



Lord Nash

Parliamentary Under Secretary of State for Schools

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

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Dear Director of Children's Services,

I trust that like me you are passionate about the vital importance of high quality school governance. Governors set their school's vision, hold their headteacher to account and make sure its money is well spent. They are a pivotal part of our system of school leadership and accountability. Only if LAs are confident in the professional standards of governance in the schools they maintain can they be fully confident in their systems for financial oversight, school improvement and child safety.

As the Minister responsible for school governance, I wrote recently to all chairs of governors in both academies and maintained schools to highlight my priorities and the support we are offering in 2014-15. I hope that you are already familiar with and actively promoting the expanded range of NCTL programmes, including the popular leadership development programme for chairs and aspiring chairs and the new training programme we have just launched for clerks. You can read my letter [here](#).

I am now writing to all Directors of Children's Services about the specific opportunity created by our requirement that all maintained schools are constituted under the recently amended 2012 Constitution Regulations by 1 September 2015.

Transitioning all maintained school governing bodies to the simpler 2012 regulations will create a simpler overall legislative framework for governing body constitution. But more importantly, it will mean that all maintained schools have access to greater flexibility to design a governing body of the size and structure that meets their needs. It will mean that all governors are appointed for their skills to contribute to effective governance, not for who they are or who they represent.

As set out in our [statutory guidance](#), the flexibility of the 2012 Regulations means that no existing governor need stand down. **However, treating transition as a paper exercise would waste an ideal opportunity for each**

governing body to review its effectiveness, membership and structure and make changes to ensure it is not just fit for purpose, but that it is dynamic and highly professional in its approach.

Before LAs agree and make new instruments of government they should set high expectations of governing bodies; support and challenge them to reflect honestly on their effectiveness; and stimulate them to think creatively and ambitiously about their constitution, structure and membership.

Your priority must be to see every governing body constituted with governors who have the relevant skills to contribute to effective governance, encouraging ineffective governors to stand down and be replaced by new strong governors. Governing bodies cannot afford to carry passengers. They should be no bigger than they need to be to secure all the skills they need, with every governor making an active contribution. Its actual size is a matter for each governing body to decide for itself. Although I am not shy of saying that I believe many are currently too large to provide the effective, cohesive and dynamic non-executive strategic leadership our schools need, the key point is not so much size but ensuring that all the governors take an active and constructive role.

A possible road map to help governing bodies with the process of reconstitution is available on the [NCOGS website](#).

Evidence suggests that many governing bodies don't look hard enough to find new governors with the necessary skills. Please promote the services of [SGOSS Governors for Schools](#), funded by us to provide a free service matching willing volunteers to governing bodies that need their skills. [Inspiring the Future](#) also provides schools with access to an increasing number of skilled people willing to be governors.

[Inspiring governors](#) is a new alliance encouraging national and local partners to work together to increase demand for and supply of high quality governors. Please sign up and use the alliance to mobilise local partners around this crucial issue.

Please also make every effort to nominate high quality LA governors. I understand that a few LAs still link the right to nominate LA governors to the local balance of political power. **I would like to make clear that this is unacceptable practice.**

The law now requires that all governors are appointed on the basis of the skills they have to contribute to effective governance, and LAs must make every effort to understand the governing body's requirements in order to identify and nominate suitable candidates. Once appointed, LA governors must govern in the interests of pupils not to represent or advocate for the political or other

interests of the LA.

I would also like to ask that you assure yourself that parent and staff governor elections are being undertaken with due regards to our new [statutory guidance](#). Whether you manage elections yourself or delegate the function to schools, you must promote informed and effective elections in which the electorate understands the role of a governor; the skills required by the governing body; and the extent to which candidates possess those skills. Arbitrary word limits should be scrapped to allow candidates sufficient scope to set out fully a prospectus of their suitability for the role.

I look forward to speaking further about LAs' role in school governance at the LA governor services (NCOGS) conference on 9 October.

Yours sincerely,



JOHN NASH