given objective however it is our belief that often they do not have enough educational experience to know best how to achieve this vision.

The Eversheds Board Report (2011) highlighted the role of the chair as being fundamental to the board's success. An effective chair will enable constructive, strategic thinking.

Whereas most corporate boards will be composed of a majority of non executives, this is clearly not the case with charities and independent schools. Nonetheless, in each case there is usually a qualified finance professional as the Chair of the Audit of Finance Committee. This category will invariably be combined with the others, although it may also provide diversity in terms of wider background, profession and careers (such as the arts, heritage, sport or politics).

Many governing bodies, in common with corporate boards, will have fixed terms, renewable for a further term or two. Schools may consider that this enables them to refresh the boards whilst retaining continuity of knowledge. Since many Heads will serve for more than ten years, there may be a case for an exception on governing bodies by having one or more "senior independent" governors who may be entitled to have a longer term to ensure continuity and corporate knowledge.

"[In the state sector,] many of the most successful schools have smaller governing bodies with individuals drawn from a wide range of people rooted in the community, such as parents, businesses, local government and the voluntary sector... We will legislate in the forthcoming Education Bill so that all schools can establish smaller governing bodies with appointments primarily focused on skills."¹²

¹² Department for Education, *The Importance of Teaching*, p.71

Remuneration

In the current challenging economic environment, the creation of payment for positions currently unpaid may appear to be unwise.

However, we believe that schools should consider whether, in common with registered housing providers and other public bodies, some form of payment may be applicable to reflect the contribution made by governors and their commitment in terms of time.

With smaller boards, the costs could be lower. Introducing remuneration may also serve to increase the diversity in terms of background, age and gender. It would provide compensation for board members who may otherwise have to forgo work or fund child care in order to enable them to attend board meetings and associated events.

At the very least, we believe that individual schools or groups of schools should consider what is best for them. Chairs, in particular, will often spend the equivalent of 10-15 working days for no remuneration and boards may consider whether payment may be appropriate for chairs if not for board members. Parents may be engaged in the process of making this decision and voting on such a change to either of these changes.

In comparison, the reform of housing association boards will increase “the time requirement for [housing association] board members” and their stance on remuneration is that **“payment, whether it’s right or wrong, establishes an enforceable commitment – you are being paid to do something.”**¹³

13 Pati, ‘Social housing governance faces radical change’, 27 January 2010, Stable URL: <http://www.guardian.co.uk/society/2010/jan/27/all-eyes-on-the-board>, 15th December 2010

Possible solutions for the future identified in reports regarding school governance

There have been a number of previous reports that have sought to highlight the role of the governing body as central to the successful running of a school.

The Centre for Public Scrutiny – ‘Strengthening public accountability on the school governing body’ (2006)

This paper highlights a lack of local public accountability, and proposes a framework that allows for more rigorous scrutiny of the executive and non-executive decisions of the board: “As schools become more autonomous we believe it is important that they develop the appropriate processes to ensure a strategic approach to governance, together with a strengthened accountability or scrutiny function”¹⁴.

It also highlights the necessity for a more skilled and experienced board that keeps the interests of the school as its primary objective: “Schools should adopt procedures which allow for the appointment of more independent, skilled and experienced governors, whilst maintaining an adequate parent voice and stakeholder representation.”¹⁵

14 Barton, Vivienne Lawrence, Martin, The Centre for Public Scrutiny, *Strengthening Public Accountability on the School Governing Body*, April 2006, Stable URL: <http://72.47.251.196/what-we-do/publications/cfps-general/?id=61>, December 15th 2010, p.9

15 Barton and Lawrence, The Centre for Public Scrutiny, *Strengthening Public Accountability on the School Governing Body*, April 2006, Stable URL: <http://72.47.251.196/what-we-do/publications/cfps-general/?id=61>, December 15th 2010, pp.9-11

Joseph Rowntree Foundation report (2007)¹⁶

The Joseph Rowntree Foundation report concluded that school governors are often ill-equipped to deal with the complexity of the tasks required of them. Their research also showed that the successful recruitment of members to the governing body was least likely in schools in disadvantaged areas that crucially were most in need of sound governance to improve their standards.¹⁷

The report identified three options for change¹⁸:

- **“Incremental improvement”** – new approaches to recruitment to attract and encourage more suitable candidates to come forward. There may be an adjustment in the expectations of the role. This would be the easiest option to implement
- **“Structural change”** – a new approach to the composition of the governing body and its relationship to the school. The report suggests a core of highly skilled governors, perhaps with a remunerative incentive, to help lead a group of schools, each of whom have additional governors allocated to them to address any exclusive issues.
- **“Radical alternatives”** – governors would play a key role in strengthening links between schools and their local communities, tailoring the provision of educational services and the use of school buildings to the needs of the public.

