Diocese of Gloucester Foundation Governors in Church of England Schools

Church of England schools were established in a tradition of Christian commitment to education, to serve local communities or parishes. Today they are required to be 'deeply Christian and serving the common good' (Church of England Vision for Education, 2016).

Governors and trustees in all schools and academy trusts act within frameworks set by national legislation and in accordance with guidance from statutory organisations including the Department for Education (DfE), diocese (for Church schools whether maintained or academies), Education and Skills Funding Agency (ESFA; for academies) and local authority (for maintained schools).

In an academy trust, a scheme of delegation will lay out where different governance responsibilities lie within different layers of governance. For academy trusts, the term 'foundation governor' in this document is intended to refer to Gloucester Diocesan Board of Education (GDBE)-appointed foundation governors serving in the trust's local layer of governance.

While individual governors will have specific areas of expertise and perspective, all governors in a maintained school share responsibility for all aspects of the strategic oversight of the school. The responsibility of a governing body is collective. Governors and trustees do not have the power to act individually unless instructed by the whole governing body.

All Church schools must have, and live out in all aspects of the life of the school, a biblically-rooted Christian vision. Maintained Church of England schools and Church of England academies are required to have a prescribed number of foundation governors or trustees appointed to their governing body.

Foundation governors share equal responsibility with all other governors for the effective strategic oversight of the school. In addition, they have a specific responsibility in law to ensure that the school's Christian character is persevered and developed.

1. Capacity and Commitment

All governors are required to have sufficient capacity for and commitment to the role enabling them to:

- Attend meetings, including serving on committees as appropriate
- Be appropriately prepared for meetings, reading papers in advance

- Engage in required training including, for foundation governors, required diocesan training for the role

2. The Role of All Governors

The role of the governing body is strategic rather than operational. Governors are not involved in the day-to-day running of the school. Their role is to:

- Provide strategic direction for the school
- Offer appropriate support and challenge to the headteacher and school leadership, without stepping into operational decision-making
- Hold the headteacher and school leadership to account for school improvement and pupil outcomes
- Oversee the financial performance of the school, ensuring that financial decisions are made in the best interests of current and future pupils

3. The Additional Responsibilities of Foundation Governors

All governors in a Church of England school are collectively responsible for the distinctively Christian flourishing of the school. However, foundation governors hold particular responsibilities in relation to this. They are therefore expected to bring the following commitments, knowledge and skills to the governing body:

- Commitment to uphold and develop the distinctively Christian character and foundation of the school, in accordance with its trust deed, ethos statement and vision, in all aspects of school life
- Sufficient knowledge of, and value alignment with, the doctrines and practices of the Church of England to uphold the Christian distinctiveness of the school in accordance with these[1]
- Commitment to encourage positive links between the school, parish church and the GDBE, and support the role of the clergy in the life of the school
- Commitment to support and challenge the school to ensure that all recommendations and requirements from the diocesan Education Team, acting on behalf of the GDBE, and from Statutory Inspection of Anglican and Methodist Schools (SIAMS), are considered and addressed

4. Suitability for Appointment as a Foundation Governor

A foundation governor is nominated by the PCC, and appointed by the Diocesan Board of Education. **It is not a requirement for a foundation governor to be ordained.**

The GDBE Foundation Governor Appointment Panel **will not approve** the appointment of a foundation governor who is currently employed at the school, or who has

[1] Please note, the Diocese of Gloucester does not have a requirement for foundation governors to be communicant members of the Church of England, or regular worshippers at either the local parish church or another Christian church. Provided there is clear evidence of the requirements in this document being met, a member of another or no faith may bring valuable perspectives in relation to the inclusiveness required of a school which is 'Deeply Christian and Serving the Common Good'.

previously been employed at the school within a six-month period prior to a vacancy for a foundation governor arising.

The GDBE Foundation Governor Appointment Panel **will not appoint** a member of clergy who has previously held office within that parish. However, a member of clergy currently serving in the parish may be appointed as a foundation governor, including in the substitute ex-officio role.

A person is **disqualified from holding or from continuing to hold office** as a governor or associate member in the following circumstances:

Commitment to Role

- Fails to attend the governing body meetings, without the consent of the governing body, for a continuous period of six months, beginning with the date of the first meeting missed (not applicable to ex-officio governors), and may not be renominated as a foundation governor for the following 12 months
- Has been removed from office as an elected governor within the last five years
- Fails to attend required training

Bankruptcy

- Is subject to a bankruptcy restrictions order; an interim bankruptcy restrictions order; debt relief restrictions order; or interim debt relief restrictions order
- Has had their estate sequestrated and the sequestration order has not been discharged, annulled or reduced

Disqualification of Company Directors

- Is subject to:
    - A disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986
    - A disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002
    - A disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
    - An order made under Section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order)

Disqualification of Charity Trustees

- Has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of the charity
- Has been removed under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from being concerned in the management or control of any body

Persons Whose Employment is Prohibited or Restricted

- Is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people
- Is barred from any regulated activity relating to children
- Is subject to a direction of the Secretary of State under Section 142 of the Education Act 2002, or Section 128 of the Education and Skills Act 2008
- Is disqualified from working with children or for registering for childminding or providing day care
- Is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State

Criminal Convictions

- Has been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a governor or since becoming a governor
- Has received a prison sentence of two years or more in the 20 years before becoming a governor
- Has at any time received a prison sentence of five years or more
- Has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years prior to or since appointment or election as a governor
- Refuses a request by the clerk to make an application to the Disclosure and Barring Service (DBS) for an enhanced criminal records certificate

Note on Reappointments

In the case of an application for reappointment the application form should demonstrate evidence of commitment to the role, impact and attendance of suitable training during the previous term of office.

Except in exceptional circumstances, which should be clearly outlined in an application, the diocese would not expect a foundation governor to serve more than three consecutive terms of office in the same school.