

A Recommended Code of Governance for Schools

October 2012
Pilot version 1

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Why a Recommended Code of Governance?

Schools are beset by so many regulations and reporting requirements that it can be difficult to see the wood for the trees. To help school governors and senior leaders take a broader and longer-term perspective, we have developed this Recommended Code of Governance. The aim is to give governors and senior leaders a robust framework that they can use to set the strategic direction for their school, and that governors can use to hold the senior leaders to account.

The idea of a Recommended Code of Governance (referred to as the “Recommended Code” throughout) is based on the UK Corporate Governance Code (see Appendix) and on practice in charitable foundations, where the Statement of Recommended Practice provides a framework for annual reporting which is sufficiently flexible to accommodate diverse organisations.

This is a pilot version of the Recommended Code, for use from autumn 2012. It is a starting-point for schools to build on as needed.

We appreciate that many schools already have a Code of Practice – quite possibly based on the National Governors’ Association’s models – in which case this Recommended Code could be used as a starting-point for the further development of the existing Code of Practice, rather than as a template for starting from scratch.

The Appendix describes how this Recommended Code was developed. The pilot of the Recommended Code is being organised in partnership with the National Governors’ Association and National Leaders of Governance.

Overall structure of the Recommended Code

The Recommended Code has three elements:

Element A

A shared vision and long-term strategic plan for the school, from which annual school development plans can be derived, with the governing body monitoring these plans.

Element B

A framework for governance, setting out how the governing body is expected to function. Comprising: skills, effectiveness, strategy, engagement, the role of the chair and the accountability of the executive.

Element C

High-level **school performance indicators**, encompassing all outcomes for an effective school, on which governors report annually to parents.

Linked to the high-level **performance information** that governors need to monitor the performance indicators.

The Recommended Code is intended to be flexible enough to allow schools to exercise autonomy, yet robust enough to enable governors to hold the executive to account.

The Recommended Code set out here is a starting-point that each school will develop to suit its own situation and needs.

Element A

A shared vision and long-term strategic plan for the school, from which annual school development plans can be derived, with the governing body monitoring these plans.

Schools need to have a long-term strategy, based on a shared vision. It is the job of governing bodies, working with the headteacher and senior leaders, to agree a strategic plan for the coming three to five years. It is then the job of the senior leaders to turn the strategic plan into a school development plan, updated each year, and to implement this in practice.



The line between governance and management

It is important that governors understand where the line lies between their strategic responsibilities and the management responsibilities of the headteacher and senior leaders. Stepping over that line is inappropriate and can make the headteacher's job harder.

More detailed guidance can be found in *What governing bodies should expect from school leaders and what school leaders should expect from governing bodies* (see Appendix).

Even so, governors need to agree how the school will implement its strategic plan in practice, and they need to monitor how it is doing so. Governors may be particularly interested in monitoring the following:

- recruitment, retention and training of specialist and non-specialist staff, both teaching and non-teaching
- performance management of staff

- implementation of delegated financial responsibility, checks and balances
- behaviour policy and its implementation
- policy for deployment of resources – including buildings and equipment.

Element B

A framework for governance, setting out how the governing body is expected to function. Comprising: skills, effectiveness, strategy, engagement, the role of the chair and the accountability of the executive.

The governing body has three core functions for the school:

- setting the strategic direction
- holding the headteacher to account for improving the school
- ensuring financial health, probity and value for money.

These core functions are consistent with the criteria that Ofsted will use to judge the governing body (see paragraph 60 of Ofsted's *Framework for School Inspection*, September 2012, and further detail in the *Inspection Handbook*, pages 43–44).

To meet these expectations, the governing body needs to agree some broad principles about the way it works. In this element of our Recommended Code, these principles are captured here by the following set of questions (a slightly modified version of *Twenty key questions for a school governing body to ask itself* – see Appendix):

Right skills: Do we have the right skills on the governing body?

1. Have we completed a skills audit of our governing body?
2. Do we appoint governors on the basis of their skills, and do we know how to find people with the right skills?

Effectiveness: Are we as effective as we could be?

3. Do we understand our roles and responsibilities?
4. Do we have a professional clerk and run meetings efficiently?
5. What is our training and development budget and does every governor receive the support they need to carry out their role effectively?
6. Do we know about good practice from across the country?
7. Are the size, composition and committee structure of our governing body conducive to effective working?
8. Does every member of the governing body make a regular contribution?

Strategy: Does the school have a clear strategy?

9. Have we set an ambitious strategic plan, how do we monitor it and when did we last review it?
10. Does our strategic planning and reviewing cycle drive the governing body's activities and agenda setting?

Accountability of the executive:

Do we hold the school leaders to account?

11. Do we understand the school's performance data well enough to properly hold school leaders to account?
12. How effective is our performance management of the headteacher?
13. Are our financial management systems robust and how do we ensure best value for money?

Engagement: Are we properly engaged with our school community, the wider school sector and the outside world?

14. How do we listen to and understand our pupils, parents and staff?
15. How do we report to our parents and local community regularly?
16. What benefit do we draw from collaboration with other schools and other sectors, locally and nationally?

Role of the chair: Does our chair show strong and effective leadership?

17. Do we carry out an annual review of the chair's performance?
18. Do we engage in good succession planning?
19. Are the chair and committee chairs re-elected each year?

Impact: Are we having an impact on outcomes for pupils?

20. How much has pupil progress improved over the last three years, and what has the governing body's contribution been to school improvement?

Element C

High-level **school performance indicators**, encompassing all outcomes for an effective school, on which governors report annually to parents. Linked to the high-level **performance information** that governors need to monitor the performance indicators.

