

Module



Governor Training Materials

Introduction

**Further
Education
Funding
Council**

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For suggestions on how to get the most out of these self-study materials, see the section on Using the materials.

Introduction

Welcome to Module 1 of the *Governor Training Materials*. This module is for all new governors and for more experienced governors who wish to deepen their understanding of the governor's role and responsibilities. The module is divided into short sections. Each one can be studied independently. The module will take two to three hours to complete if you work through all of it. If you are an experienced governor, you may want to skim through this module to help you decide which topic areas to concentrate on in other modules.

Aims

By the end of this module you should be able to:

- describe the range of provision in the further education sector
- explain the role and responsibilities of college governors
- assess your own knowledge and skills and identify your training requirements
- know how to access the governor-training programme
- know where to find more detailed information on particular topics or procedures
- play a full part in the work of the governing body.

Contents

Mark the sections you want to study and tick them off as you complete them.

To do *Done*

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- Section 8 Governor training
- Section 9 Knowledge and skills of governors
- Section 10 Governors' information needs

Working on the self-study activities

These materials have been designed for flexible use, so that you can work through sections and activities in your own time and at your own pace if you would find it difficult to attend organised training sessions. Governors who have tested these materials point out how valuable it is to work on at least some of the suggested activities together with another governor or group of governors, as there is much potential to learn from each other's experience. For suggestions on how to organise this kind of support for yourself, see the section on *Using the materials*.

What you will need

To complete activities in this module you will need to get hold of the following documents from the clerk:

- *The College Governor* published by the Further Education Funding Council (FEFC)
- your college's instrument and articles of government (which set out the legal responsibilities of the governing body)
- your governing body's standing orders and code of conduct
- your governing body's training policy
- your college prospectus, annual report and publicity materials.

(Some or all of these documents may be included in your college's induction pack for new governors.)

Where you need to make notes in response to activity questions, we suggest you do this in a notebook or on separate sheets of loose-leaf paper, and store the information you compile along with the module for future reference.

Section 1 The further education sector

Types of college

The further education sector embraces a wide range of colleges, with a variety of titles such as further education college, college of technology, tertiary college, sixth-form college, institute, college of further and higher education, college of agriculture and horticulture, college of art and design, or just plain college. They may generally be classified as:

- general further education colleges (offering a wide range of academic and vocational courses both full- and part-time)
- tertiary colleges (in areas where courses for people over the age of 16 were placed in one institution and schools did not have sixth forms)
- sixth-form colleges, offering mainly GCE A level and GCSE courses, although increasingly offering a wider variety of vocational courses
- agricultural and horticultural colleges, offering courses aimed at land-based industries
- art and design colleges offering art and design courses
- specialist designated colleges established to fulfil particular purposes, usually serving an area well beyond the immediate locality of the college and often nationally.

Around 425 colleges have total budgets of around £4 billion per year, of which just over £3 billion comes from the FEFC (1999–2000). Together these colleges cater for around 4 million students, of whom 80% are funded by the FEFC. Around 80% of students are part-time, usually adults, often in employment. Other institutions are designated by the Secretary of State as eligible to receive FEFC funds and offer a variety of education and training programmes.

All colleges are different in terms of the range of courses they offer, their size and their method of operation. However, all draw much of their funding from the FEFC, all are run by independent governing bodies and the attendance of students is voluntary.

Courses and other services

Colleges offer full- and part-time courses which may be vocational or academic, including:

- higher education courses usually funded through the Higher Education Funding Council for England (HEFCE)
- specialist courses for industry and commerce
- training for those on government-sponsored schemes, e.g. the New Deal and modern apprenticeships
- work-based assessment and collaborative provision with employers
- specific help for students wishing to improve their basic skills in literacy and numeracy or to learn English as their second language
- help for students with special learning needs or particular disability
- leisure and general interest courses, not necessarily leading to a qualification.

These are explored more thoroughly in *Module 3 Curriculum and quality*.

In addition, colleges may offer consultancy and advice to industry and commerce, and the hiring of their facilities such as halls and playing fields to external organisations. Some may have training restaurants or farm shops, providing a service to the general public. Colleges may set up their own separate company to market themselves and their services.

Your college will offer a wide range of courses. Some colleges offer over a thousand separate courses. As a governor you will not be expected to know about all of these courses, but you will be expected to set the overall educational direction of the college and determine the overall pattern of courses.

Size

The size of colleges varies. The smallest may take a few hundred students, the largest over 40,000 students. Budgets may vary from around £1 million to over £40 million. The proportion of funding received from the FEFC will also vary considerably.

Partnerships and networks

Colleges work closely with other local organisations. They are members of their local Learning Partnerships. These promote collaboration and higher

standards by bringing together various local providers of education and training for people over the age of 16, such as colleges, schools, higher education institutions, private training providers, local industry and local community groups. Your college may also belong to an appropriate national or regional organisation representing its interests. The government strongly supports collaboration between institutions as a means of ensuring that the needs of college students are best met.

Some of the organisations with which the college has partnership arrangements might also be seen as competitors because they offer similar services to your college. To develop good working relationships with other organisations and build on your college's strengths, you need to be well informed about the college's character and what makes it unique. This is the purpose of the next activity.

