

Committee	Dated:
Education Board	19 July 2018
Subject: City Schools Skills review, City of London Academies Terms of Reference review, and appointments update	Public
Report of: Director of Community and Children's Services	For Information
Report author: Jeanne Barnard	

Summary

This report provides Members with an update of school governing body governance matters. It asks Members to note that officers carried out a skills audit of the governing bodies of the City's maintained primary, co-sponsored and sponsored academies. Members are also asked to note the City of London Academies Trust will be reviewing the Trust-wide Terms of Reference for its local governing bodies. The current members of the City schools' governing bodies are also attached at **Appendix 1**.

Recommendations

Members are asked to:

- Note that officers carried out a skills audit of the governing bodies of the City's maintained primary, co-sponsored and sponsored academies;
- Note that the City of London Academies Trust will be reviewing its Terms of Reference for Trust local governing bodies as outlined in Article 101 of the Articles of Association. Any changes to the Terms of Reference will be notified to the Education Board at the next appropriate meeting.
- Note the members of the City schools governing bodies at **Appendix 2**.

Main Report

Background

1. The City of London Academies Trust (the Trust) approved its Trust-wide Terms of Reference for local governing bodies (LGBs) for all new schools joining the Trust at its meeting on 6 December 2016. It was subsequently endorsed by the Education Board at its meeting on 12 January 2017. The Terms of Reference have not been reviewed since their approval but have been varied in three instances in respect of schools where local governing bodies had an extra governor appointed, and in the case of the Southwark LGB where the Terms of Reference was updated as part of a pilot on combining the three LGBs for the academies in Southwark.
2. Since September 2017, five schools joined the Trust. The interim local governing bodies of these academies were reconstituted, with the final membership of the local governing bodies approved by the Education Board at their meeting on 20 July 2017. The membership of these academies LGBs requires review by the Trust Board annually.

Review of skills on City Schools governing bodies

3. Officers asked the members of the local governing bodies of the academies in the Trust, the governing bodies of the two co-sponsored academies, and the City's maintained primary school to fill out skills audit forms. The purpose was to review the spread of skills on each governing body and to see where there are any skills gaps.
4. This audit found there is a good mix of skills across the Trust academies, the co-sponsored and the maintained primary. One area where there is a lack of skills is special education needs and disability (SEND) and safeguarding. Officers will offer SEND and safeguarding training for all governors in the 2018/19 academic year. The mix of skills on each local governing body is outlined in tables at **Appendix 1**. Some governors have not returned their skills audit in time to be included in this report, however officers will follow up with those governors to ensure their skills audit is completed. We also expect the Trust, co-sponsored academies and maintained primary school, through their Chairs of governing bodies, to do their own reviews of their governing bodies' performance going forward.
5. Some governing bodies have governors appointed to fulfil particular skills needs that are not included in the tables at Appendix 1. For example, the City of London Academy Shoreditch Park appointed Mark Lowman with knowledge of building projects as the school is building new school premises.

Review of the Trust-wide Terms of Reference for local governing bodies

6. Article 101 of the Trust's Articles of Association provides that the establishment, Terms of Reference (ToR), constitution and membership of any Committee of the Trust Board must be reviewed every 12 months.
7. The Trust Board approved standard ToR for LGBs for all new schools joining the Trust at its meeting on 6 December 2016 which were endorsed by the Education Board at its meeting on 12 January 2017. The standard ToR provides for a membership of one Chair appointed by the Trust Board and approved by the Education Board, six governors appointed by the Trust Board, the headteacher/principal, two parent governors and one teaching and one non-teaching staff member, 12 in total. The standard ToR have not been reviewed since they were approved by Trust Board at its meeting on 6 December 2016.
8. In practice, the standard ToR have been varied for most of the Trust's new LGBs to accommodate the local needs of the individual schools. There is one additional Trust appointed governor on the City of London Academy Highgate Hill, the City of London Academy Highbury Grove, and the City of London Academy Shoreditch Park LGBs. These three LGBs therefore all have 13 governors rather than the prescribed 12. These additional governor appointments were approved by the Trust Board and notified to Education Board.
9. The Trust has also created one joint LGB (the Southwark LGB), with revised ToR, for The City of London Academy Southwark, Redriff Primary School City of London Academy and Galleywall Primary, City of London Academy. This joint LGB model will be monitored and kept under review over a 12-month pilot period from September 2018 to July 2019.