16 Charlotte Dean and Alan Dyson, *Schools, Governors, and Disadvantage, The Joseph Rowntree Foundation Report*, 2007, Stable URL: <http://www.jrf.org.uk/sites/files/jrf/1994-schools-governors-disadvantage.pdf>, 16th November, 2010, pp.50-1

17 Joseph Rowntree Foundation, ‘Current System of School Governance is failing in disadvantaged schools’, 4 June 2007, Stable URL: <http://www.jrf.org.uk/media-centre/current-system-school-governance-failing-disadvantaged-schools>, 16th November, 2010

18 *Ibid.*

National and international perspectives

Education systems in Sweden, the USA, and Finland are set out in the White Paper¹⁹ and should be considered more widely within the UK since each offers different approaches and demonstrates impressive results.

The Swedish free schools movement

“In Sweden, the free schools movement has introduced an impressive level of choice for parents, but for many years they have not had sufficient information about free or state schools for this new market to be properly accountable. Successful free school federations such as Kunskapsskolan have led the way on accountability, establishing their own systems of self-monitoring and evaluation, which they use for pedagogic development and marketing as well as quality assurance. However, the primary mechanism for enabling parents and students to make decisions about schools has been recruitment fairs – meaning that a low quality school with a big marketing budget could attract business without offering a valuable service.”²⁰

USA

The charter schools movement has made remarkable progress in raising attainment, especially in deprived urban areas.²¹

“Like Swedish free schools, US charter schools are held to account by the body that approved their initial establishment. Unlike free schools, charter schools are approved not by a central agency but by one of many different authorising bodies across the country. This leads to considerable variation in standards of accountability across different states and different authorisers.”

¹⁹ Department for Education, *The Importance of Teaching*, p.58

²⁰ *Ibid.*

²¹ Department for Education, *The Importance of Teaching*, p.58

It follows that a fair and rigorous accountability model ensures the best possible standards of education, and it is such a framework that now needs to be promoted across our own education system in the UK.

Maintained schools and academies in the UK

By contrast, school accountability in the UK is a centralised system, characterised by what the Children, Schools and Families Select Committee described as “multiple lines of accountability to different bodies for different purposes.”²²

“However, if Britain’s schools are to achieve genuine independence, enabling widespread innovation and meaningful diversity of provision, then they must not be constrained by prescriptive and restrictive accountability mechanisms, nor bemused by constantly changing policy priorities or overlapping accountability pathways. It is here that the complex and compliance based school accountability system in the UK presents a threat to achieving real freedom in schools.”²³

It is this crucial balance between accountability and independence that will prove a primary aim for governing bodies to achieve in the coming years.

Finland

Finland’s state school system is amongst the best in the world. An excellent quality of teaching is combined with high levels of parent satisfaction.

We believe there are many aspects which can be emulated in our schools to raise standards and improve accountability. The distinguishing features of the education system in Finland are outlined in Jeevan Vasagar’s article *Finland’s schools flourish in freedom and flexibility*.²⁴

²² Department for Education, *The Importance of Teaching*, p.58

²³ Fazackerley, Woolf, and Massey, ‘*Blocking the best – Obstacles to new independent schools*’, Stable URL: http://www.policyexchange.org.uk/images/publications/pdfs/BLOCKING_THE_BEST-HDS_Web.pdf, 7th January 2011, p.78

²⁴ Jeevan Vasagar, ‘*Finland’s schools flourish in freedom and flexibility*’ 5 December 2010, Stable URL: <http://www.guardian.co.uk/world/2010/dec/05/finland-schools-curriculum-teaching>, 1st March 2011

- The State prescribes the curriculum but leaves teachers alone to decide how to teach the subject.
- The Finnish education system contrasts sharply with England. Every Finnish child gets a free school meal, and a free education, which extends to university level.
- There are no league tables, and no school inspections. There is only one set of national exams, when children are about to leave school, aged 18. The government conducts national assessments, sampling the population to keep track of school performance. But these results are not made public.
- In Finland, the state decides what should be taught, but not how.
- The most striking difference between the Finnish system and British is the fact that Finland has no private schools. There are a handful of privately run religious schools and Steiner schools, but places at these are state-funded, too.

