



Salisbury Diocesan Board of Education (SDBE)

Foundation Local Governor Appointment Policy (Multi Academy Trust)

1. Rationale for this policy

1.1 This policy explains the role of local foundation governors for academies in Multi Academy Trusts (MATs) as well as the criteria and the process by which local foundation governors are appointed to Church of England academies within the Diocese of Salisbury. For foundation governors serving in maintained schools or a single academy trust, see separate policies.

2. Educational context / terminology used in this policy

2.1 Local foundation governors serve in Church of England academies which are part of a MAT. They are members of a committee appointed by the Trustees of the MAT in accordance with Article 100 of the MATs Articles of Association. It may be called a “Local Governing Body” (LGB) or an “Academy Council” or any other name. In this Policy we use the term “local foundation governor” to mean a member of such a committee who is appointed by, or with the approval of, the Salisbury Diocesan Board of Education. Though the term “governor” is commonly used, it is the MAT Trustees (its’ Directors) who are the statutory governing body for each of the MATs academies.

When considering any legislation or statutory guidance in relation to governance of schools, the term “Governing Body” refers to the MAT Trustees unless such guidance specifically refers to a local governing or advisory board.

Each MAT which includes a Church of England School will also include Foundation Members and Trustees, and these roles and appointments are dealt with in [separate policies].

2.2 The ‘Salisbury Diocesan Board of Education’ (SDBE) Strategic Plan states that SDBE walks alongside all of its church schools – maintained and academies. It is the responsibility of SDBE to ensure that nominations from the MAT Trustees for local foundation governors are suitable prior to their appointment in Church of England academies.

2.3 This policy applies to the appointment of local foundation governors for academies which were formerly designated VA or VC schools.

3. The role of local foundation governors

3.1 The inclusion of foundation governors is one of the distinguishing characteristics of church school education. Foundation governors represent the historic link with the original church establishment (*the ‘founding’ establishment, hence the term ‘foundation’*) of the school. As such they are the custodians of its distinctive Anglican and Christian ethos. **In a MAT, this is the role of the Foundation Trustees and elements of the role are delegated to the local foundation governors through a Scheme of Delegation.**

3.2 In most ways local foundation governors have the same objectives as other local governors. The MAT Trustees are entrusted with responsibility for the core roles of governors, set out in the Department for Education’s ‘Governance Handbook’, namely:

- setting vision, ethos and strategic direction along with the head teacher
- holding the head teacher to account for teaching, achievement, behaviour and safety ... and challenging and strengthening their leadership
- ensuring finances are managed well leading to probity, solvency and effective use of resources

3.3 In addition, as representatives of the church's role in the school, foundation Trustees must:

- fully support, cherish, preserve and develop the distinctive Anglican and Christian ethos of the school, ensuring that the school has a distinctive Anglican and Christian vision and values which lead to effective practice and outcomes
- preserve and strengthen the links between church, school and diocese.
- take an active role in the school's self-evaluations of progress against the 'Statutory Inspection of Anglican and Methodist Schools' (SIAMS) schedule
- ensure that collective worship and religious education at the school follow the appropriate guidelines and/or syllabus
- ensure that collective worship at the school is in accordance with the tenets and practices of the Church of England
- ensure that collective worship and religious education at the school are appropriately monitored.
- ensure that the distinctive Anglican and Christian ethos of the school is encouraged and supported throughout its local community and is reflected in its policies and protocols, its curriculum and activities.
- ensure that their own attitudes and behaviour in relation to the school reflect its distinctive Anglican and Christian ethos
- make sure that the School Improvement Plan includes strategy for the development of areas reflected in the school's SIAMS self-evaluation document
- inform the SDBE of any up-coming vacancy in the role of head teacher / principal, and, ensure that foundation appointees (whether Members, Trustees or local governors) are represented in the appointment process and that a representative of the Diocesan Director of Education is invited to attend and advise throughout the appointment procedure
- to support and challenge the leadership within the school in their links with the wider parish(es) and community and to promote support for school activities and initiatives relating to its Christian distinctiveness and effectiveness

4. The role of the local governing body as part of a MAT

4.1 *In a school which is part of a MAT, the local governors of individual academies undertake those elements of those responsibilities outlined in 3.2 and 3.3 above which are delegated to them by the scheme of delegation agreed by the MAT. It is the responsibility of local foundation governors to understand the Scheme of Delegation within the MAT and to raise any issue relating specifically to Anglican and Christian Distinctiveness, such as those outlined in 3.3 above, with the foundation trustees in the MAT.*

4.2 Local foundation governors also support and challenge the MAT's foundation trustees and member(s) in the maintenance and development the distinctive Anglican and Christian ethos of the Church of England academies within the MAT.