10. The Trust has also recently been approached by the Chairman of the Highbury Grove LGB asking to appoint two further governors to its local governing body, as the Chairman considers they do not have the requisite skills on their governing body. The Trust has also been approached by Newham Collegiate Sixth Form Centre's local governing body with a request to decrease the number of governors that have to be at a meeting for it to be quorate from four to five.
11. The DfE Governance Handbook 2017 advises that all boards should be tightly focused and no larger than they need to be to have all the necessary skills to carry out their functions effectively, with everyone actively contributing relevant skills and experience. In general, the DfE considers that smaller boards are more likely to be cohesive and dynamic, and able to act more decisively.
12. Best practice suggests that local governing bodies have no more than 12 governors, which includes two parent governors, one teaching and one non-teaching staff member, and the headteachers/principal. As outlined in paragraph 5, this is governance model adopted in the Trust-wide ToR.
13. At its meeting on 18 June 2018 the Trust Board agreed to review the ToR to see whether the current governance structure is working for local governing bodies. The review will take the matters raised in paragraph 9 in this report into account and will include a discussion at the next Chairs of Governors forum in September 2018. This will provide the Chairmen of the Trust LGBs with an opportunity to consider make recommendations to the Trust Board for their consideration. Any changes to the standard or individual LGB ToR or membership of the local governing bodies will be notified to the Education Board.
14. For clarity it is noted that the City Corporation's co-sponsored academies are, unlike the Trust, single academy trusts with different constitutions and will not be affected by this review.

Officers serving on Trust local governing bodies

15. Officers may serve on Trust LGBs in a professional capacity with reference to their employment at the City Corporation or in a personal capacity as a volunteer. In both cases, the consent of the employee's Chief Officer will be required.
16. In rare cases, an Officer may be asked to become a governor of a City associated Trust school in connection with their employment. For example, when setting up an interim governing body for a new academy school at pre-opening stage for the purposes of delivery, management and integration of the new school into the Trust to manage risk. In the same way that one would expect this arrangement to be agreed by the Trust Board in collaboration with the City Corporation, it is expected that City Officers would also step away or be removed from such Trust governorships at a suitable point on the same basis.
17. At its meeting on 3 March 2016, the Education Board resolved that Officers of the City of London Corporation, with the appropriate experience and skills, should be eligible to be nominated or appointed to fill appropriate governor vacancies on the City of London Academies Trust local governing bodies where the vacancy does not require the appointee to be an elected Member of the Court of Common Council.
18. Officers therefore may be nominated or voluntarily apply for Trust LGB vacancies. Their applications would then be considered in accordance with the

governor appointment process approved by the Trust Board and endorsed by the Education Board on 6 December 2016 and 12 January 2017 respectively. An Officer who is appointed as a governor must obtain their Chief Officer's consent as appropriate.

19. An Officer nominated by the City (or otherwise appointed by the Trust) would be appointed as a governor in a personal capacity and would not represent the interests of the City Corporation on that LGB. This will not affect the obligations the Officer has to the City Corporation as an employee which extend to their behaviour and activities outside their employment (for example not to bring the City Corporation into disrepute, not to disclose confidential information, etc).
20. Conflicts of interest which might arise in the Officer sitting on that LGB would need to be managed in accordance with the Trust's and/or LGB's own conflicts of interest policies and procedures. To the extent that a conflict arises in the Officer's employment at the City, those conflicts will be managed in accordance with the City Corporation's own Employee Code of Conduct and Employment Policies, which may prevent the Officer, due to the nature of their employment at the City, being eligible to apply to serve on a Trust LGB.

Current membership of City Corporation schools' governing bodies

21. Tables setting out the school governors for each school associated with the City Corporation are attached at **Appendix 2**.

Conclusion

22. This report updates Members on school governing body governance matters and asks Members to note that officers asked governors on the City's maintained primary, co-sponsored and sponsored academies governing bodies to fill out a skills audit. Members are also asked to note that the City of London Academies Trust Board will be reviewing its standard Terms of Reference for local governing bodies and that any changes to the standard or individual LGBs Terms of Reference or membership of governing bodies will be notified to the Education Board. The current membership of each governing body for the City's family of schools is attached at **Appendix 2**.

Appendices

- Appendix 1 – Skills audits for City schools' governing bodies
- Appendix 2 – Governing body membership of City Corporation schools

Background Papers

- i. Education Board paper and minutes: City of London Academies Trust (04504128) governor appointments and overview of appointment processes for City Corporation associated schools (14 September 2017)
- ii. Education Board paper and minutes: Governance of Southwark Academies (9 November 2017)
- iii. Education Board paper and minutes: City of London Academies Trust (04504128) and The City Academy, Hackney (06382192) governor appointments (17 May 2018)

Jeanne Barnard

Education Policy Officer / T: 020 7332 1864 / E:

jeanne.barnard@cityoflondon.gov.uk