

2. Your responsibilities as a governor

School governors are one of the largest volunteer forces in the country and have an important part to play in raising school standards. They do this in three ways: ensuring that the vision, ethos and strategic direction of the school are clearly defined; holding the headteacher to account for the performance of the school and its pupils; and ensuring that the school's financial resources are used properly and effectively.

The key thing to remember is that your responsibility is to act in the best interests of all the pupils in the school – whether you are monitoring budgets or agreeing equality policies, the underlying focus should be what difference this will make to the children and young people in your school. See Appendix 1 for a model role description for governors and find it online [e](#).

As an individual governor, you have no authority to act unless the governing board has delegated a specific power to you.

2.1. The benefits of becoming a school governor

There are immediate and lasting benefits to becoming a school governor. In volunteering your time, you are making a positive contribution to a school's success and therefore are having an impact on the lives of its pupils, teachers, and the local community. In addition, your role as a governor can help you develop transferable skills that are useful in your working life.

Some of these opportunities include:

- experience of strategic planning and development
- setting aims and objectives for reaching ambitious goals
- working within a diverse team, performance management and recruitment of senior leaders
- financial planning, budget control and setting pay and key performance indicators (KPIs)
- gaining greater awareness of the education system
- being part of debates and asking challenging questions to support school improvement
- getting to know the community in which you live and/or work
- using your existing skills in a new or different way

2.2. Personal liability

This means it is the governing board as a whole that is liable for decisions taken, rather than an individual governor. This is true even if the actual decision is taken by an individual governor or a committee of the governing board, provided that each has been delegated that authority.

Conflicts of interests

Governors are required to act in the best interests of the school and consequently any other loyalties must be put aside when you are considering governing board business.

Conflicts of interest may be financial (known as pecuniary interests) or conflicts of loyalty (e.g. potentially where a governor is related to or a good friend of a member of staff).

All governors will be asked to sign a register of business interests at the beginning of each governing year and when they first take up office. The register of interests will usually be a simple form on which governors should set out whether they have any business interests which could potentially conflict with their duty to act in the best interests of the school (e.g. you run a building firm which may bid for school building contracts). You should also register any interests of close family members which could be seen to influence your decision making.

In addition to the register of interests governors will be asked at the beginning of every meeting whether they need to declare an interest in any particular agenda item.

Where a governor does have an interest he or she will normally be asked to leave the meeting during the discussion of that item and will not be allowed to vote. This is known as managing the conflict of interest.

In general, it is always better to avoid a conflict of interest, rather than manage one. When you are considering becoming a governor at a particular school you should always ask yourself the question – do I have any other conflicting interests? If the answer is yes then it is probably better to seek to govern in a different school.

Academies

As an academy governor you may also be a company director and/or a trustee. The trust board is the over-arching accountable body and may have the ability to appoint the majority of the governing board. The respective responsibilities of the trust board and the governing board will be set out in the **articles of association**. The current model **articles of association** from the DfE assume that, in single converter schools, the members of the governing board will also be the directors of the company and charity trustees. This may not be the case where a school is part of a multi-academy trust (**MAT**).

Academies are charitable companies limited by guarantee. This means that if the academy were to go bankrupt (an admittedly unlikely event) the members of the trust board could be held liable to the amount set out in the **articles of association**. The most common level of liability is set out as £10 per trustee.

Anyone acting as a director of the company (in many cases the governors will also be directors) has unlimited liability for their own defaults. For example, if a director breaches fiduciary duties (in particular, to act in good faith in the best interests of the company, to act for proper purposes and to avoid conflicts of interest) his or her liability to the company is for the entirety of any loss caused. A director is also, in some instances, personally liable for fines imposed for breaches of regulations, most commonly this relates to health and safety matters, but may also be related to late filing of documents with Companies House.

Although these liabilities may sound daunting, they will only come into force if a director has acted in bad faith or is shown to have been wilfully negligent. Providing a director acts properly and within the powers and authority conferred on him or her, he or she will not be liable for any losses.

Confidentiality

You must respect the confidentiality of information you may receive about individual members of staff or pupils. Such information must not be divulged outside of the governing board and in many cases should not be divulged to other governors. This is because governors may have to hear appeals or complaints from staff or parents and any governor with detailed prior knowledge would be prohibited from sitting on a governors' panel.