Evaluation

We want ‘good governors for all schools’.

We need to look at comparable international models, the composition of the board, the success stories of independent schools and academies, and allow schools the freedom to innovate. The extremely valuable and positive impact of this volunteer position must be highlighted as we recognise the complex and often time-consuming demands placed upon governors.

It also suggests the following questions to ensure that high standards of accountability and quality of education are met; the consensus was that these are a good starting point for governors upon which to develop their strategy and to help clarify their role.

The Education White Paper ‘*The Importance of Teaching*’ suggests 10 key questions for governors to ask²⁵ which we regard as highlighting the essence of the responsibilities of governors.

- 1 What are the school’s values? Are they reflected in our long term development plans?
- 2 How are we going to raise standards for all children, including the most and least able, those with Special Educational Needs, boys and girls, and any who are currently underachieving?
- 3 Have we got the right staff and the right development and reward arrangements?
- 4 Do we have a sound financial strategy, get good value for money and have robust procurement and financial systems?
- 5 Do we keep our buildings and other assets in good condition and are they well used?
- 6 How well does the curriculum provide for and stretch all pupils?
- 7 How well do we keep parents informed and take account of their views?
- 8 Do we keep children safe and meet the statutory health and safety requirements?
- 9 How is pupil behaviour? Do we tackle the root causes of poor behaviour?
- 10 Do we offer a wide range of extra-curricular activities which engage all pupils?

²⁵ *Ibid.*, p.72

Conclusions and recommendations

In all of these areas highlighted and others, the governing body will have a central importance in overseeing and ensuring that these issues are addressed in a thorough and robust way, anticipating future challenges.

It seems probable that governing bodies will continue to recruit alumni, lawyers and accountants. Most schools will have candidates for governing bodies prepared in anticipation of existing governors standing down and review needs in the light of future requirements and existing gaps in expertise. However, given the number of governors which many schools have, there may be some areas beyond those already identified where expertise and understanding could prove of significant value. They may include:

- Charity and competition law
- Marketing and fundraising
- Project management and construction
- Examination boards and higher education
- Community funded organisations and foundations with clearly defined funding criteria

Independent school boards, as with FTSE boards, continue to be male dominated as our research has highlighted. All schools will want to ensure that they have the strongest possible boards to safeguard their future and to see through the challenges which we have identified. At the same time, evolving towards more balanced boards may provide different perspectives and complement and enhance existing teams.

Given the challenges identified and the issues to be addressed, schools may choose to consider whether to follow the example of many national and regionally based charities in advertising vacancies within the media and whether to engage

external advisers where appropriate. This approach could ensure a demonstrably fair, open and transparent process which would serve both to reassure the institution itself, those interested in serving on its board and external authorities who may take a statutory interest in governance, such as the charity commission and other regulators. At the same time, it would be a means to focus on specific skills needed rather than leading to the appointment of generalist board members.

Another area which schools may also wish to consider is whether the chairman, if not the chairs of the main committees, should be remunerated.

The time commitment demanded of chairs has increased in recent years and remuneration may be a means to ensure that the role retains its appeal within the context of increasing demands and the risk associated with the position. At the very least, there may be benefit in providing reasonable expenses for chairmen and other key board members to ensure that their time is not taken for granted.

We also recommend the establishment of an All Party Group on School Governance to ensure that the issue of governance remains a key educational priority for all parties and irrespective of current and future changes to types of schools provided.

It remains our belief that demand for the high quality of education – both academic and a wide range of other areas – will continue to be attractive for many parents, even in economically turbulent times. For parents who have historically made many sacrifices to fund such an education, the challenges are greater than ever before. It is, therefore, vital that schools continue to maintain both the quality of teaching staff and facilities provided for pupils whilst ensuring that the obligations associated with charitable status are maintained and enhanced. Those which have a clear strategy, are well governed and well run will undoubtedly do so during the decade ahead and beyond.

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