

# *The future of governance: the end of the experiment?*

## **ATL's vision**

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Over past decades, teaching has become a closely managed profession. Successive governments have become increasingly involved in prescribing the detail of curriculum, assessment and pedagogy. Government and its agencies have attempted to standardise practice and have developed complex mechanisms to hold teachers and schools to account, mainly at national level through tests, performance tables and OfSTED inspections. These mechanisms have encouraged a culture of competition, of winners and losers, within the school system and for individual pupils and parents.

In ATL's vision, teachers hold a much more professional role. They should be recognised for their knowledge, expertise and judgement, at the level of the individual pupil and in articulating the role of education in increasing social justice. Within light national parameters, development of the system should take place at a local level. The curriculum should be developed in partnership with local stakeholders; assessment should be carried out through local professional networks. Schools are increasingly encouraged to work collaboratively to offer excellent teaching and learning, and to support pupils' wellbeing, across a local area. So, accountability mechanisms should be developed so that there is a proper balance of accountability to national government and the local community, which supports collaboration rather than competition.

## **How does governance sit within this vision?**

Governance should have a unique role in furthering the professional locus in decision-making, offering both support and challenge at a local level, and ensuring that schools are held to account in the local community. The important functions of governance currently are:

- critical friendship;
- strategic vision;
- quality assurance.



At present, governance is part of a confusing and overlapping system of support, challenge and accountability. There are many agencies that currently offer critical friendship. In most circumstances, School Improvement Partners (SIPs) carry out this role. Some are specific to schools with different needs and challenges, including National Leaders in Education, national literacy and numeracy consultants, parent support advisers, local authority (LA) subject advisers and National and City Challenge Advisers.

Strategic vision and direction is offered by headteachers and college principals. Quality assurance and accountability are offered by and through the SIP, OfSTED, the Self Evaluation Form (SEF), test data and performance tables, as well as to parents through formal and informal reporting.

Trade unions also have a role to play in supporting and challenging staff and leadership and to offer checks and balances on the power of the headteacher, whether in terms of specific staffing issues or broader policy direction.

### **So, what can governance offer that is different?**

Much of the critical friendship currently offered to schools and colleges is offered to headteachers and principals. In many instances, it is offered because a school is in difficulty, usually defined by an OfSTED category and/or low test scores. It is often offered by consultants with little knowledge of the school and its environs. In most cases, it is combined with some form of accountability, whether nationally or to the LA. ATL's model of the SIP, while expanded to offer support and challenge to all school staff and not just the headteacher, still rightly includes a mechanism for accountability to the LA. Governing bodies on the other hand can offer critical friendship for all staff, in all settings, based on intelligent questioning and professional dialogue, encouraging the sort of risk-taking that can be lost in a model that may be weighted too heavily towards accountability for results.

This critical friendship, challenge and support, is based on direct, local knowledge of the community, of parents, pupils and staff and of the issues faced across local areas. It holds schools to account for the vision, and for the direction of schools to sustain that vision, in particular through a focus on teaching and learning. And it offers sustainability, ensuring continuity of vision through changes in personnel and circumstances.

### **What challenges need to be overcome?**

However, governing bodies find it increasingly difficult to carry out their functions. Of course, some governing bodies do a very good job. But the evidence is overwhelming that there are problems with the way in which governing bodies operate and are supported. Nationally, many governing bodies are unable to fulfil their present functions.

Too much of a governing body's role is to do with practical management. Since the 1980 Education Act, responsibilities of governing bodies have increased to include, for example, providing an annual governor report for parents; planning and managing school finances; writing policy documents; and taking decisions about 'opting out' of LA control. (This pressure to change status can be found today in the decision to either stay as a Community School or become an Academy or Trust School.) These examples show the political and local pressures that governors have faced in their role of providing strategic vision for the

school. These pressures must be addressed in line with democratic principles.

In England, 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 the leadership of schools. 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.

Because of the proliferation of these duties, many of the functions of the governing body are carried out by staff, and critical information is often provided by headteachers. This makes it difficult for governing bodies to hold schools to account. It is also not always clear how governing bodies themselves are held to account.

Governing bodies are also unprepared for the changing educational landscape of the future. Schools and colleges are increasingly encouraged to work in collaboration through formal and informal partnerships, for example, behaviour partnerships; some schools are working even more closely together through hard and soft federations and by offering the 14-19 diplomas; headteachers are expected to share expertise through system leadership. Models of governance are growing and developing around the changes in structure and leadership being encouraged by government.

So, formal 'hard' federations have a single governing body, but schools working in soft federations or other forms of collaboration may have differing levels of joint governance. Changes in school composition, whether the formation of three-19 schools, or so-called *Every Child Matters* (ECM) models involving partnerships with multi-agency services and children's centres, need decisions about the composition of governing bodies to reflect the changes.

At LA level schools have a duty to co-operate with Children's Trusts to promote pupils' wellbeing throughout an area. They are required to work with other agencies in order to promote the wellbeing of pupils, for example, through extended services and Children's Centres, as well as with health, social services and the police. And increasingly, decisions about vision and direction of education, and scrutiny of those decisions and practices, are made at the level of partnerships locally or even regionally.

We need governance that is properly accountable; we need governors with the capacity to fulfil their roles, duties and responsibilities; and we need a model of governance that supports and enables professional collaboration. Increasingly, we need governance with vision and direction beyond the individual establishment.

