



Association of Teachers and Lecturers (ATL Cymru) and ACM/ AMiE Response to proposals for an Education Assembly Measure

The Association of Teachers and Lecturers represents over 160,000 education professionals across the four constituent parts of the United Kingdom. It draws its membership from teachers and lecturers, leaders and support staff in maintained and independent schools, and Further Education Colleges. As well as campaigning vigorously to protect and enhance members' pay and conditions ATL also believes that the education profession has a key role in developing education strategy and policy. ATL Cymru represents over 6,500 education professionals in colleges and schools across the whole of Wales.

In September 2008 ATL launched the Association of Managers in Education (AMiE), a joint venture with the Association for College Management (ACM). AMiE will bring together ATL's senior leadership team members in schools and colleges with ACM's leaders and managers in further and higher education. AMiE will represent over seven thousand leaders and managers across education in the UK. The two unions will be formally merged in January 2011.

School Governance

We commend the WAG's intention to raise the standards of school governance. Good governance provides three essential functions:

- critical friendship
- strategic vision
- quality assurance

While many governing bodies exhibit these, too many do not to a sufficient degree. Governors can fail to provide the *critical* friendship that Headteachers and SMTs need, and are often too dependent on these for information and guidance. This hinders their scrutiny roles. Conversely, on occasions, governing bodies can be too involved in the management of schools which is the proper role of Headteacher and SMT.

We have received a clear steer from its members that the ultimate leadership of schools should remain in the hands of a qualified Headteacher. Individuals with

experience in various fields may take responsibility for non-educational aspects of schools; however, the decision-making and ultimate leadership must remain, as at present, with a qualified Headteacher. Schools with more than one individual or organisation running them have experienced issues with the agreement of timescales and priorities to the detriment of education. It is vital that a headteacher can make decisions based on the all-round knowledge needed to be effective in a particular school.

There are significant problems surrounding the recruitment of governors. We believe that governors are still too narrowly drawn from what might be referred to as 'the usual suspects'. Evidence shows that governing bodies still lack gender and racial balance, and we believe the same is true of their age profile and social status. Anecdotally we hear that it is becoming increasingly difficult, particularly in rural areas and disadvantaged urban communities, to recruit and retain governors with the expertise to carry out the most important functions that relate to governance. As governors' duties increase, it becomes increasingly difficult to find governors with the time or the commitment to engage in the meetings, the training, the debate and the paperwork. These difficulties are exacerbated by the lack of status of governors and the difficulty of securing time out of work to carry out governor duties

Given these concerns we support the WAG's drive to improve the capability of governors. We recognise the importance of training for governance. We agree with the Enterprise and Learning Committee report (2009) into school governance that consideration needs to be given to the introduction of an element of compulsory training for Chairs - and possibly Vice Chairs - who also play a key role. We agree with the Minister's response to the committee: "No governor can be effective without knowledge and skills. Few people are likely to possess these attributes without training. Governor training is essential to governors being effective and that, in turn, is crucial to governing bodies performing well and school standards rising."

This issue of proper training for governors is becoming particularly acute in regard to collaboration between institutions where the parameters of governors' duties and responsibilities can become indistinct, and governors can become confused as to who they are they representing, their home institution or the 'collaborative body'.

We believe that the federation of governing bodies could be an answer to some of these problems. It would address the issue of recruitment and quality of governors, result in some financial savings, and crucially, ensure that wider vision that collaboration requires.

Finally, we believe that the whole issue of governors' involvement in disciplinary processes in schools needs to be examined. Notwithstanding the excellent collaborative work undertaken by Governors Wales with key stakeholders on

behalf of the WAG we are increasingly convinced that certain issues should not be the prerogative of governing bodies. Decisions to suspend school staff, for instance, except in case of child protection, should not be taken by the Chair of governors but be reserved for the local Director of Education or his/her equivalent, after due consultation with the relevant trades unions. Similarly, where there is a manifest breakdown in relationships between the Headteacher and significant sections of the school's staff investigations should be commissioned, conducted, and reported to the Director or his/her equivalent

Collaboration

We are supportive of the collaboration that the letter prioritises. We have repeatedly called for a more streamline approach to backroom functions, especially in regard to those exercised by local authorities. As well as cost savings we believe that pooled resources will provide a better service to schools, notably in the area of HR.

We agree that there needs to be closer collaboration and a duty imposed for school governing bodies and the governing bodies of further education institutions to consider collaboration when exercising their functions. We would welcome further exploration of the additional duties that are being proposed.

Preventing schools from changing category to become foundation schools

We are delighted to endorse this proposal. We believe that this will ensure that local authorities can plan more strategically, and ensure that no institution in an area tries to achieve privileged status at the expense of its neighbours.

Admissions in foundation schools are of concern to us. Although the guidelines state that foundation schools should adhere to the admissions code, we want to see a commitment from government to tighten up admissions to promote fairer education for all, rather than increasing the opportunities for schools to deviate from guidelines. We have heard much about parent choice regarding admissions, but are concerned that some categories of pupils and their families will effectively end up with little or no choice in determining the best educational establishment for their needs.

Admissions policies effectively have the power to improve social cohesion or to further polarise society along educational lines; we do not believe such an important decision should be left to individual institutions. Ultimately, not all parents will have the same level of choice when applying for the most suitable school for their children, if any choice is afforded to them at all.

Given this, we believe that the measure needs to be bolder. Not only should no new foundation schools be created, we are convinced that existing foundation schools should be returned to the local authority family as soon as possible.

Repeal of section 347 of the Education Act 1996

In the absence of further clarification we must register our significant concern with this proposal which seems, at first sight, to run counter to the WAG's praiseworthy resistance to the marketisation of education.

ATL/ AMiE are anxious that the measures proposed could result in the emergence of lots of very small schools offering this provision. This would make it nearly impossible to adequately regulate.

We are opposed to promoting the increase in private sector provision in any form. It would be difficult to argue for it in the provision of SEN, whilst vehemently opposing foundation or academy status schools in mainstream. The Wellbeing Agenda of the WAG surely requires that there are the same levels of regulation with our most vulnerable pupils?

We are concerned with the possible dire consequences that could follow from a company setting up a seemingly cost-effective special school, especially given the fact of a less resourced inspection framework. The temptation will be for cash starved local authorities to send children there regardless of the outcomes. Checks and measures need to be in place to ensure that this does not happen.

Contact:

Dr Philip Dixon
Director, ATL Cymru
Tel: 02920 465 000
Email: cymru@atl.org.uk

Brian Thornton
Regional Officer, AMiE
Tel: 01639 897371/ 07595 099619
Email: brianthornton@amie.uk.com