

A. Introduction

This statutory guidance was issued in May 2014 and its main focus concerns the constitution of governing bodies, their size, membership and skills.

All governing bodies of maintained schools (not Academies) are required to be constituted under the School Governance (Constitution) (England) Regulations 2012 or the School Governance (Federations) (England) Regulations 2012, as appropriate by 1 September 2015.

A revised Instrument of Government, confirming the revised governing body composition, will need to be issued by the Local Authority which requires Diocesan approval. It is therefore recommended that there is early consultation with a member of the Rochester Diocesan Board of Education team who will be happy to assist throughout the process.

B. Key points

1. Skills based eligibility criteria for appointing governors, (a skills audit is recommended)
2. No change to elected parent / staff governors
3. Size of governing body (no bigger than necessary to secure skill range – a minimum of 7 stated)
4. Following reconstitution where a reduction in the number of governors results
 - a) Surplus governors cease on basis of skill set
 - b) Surplus Foundation governors responsibility of appointing body

C. Categories of governors

1. Parent governors

There is a requirement to have at least 2 parent governors on governing bodies, who are elected by other parents of the school but in certain circumstances the governing body can appoint parent governors. Elected parent governors cannot be removed from office and members of the school's staff cannot be appointed as parent governors.
2. Staff governors

There is a requirement to have one and only one elected (by the school staff) staff governor, in addition to the headteacher who serves in an ex-officio capacity. Elected staff governors cease to hold office once they cease to work at the school and cannot be removed from office.
3. Local Authority governors

There is a requirement to have one and only one LA governor, nominated by the LA and appointed by the governing body. Members of the school's staff cannot be appointed as LA governors.
4. Foundation governors

For Voluntary Aided schools there should be 2 more Foundation governors than all other governors. For Voluntary Controlled schools there should be at least 2 Foundation governors but not more than 25% of the total number of governors. The vicar will usually be an ex-officio Foundation governor with the Archdeacon being responsible for the appointment of a replacement should the vicar be unwilling, unable to serve or removed from office. Foundation governors are usually appointed by the Diocesan Board of Education and or the Parochial Church Council.
5. Co-opted governors

Individuals who are deemed to have the required skills and are appointed by the governing body. There is no upper limit and they can include members of the school's staff, providing the total of staff governors including C2. above does not exceed one third of the total number of governors

The term of office for all categories of governor (other than ex-officio governors) is usually for a fixed period of four years, unless the Instrument of Government specifies a shorter term of office (at least one year) for a particular category of governor.

D. Composition models for Church schools

The following table provides the governing body composition for the different categories of Church schools within the Rochester Diocesan family of schools.

School Type	Voluntary Aided	Voluntary Controlled
Parent governors	At least 2 (not members of school staff)	
Staff governors	Only 1 elected plus headteacher (ex-officio)	
Local Authority governors	Only 1 (not a member of school staff)	
Foundation governors (including vicar ex-officio)	2 more Foundation governors than all other governors	At least 2 Foundation governors but not more than 25% of the total number of governors
Partnership governors	Not applicable	
Co-opted governors	Determined by the governing body. Can include members of the school's staff, providing the total of staff governors including, staff elected and headteacher categories does not exceed one third of the total number of governors	

In order to comply with the required number of Foundation governors the minimum total number of governors, (excluding any co-opted governors), for a Voluntary Aided school is 12 and 7 for a Voluntary Controlled school.

Additionally for every co-opted governor appointment at a Voluntary Aided school an additional Foundation governor should be appointed. For every four co-opted governor appointments at a Voluntary Controlled school an additional Foundation governor should be appointed.

Links:

Statutory Guidance

www.gov.uk/government/uploads/system/uploads/attachment_data/file/311411/Constitution_of_Governing_Bodies_of_Maintained_Schools_Stat_Guidance.pdf

Skills audit and matrix

www.nga.org.uk/Can-we-help/Free-governance-resources/Governance-tools/Skills-audit-and-matrix.aspx

School Governance (Constitution) (England) Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/1034/contents/made>

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