### **The way forward**

ATL believes that governing bodies at individual school and college level must be much more focussed. They should offer support for professional debate and development, particularly around teaching and learning, through intelligent questioning, along with support for the ethos of the school including the wellbeing of pupils and staff. They should hold schools to

account for the vision, and for the development of teaching and learning to support that vision. They should have a duty to consult with the trade unions. It is likely that these bodies will be made up of individuals with knowledge of the school, the community and the pupils, who are committed to pupils' learning and development. This is likely to include staff, parents, pupils and others with community interests.

Governance must be about holding schools to account, in a professional dialogue based on expertise and trust, not control and surveillance.

Schools should be accountable to the governing body for making progress on the strategic action plan (school development plan). The strategic action plan should include curriculum design, curriculum offer, teaching resources and staff training; it should address the levels of success of the school (achievement, participation and collaboration), and the holistic support for the child based on ECM outcomes.

### **Local governance for the changing educational landscape**


But we also need a new form of local governance that supports developments in education at a wider local level, and ensures good education for all pupils in all communities across a local area. ATL envisages a formal model of local governance that would offer strategic overview and vision of teaching and learning for the local area. It would support local decision-making to benefit all pupils in a local area, including:

- supporting professional dialogue around educational targets;
- locally coherent admissions progression and exclusion policies;
- the planned provision of travel to learn patterns;
- course options;
- the siting of services;
- courses and resources;
- monitoring of local educational provision;
- community cohesion and wellbeing;
- equality and diversity issues currently covered by each school.

It would also have links with the Children's Trust, LA, the Local Safeguarding Children Board, the Young Peoples' Learning Agency and the Skills Funding Agency.

Local governance will not replicate other planning bodies. Its remit must be to support professional dialogue, to promote intelligent questioning, to develop and hold the vision for teaching and learning across a local area, and to hold individual services to account for their progress towards the vision. It should support schools as they work to implement national policy locally.

Local governance brings together key stakeholders in local educational and skills provision. It is an attempt to ensure coherence and stability at local level. It provides a forum for educational interests to be discussed and steered. This is a governance model that can ask strategic questions about funding, planning and delivery aspects in respect of the new reforms. It would include expertise in finance, administration, employment and law that can be shared across the local area, offering that expertise to individual schools and colleges, and holding much of the power and accountability for these areas. It is likely that local governance would include education governors from the LA, schools and colleges, as well



as from wider Children's Services, Connexions, and trade unions. In order to offer some accountability to the local community, it may also include community leaders, local employers and other organisations with strong local presence.

Governance should be based on professional interests, not vested business interests or interests extraneous to education. This must be the case across all types of school, including Trust Schools and Academies where, currently, sponsors appoint the majority of governors. Teachers and educational professionals should make up at least one third of governing bodies, in order to ensure an effective professional voice. ATL also sees roles for multi-agency professionals (in line with The Children's Plan), as well as classroom professionals, trade unions from the local trade union side, community interests (including local business, universities, voluntary organisations) and parents. This would enable a holistic, professional, and strategic governing body. It would also provide the capacity that governing bodies have so far lacked in their core duties and in their democratic practice.

Local governance is not a geographical body that covers a prescribed area; it may cover a number of schools in a local area, it may cross LA boundaries. It is also not a LA body or government body but grows instead from the needs and interests of the local schools and colleges. It would be an educational forum to support and challenge educational professionals and those engaged with educational services to determine and translate educational policy.

ATL believes that local collaboration and planning can only succeed in a sustainable way if new local governance structures are embedded and given leverage. Mediating between the statutory legislation of government and the strategic direction of the LAs, local governance would be in a position to negotiate the interests of the educational sector.

### **What are the benefits of this model?**

Local governance would enable schools and colleges to support all of the children in an area more formally and consistently. It would support schools and colleges as they attempt to move away from the competitive nature of much of the current accountability framework and to develop mechanisms to plan, work and learn together.

This model offers focussed support and challenge to individual establishments within a framework that acknowledges that schools cannot and should not operate independently of each other. It offers a route for those who are committed to the development of 'their' establishment to consider the impact on all pupils in a local area, as well as providing local expertise that can be shared. While each school will be part of the local governing body, this can be managed in ways that reinforce collaboration rather than by individual representation.

### **What do we need to make this model a reality?**

Governing bodies will need a proper programme of support to make this model a reality.

- Government, both nationally and locally, will need to be clear about the difference between bodies responsible for planning and decision-making and those who hold the decision-makers to account. Government must stop using governing bodies to manage national policy locally, and empower them instead to scrutinise, debate and

sustain the vision, holding schools, colleges and local decision-making bodies to account. Government must remove bureaucratic burdens from school governing bodies that are effectively duplicated in the local schools e.g. equality and diversity policies.

- Governors need a nationally agreed training package covering the role of governors and the myriad legal, financial, employment and education duties imposed on schools. This would be more or less detailed to suit the role of school or college governors and local governors.
- Governors need independent information from the LA.
- Governors at school/college level need their own analytical tools, for example, a SEF, that would enable them to identify the key issues of the school, and evaluate the strategic action plan, and the level of progress made by the school in relation to the plan.
- All governors should be corporately, and individually, insured in respect to their role.
- Governing bodies need to be held accountable, through proper and transparent mechanisms. This could be through self evaluation which evidences governors' thinking, strategy, actions and meetings. Self evaluation should be validated, and while this would currently be done through OfSTED, this role should ultimately be carried out by the SIP as it should be for schools.
- Governors need a status equivalent to that of the magistracy. This should include proper funding for expenses, mandatory training, and support from employers for governors to carry out their functions during working time.

If you would like further information or to comment on this briefing paper please do so by contacting ATL on [policybriefings@atl.org.uk](mailto:policybriefings@atl.org.uk)

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