

Governing Board considerations for the rest of the 2019/20 academic year

Issued: 24th March 2020

The term 'governors' is used throughout to refer to whoever is responsible for fulfilling governance functions - whether that be the governors of a maintained school, the trustees of a Standalone or Multi-Academy Trust, or the local governors to whom the function in question has been delegated within a MAT.

Octavo Governance

Providing all school governors with professional development and consultancy, enabling them to jointly lead and manage their schools and achieve the best outcomes for their pupils



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Context

Following the Government's decision to close all UK schools for the majority of children, with effect from Monday 23rd March 2020, Governing Boards have a number of decisions to consider and make:

- How will Governing Board and Committee meetings take place – physically, virtually or postponed until further Government guidance?

Octavo Governance have recently issued advice for Governing Boards on holding governance meetings in the current climate.

If decisions are made outside of Governing Board meetings, records of decisions that have been made, such as through Chair's Actions, need to be recorded by the Chair and the Clerk, in order to be ratified at the next quorate Board meeting (virtual or physical).

- What key decisions must be made between now and the end of the 2019/20 academic year?

Academies

Finance:

- Review, analyse and approve the Budget Forecast Return Outturn (BFRO) for submission to the ESFA by 19th May 2020.
- Review, analyse and approve the 3 year Budget Forecast Return (BFR3Y) for submission to the ESFA in July 2020.
- Regular review, monitoring and analysis of current year management information and the Trust risk register.
- Review and discussion of the work of the Responsible Officer/internal audit function (including what can be postponed until the 2020/21 financial year).
- Ensure submission of the audited 2018/19 financial statements to Companies House by 31st May 2020.

Maintained Schools

Finance:

- URGENT – review, discussion and approval of the SFVS, to be submitted to the Local Authority by 31st March 2020.
- Review, analyse and approve the budget for submission to the Local Authority by 1st May 2020.
- Regular review, monitoring and analysis of current year management information.

For both Academies and Maintained Schools

Pupil and Staff Welfare:

- Understand how SLT will be monitoring staff and pupil welfare whilst many may not be physically present at school and review results.
- Understand how SLT are putting arrangements into place to meet the needs of their vulnerable and disadvantaged pupils during the period of school closure, including understanding how their schools plan to meet the needs of pupils eligible for free school meals, in keeping with the DfE's recommendations.

Assessment Information and the School Development Plan

- Review of progress against School Development Plan priorities (after two thirds of the academic year); identification of which priorities will require carrying forward to the next academic year and which priorities have been successfully achieved.
- Understand how the school will be ensuring continuity of education during the physical closure of schools and how in-year pupil data will be collected (if at all) and used by teachers and SLT.
- Ensure staff, particularly those working with A Level and GCSE pupils, understand DfE guidance on how predicted grades will be formulated and finalised.

Safeguarding, Safer Recruitment and Staffing

- Ensuring the completion of short, daily returns to the Local Authority, identifying whether the school is open and if so, the number of staff and children on site (as well as recording this information for safeguarding purposes, this will allow the LA to track any spare capacity within the school system).
- Understanding the processes that SLT will need to follow with respect to safeguarding its most vulnerable pupils¹ who are not physically attending school as well as other pupils the school may wish to keep in touch with.
- Ensuring the school understands the process that should be followed in the event that key staff, such as Designated Safeguarding Leads and first aid trained staff, are unable to physically attend school.
- Ensure all DBS checks for new Governors have been carried out successfully.
- Clarification of process with HR provider to ensure any ongoing staff recruitment can successfully continue and how new recruitment requirements can be fulfilled.
- Clarification and approval of staffing profile for 2020/21, after taking into account staff resignations, budgetary constraints and pupil requirements.

Governor Panels

- The school and statutory processes underpinning parental complaints and pupil exclusions respectively are linked to school days; with the Government forcing school closures until further notice (and preventing mass gatherings), schools need to contact all complaint/exclusion stakeholders and suspend the complaint/exclusion process.
- For ongoing staff disciplinarys, and those about to commence, Governing Boards should seek the advice of their HR providers.

Staff Governor and Parent Governor Elections

- For Governor election processes (for either staff or parent Governor positions) that are currently live, the decision should be made by the Board to suspend these until further clarification is available – and this decision should be communicated to all stakeholders.
- For Governor election processes (for either staff or parent Governor positions) that are due to commence, it is recommended that the Board makes the decision to postpone these until further clarification about school closures is provided.

Unless schools have previously successfully run paperless elections for staff and parent Governor vacancies, the cost implications of posting out voting slips (as well as sending pre-paid envelopes for the slips to be returned) are considerable as well as elections being deemed unfair and not allowing all stakeholders the ability to vote.

To prevent vacancies on Governing Boards and potentially inquorate meetings, it is recommended that Boards agree that all terms of office due to come to an end are extended to the end of September 2020. As well as being in line with national election decisions, this allows schools some flexibility in the event that schools are only able to fully reopen in September 2020. **Please note that this specific advice relating to temporarily extending terms of office will be constantly reviewed and updated in light of Government advice.**

Estate Management

- Understand and review the plans in place regarding the physical upkeep of the school building i.e. will the school be offering a skeleton service to children of key workers and vulnerable children or will the school premises be closed and if so, how will security be maintained.
- Understanding how building works, either currently in progress or planned for the rest of the academic year, can and will progress; understanding the consequences of any financial penalties in the event of delaying planned building works.

¹ Vulnerable children include those with a social worker (which can include those children with a Child Protection Plan, those looked after by the Local Authority and those that meet the definition of s17 of the Children's Act 1989) and those, up to the age of 25, with an EHC Plan.

Other

- Approval of term dates for 2020/21 academic year.
- Approval of Governing Board and Committee dates for 2020/21 academic year.