5. The appointment of local foundation governors

5.1 The ratio of local foundation governors which serve a school is specified:

- in the Scheme of Delegation; and/or
- in a Memorandum of Understanding between the MAT and the Diocese; and

- in its Articles of Association; and/or
- in the Supplemental Funding Agreement for the School

(The Articles of Association of a MAT will always set out the ratio of foundation Members and Trustees)

5.2 When a foundation local governor vacancy arises, or is anticipated, at a Church of England academy the Trust Board must, as soon as practicable, inform:

- the Parochial Church Council(s) (“PCC(s)”) for the Church of England Parish(es) served by the Academy; and
- SDBE – governor@salisbury.anglican.org 01722 746952

The information provided to the PCC and SDBE must include:

- the names of the current local foundation governors for the Academy and the name of the outgoing Foundation local governor
- a description of the skills identified as being required on the LGB for the Academy (following a skills audit as appropriate)
- the date when the retiring foundation local governor stepped down (or is expected to step down)
- the names and contact details (telephone, e-mail and postal address) of at least two people with whom SDBE and the PCC should liaise (each of whom should be either a local governor, trustee or member of the Academy Trust, or a person employed by the Academy Trust to administer Governance)

5.3 The essential requirement in fulfilling a vacancy is to ensure, across the breadth of the LGB, that it is able to fulfil its obligation according to the Academy Trust’s Scheme of Delegation *and* that the local foundation governors are able to deliver those characteristics detailed in *‘The Role of Local Foundation governors’* above.

5.4 The PCC(s) and/or SDBE may nominate prospective candidates for the vacancy by providing the Trust Board with a candidate profile and contact details. Provided that such nomination(s) are made within twenty one days of receipt of notification of the vacancy, the Trust will ensure that those candidates are included in the selection process referred to at 5.5 below.

5.5 In the event that more than one suitable application or nomination is received for the vacancy, the Trust Board shall determine the best candidate by a fair and reasonable selection process including an interview. SDBE’s Corporate Member shall be included in the interview panel.

5.6 Once the Trust has identified its preferred candidate, it must complete the ‘SDBE Foundation Governor Appointment’ form and provide this, along with a written reference for the candidate, to SDBE. The Diocesan Director of Education and the Diocesan Strategic Lead for Governance will consider the appointment. If they are unable to reach a conclusion then the application may be referred to a meeting of the SDBE members, or a panel appointed by them.

5.7 The SDBE completes section D of the ‘SDBE Foundation Governor Appointment’ form, returning an electronic copy to the Trust to indicate approval or otherwise of the nomination. Full reasons must be detailed if the nomination is not approved. SDBE may contact the chair of the Trust Board and/or chair of governors as part of this process. The SDBE will amend their data base and send a welcome letter to the new foundation local governor, if approved.

5.8 The timeline between the foundation local governor vacancy arising and the submission of the paperwork by the Trust to the SDBE should be not more than 6 working weeks. It is the responsibility of the chair of governors and the SDBE Corporate Member to work together in adhering to this. SDBE aims to return Application Forms with part D confirmed within 7 working days (21 days if the application is referred to DBE Members).

5.9 Appointments are always subject to appropriate DBS checks. The Academy Trust must inform SDBE as soon as possible if it becomes apparent that a candidate will not be appointed. Once the Trust has received approval from SDBE and a satisfactory DBS check, the candidate may be appointed.

6. SDBE Requirement of local foundation governors

6.1 The SDBE understands the responsibility that foundation governance brings. We also recognise the care and commitment of those who undertake this vital role. Every new local foundation governor is expected to participate in SDBE's development programme. Participation in this programme is compulsory for SDBE local foundation governors.

6.2 Local foundation governors must commit fully to upholding the requirements detailed under '*The Role of local foundation governors*' in this policy. They must also attend a training programme, led by the SDBE which is centred around the role of local foundation governors, **within one full school term of their approval as a governor**. Any foundation local governor unable to honour this commitment will not be able to continue as a governor (unless there are exceptional circumstances preventing this attendance with a subsequent date being attended instead).

6.3 Those who are nominated by the SDBE Corporate Member to the SDBE must, in advance of the nomination process, have completed and signed the 'SDBE Foundation Governor Appointment' form to show their commitment to both points detailed above.

6.4 The same full nomination process and subsequent SDBE development programme must also be undertaken in full when a foundation local governor vacancy arises and the current governor wishes to put his/her name forward for re-selection to the local governing body.

7. Criteria for local foundation governors

7.1 The SDBE asks Trust Boards to consider and propose candidates who meet the 'SDBE Requirements of local foundation governors' detailed in this policy. Local foundation governors can be members from a broad tapestry of Christian groups. It is their unfaltering commitment to the stated 'SDBE Requirements' which is essential.

7.2 Local foundation governors must fall within one of the following groups:

- Communicant members of the Church of England
- Baptised individuals who regularly attend Church of England services
- Members of a church which belongs to 'Churches Together in Britain and Northern Ireland'
- By exception, an individual may be appointed as Foundation local governor being a Christian who does not belong to the churches listed above but is committed to the tenets of the Apostles' Creed

7.3 It is vital that the Trust Board works with the academy to ensure that the makeup of the governing body includes communicant representation of the Church of England in order to support the school's governance in being faithful to the Anglican tradition. Our expectation is that half of the foundation governors at any school will be communicant members of the Church of England, therefore an application from an individual from another category listed at 7.2 may not be successful where the appointment would mean that the number of communicant members of the Church of England would fall below that ratio. The SDBE knows that the experience and depth of church commitment which communicant members can bring to their important foundation local governor role enriches a governing body and empowers it further to carry out its responsibilities.

7.4 It is the role of local clergy to interpret for their community the word 'regularly' as used in Section 7.2 of this policy.

8. Ex- Officio Incumbent local foundation governor

8.1 Church academies do not necessarily have an ex officio seat on their governing body which is reserved for the incumbent of the parish. Where no such ex-officio seat is reserved, we encourage the incumbent to make an application for a foundation local governor post.