The performance indicators will be agreed in detail between the governing body and the senior leaders, based on a shared vision of what the school is aiming to achieve (Element A). Some examples of high-level outcomes are in the table below. Note that some apply to all phases, while others are specific to primary or secondary. These are only suggestions, and each school can select from them and add others as appropriate.

Not all the performance measures are quantitative: some of the most important outcomes do not lend themselves to simple quantitative measurement. Outcomes will be monitored through a combination of narrative and quantitative measures appropriate to the phase and type of school.

For some of the measures, there will be limited external data to compare with or use as benchmarks; in these cases, schools should be able to learn from tracking their own performance over time.

Outcomes that are more subjective may seem hard to measure. One example of a way to approach these is New Philanthropy Capital's eight 'aspects of well-being': www.well-beingmeasure.com/aspects-of-well-being

Element C (continued)

High-level **school performance indicators**, encompassing all outcomes for an effective school, on which governors report annually to parents. Linked to the high-level **performance information** that governors need to monitor the performance indicators.

School performance indicator	Examples of performance information for measurement
Do learners at this school achieve to their potential?	(Primary) KS2 numeracy and literacy points score distribution (Secondary) Distribution of GCSE points score across best eight subjects (Special schools) Progress against appropriate measures RAISEonline and Fischer Family Trust data
Are learners at this school inspired by their teachers?	To be decided as part of the pilot Possibilities include: <ul style="list-style-type: none"> • proportion of learners choosing to continue to study the subjects they learn at school • parents' ratings of how likely they would be to recommend the school • Ofsted data about teaching quality • objective surveys commissioned from an external provider.
Do learners at this school have high aspirations?	Proportion applying for degree programmes at colleges and universities (including elite universities) and for apprenticeships
Do learners enjoy coming to this school?	Attendance rates Parent and learner surveys
Are relationships among learners good at this school?	To be decided as part of the pilot
Are learners at this school self-confident?	To be decided as part of the pilot
Do learners at this school have multiple opportunities to experience success?	Range of opportunities available at the school (music, drama, sport, dance etc.) in addition to academic opportunities Proportion of learners taking part in such opportunities Quality of facilities for extracurricular activities
Are learners from this school employable?	Proportion in education, training or employment three years after leaving
Does the school have good community relations? <ul style="list-style-type: none"> • Is the school outward-facing in the community? • Does it support the community, and does the community support it? 	To be decided as part of the pilot Could include ratio of applications to places
Are learners taught in a healthy and safe environment?	To be decided as part of the pilot Could include performance against 'Healthy Schools' criteria

Element C (continued)

High-level **school performance indicators**, encompassing all outcomes for an effective school, on which governors report annually to parents. Linked to the high-level **performance information** that governors need to monitor the performance indicators.

Annual reporting

There is no statutory requirement for schools to report annually to parents, but it is very good practice to do so. The performance indicators are a good basis for reporting to parents. During the pilot we intend to collect examples of different ways that schools report to parents.

Performance information

Governors need data and information to help them judge how well the school is performing against the criteria that the governing body and senior leaders have agreed. Questions that governors might ask include:

- Do we have ready access to all the data and information we need to monitor the performance indicators?
- Are we able to access that information independently, or do we depend on the senior leaders to provide or interpret it for us?
- Is the information at the right level of detail – detailed enough to tell us what we need to know, but not so detailed as to make it difficult to see the wood for the trees?

- Is information available on all the aspects of the school's performance that we agree are important – or only on those aspects that are easy to measure?
- Are we able to use benchmarking data to compare the school's performance with that of comparable schools (not only local ones)?

As part of the pilot, we are planning to develop an associated system for providing information to governors. More details will become available as this work develops.

Appendix: How this pilot version of the Recommended Code was developed

This pilot version arises from two workshops held at the Wellcome Trust in March and June 2012, attended by governors, headteachers, and representatives of the Department for Education, Ofsted, the National Governors Association, the National College for School Leadership, School Governors' One-Stop Shop and other stakeholders.

The idea of a Recommended Code of Governance is based on the UK Corporate Governance Code and on practice in charitable foundations, where the Statement of Recommended Practice provides a framework for annual reporting that is sufficiently flexible to accommodate diverse organisations.

This Recommended Code draws on the following sources.

The UK Corporate Governance Code (Financial Reporting Council, June 2010). It provides a recommended governance code for FTSE 350 companies. www.frc.org.uk/Our-Work/Codes-Standards/Corporate-governance.aspx

Twenty key questions for a school governing body to ask itself (All-Party Parliamentary Group on School Governance and Leadership, May 2012). www.nga.org.uk/Resources/Useful-Documents/Twenty-Key-Questions.aspx

What governing bodies should expect from school leaders and what school leaders should expect from governing bodies (Association of School and College Leaders, National Governors' Association, National Association of Headteachers). www.nga.org.uk/About-Us/Be-a-Governor/Information-for-governors.aspx

Code of Practice for Academy School Governors (National Governors' Association, 2011). www.nga.org.uk/Resources/Useful-Documents/Code-of-Practice.aspx

Statements of Intended Impact (Teach First, 2012).

Good governance: Proposals from the 2012 Fellowship Commission (National College for School Leadership).

This draft was prepared by a small working party comprising: Paul Charman, Chair, Dyson Perrins School and RM; Helen Drake, Governor, Martin Primary School; Martin Post, Head, Watford Grammar School for Boys; Emlyn Samuel, Wellcome Trust; John Holman, Wellcome Trust. It has been revised following review by the National Governors' Association, the National College for School Leadership and several National Leaders of Governance.

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