What's more, it is important to respect the confidentiality of who said what in a governing board meeting - even if the meeting itself was not declared confidential, it is not appropriate to discuss the views of your fellow governors outside of meetings.

2.3. How much time should I be spending on governance?

You should expect to spend between 10 and 20 days a year on your governing responsibilities. The top end of this commitment, which equates to about half a day per week in term time, is most relevant to the chair and others with key roles, such as chairs of committees. Initially, we would expect your commitment to be nearer 10 days a year. However, there may be periods when the time commitment may increase. For example, when recruiting a headteacher or times of particular challenge, such as when children are not achieving what they should be.

Some longstanding governors may tell you that they spend far more time than this on school business; however, it's fairly common for governors to undertake additional volunteering roles over and above governance. This can include a whole myriad of activities. For example, listening to children read, helping with school trips, helping with promotional activities, such as editing the school website, supporting fundraising, writing bid documents, undertaking health and safety checks, undertaking regular book-keeping monitoring, or providing pro-bono legal advice. These additional volunteering roles should not be confused with governance, nor should they be expected of new governors, many of whom will be in paid employment and will not have the time for it. There is a danger that the time taken up by these other volunteering roles may prevent the governing board from using their time for governing.

Can I take time off work?

LA maintained schools

Yes, under Section 50 of the *Employment Rights Act 1996*, if you are employed, then you are entitled to 'reasonable time off' to undertake public duties; this includes school governance. 'Reasonable time off' is not defined in law, and you will need to negotiate with your employer how much time you will be allowed. The size of the company and the impact of your absence will come into consideration. Research has shown that employees who volunteer as school governors improve their own skills, which has a valuable knock-on effect for their companies.

If the timing of meetings is difficult for you, it is worth discussing this with your governing body. It will not always be possible to arrange meetings to suit all members, but there is often scope for flexibility and some give and take. Many governors' meetings are held during the evening, although any appeals panels relating to staff or pupils and recruitment panels are likely to be during the day.

2.4. What if I think the governing board is not very effective?

This is always a difficult issue when you join a new governing board. First, you need to make sure you have a clear understanding of the governing board's role. Are you clear about the difference between strategic and operational and that your frustrations are not because you want to stray into areas that are the sole preserve of the headteacher?

You also need to identify exactly what you think the problem is. For example, is the governing board spending too much time on processes and monitoring policies and not enough time on strategy and school improvement? To avoid this problem we encourage governing boards to use the Twenty Key Questions which can also be found in Appendix 3 and on our website [🔗](#). These can help you identify the most important issues for your board to focus on. Some boards have even adapted it to develop an action plan.

In meetings, don't be afraid to ask why things are done in a certain way. This can provoke debate on how it might be done better. A good example of this is reports and data given to you by the headteacher. Every now and again, you should consider whether the data is presented in a way that is easy to digest. If it is not, this will impact on your ability to ask challenging questions about the information being presented.

Talk to the chair of governors and clerk to see if you can influence the agendas for meetings. You could also suggest a whole governing board development session. Through its training and consultancy service the NGA offer a governance health check, an external review of governance and a session on creating a new vision. All of these sessions could help to refocus matters. For more information visit our website [🔗](#).

The NGA produces a code of conduct that can be used to help a governing board understand its responsibilities and obligations. It can be useful if you do not think that the governing board understands its role. The code can be downloaded from the NGA website [🔗](#).

Do not forget to suggest that your governing board joins the NGA where it would have full access to good practice documents and be kept well informed.

There are also a number of tools and questions that you can suggest the governing board use, which may help to improve its effectiveness. The NGA has worked with the Fisher Family Trust to produce the FFT Governor Dashboard (see page 41). There are also third party tools such as Governor Mark and Target Tracker and the 'Ten Key Questions' from the Importance of Teaching White Paper (see page 14).

Online Resources

Remember, you can always get more information from the NGA website when you see the  sign.

Just go to <http://www.NGA.org.uk/Publications/Welcome-to-Governance-Resources.aspx> and click on the relevant chapter to find the information you are looking for.