Activity Information about your college

Your college is unique. Find out the following information by looking through your college's prospectus, annual report and publicity materials.

- 1 What is the total number of college students?
- 2 How many of these are attending full-time, part-time, evening-only or full-cost courses?
- 3 What are the main programme areas in your college (i.e. sciences, agriculture, construction, engineering, business, hotel and catering, health and community care, art and design, humanities, basic education)?
- 4 How many of these courses are general education, vocational education or job-related?
- 5 How many students have learning difficulties and/or disabilities?
- 6 What is the annual budget of the college?
- 7 What proportion of overall funding is received from the FEFC?
- 8 Find out the membership of your local Learning Partnership. Which organisations are represented? How are governors informed on its progress?
- 9 With which organisations does your college have close links? Which of these are also competitors?

Viewpoint

If you did not already know this information, this activity will have increased your awareness of your college's unique character, and of useful sources of information for governors. Keep this information as it will be useful for work on other modules, especially *Module 2 Strategy and educational character* and *Module 3 Curriculum and quality*.

You may need to speak to the principal and clerk to find out more about your local Learning Partnership and what it does, and about other organisations with which the college has close links.

Colleges often liaise closely with their local Training Enterprise Council, business organisations and other education and training providers, such as local schools and higher education institutions. Some may provide similar services to those of your college.

Section 2 The role and responsibilities of governors

The main business of the governing body is to determine the educational character of the college and ensure its overall well-being and financial solvency. In brief, the responsibilities of the governing body are to:

- determine the educational character and mission of the college and ensure that there are effective means of monitoring whether college management is fulfilling the mission
- ensure the solvency of the college and the safeguarding of its assets
- approve annual estimates of income and expenditure
- oversee the appointment, grading, suspension, dismissal and the determination of pay and conditions of senior postholders and the clerk to the governing body
- set a framework for the pay and conditions of service of all other staff.

What is the governing body responsible for?

Generally, the governing body is responsible for the overall functioning of the college. It is responsible for the quality of the service to its students and their welfare, for the financial health of the college, for the proper use of public funds and for ensuring effective management. It also has responsibility for setting and monitoring targets for the retention and achievement of students – ensuring that students continue their studies and achieve their learning goals. A governing body is also responsible for monitoring its own performance to ensure it operates to a high standard. A good governing body will carry out a regular review of all aspects of its work and operation. It has important legal responsibilities set out in instruments and articles of government. Other responsibilities are agreed with the FEFC as a condition for receiving public funds. A successful college is one which provides an effective educational service and which is financially secure.

Voluntary members of the governing body may be compared with non-executive directors of a board of a public company. A board of directors is, however, accountable to the company's shareholders – its owners – who can appoint and dismiss the directors. A college's governing body may give an account of its activities to its local community but is not accountable in the way a board is to its shareholders. Colleges receive considerable amounts of public funds and governors are responsible for ensuring that funds received from the FEFC are used in accordance with the financial memorandum agreed with the FEFC. The Secretary of State has powers to intervene in the affairs of the governing body in certain circumstances. Thus although colleges are local institutions, primarily serving the needs of their local communities, they receive the bulk of their funding from the FEFC and have to take account of the educational policies of national government.

Activity Differences between a college governing body and other institutions

- 1 Write down five key differences between a college and an institution with which you are familiar (e.g. a private sector company, a local authority, a trade union or another public body).
- 2 What implications might these differences have for the role and responsibilities of college governors?

Viewpoint

- 1 These are some of the differences that you might have noted:
 - a college is accountable to the public and largely funded by the taxpayer through funding from a funding council
 - a college has a unique legal status set out in the Further and Higher Education Act 1992
 - college aims and objectives differ from those of other organisations – e.g. a college's core business is to deliver high-quality education and training to young people and adults
 - measuring the success of a college is complex
 - the board of a private company quoted on the stock market is directly accountable to its shareholders. It seeks to ensure profitability by ensuring high standards of service to its customers. A local authority is run by councillors directly elected by the local population, and administered by appointed officers. A trade union is a voluntary body funded by subscriptions from its members, who may work in the same or a similar industry or profession, and represents its members' interests. A community organisation is a voluntary body, often a charity, which may have a membership base, represent certain interests or provide a specific service.

2 These differences have important implications for governors. The skills, expertise and experience of individual governors are crucial in ensuring a successful governing body. It is essential for governors to:

- clarify their accountabilities
- set out clear indicators for measuring the performance of their college
- recognise the college's key contribution to providing lifelong education and training, which will in the long term benefit UK business and economic performance.

Individual governors should ensure they attend meetings of their governing body; prepare adequately for meetings, for example by reading papers; seek to keep up to date with relevant developments in further education generally; and get to understand the business of the college.

Section 3 The powers of the governing body

The governing body – the legal term is corporation – ‘conducts’ the college. The governing body has the power to:

- provide further and higher education
- supply goods or services in support of the provision of education
- conduct an educational institution.

It also has powers to acquire and dispose of assets, enter into contracts, and make other arrangements to support its main powers.

The legal power of the governing body resides with the governing body as a whole, not with individual governors. This places constraints on what you can do as a governor:

- as a corporate body, governors should support decisions taken collectively at formal meetings
- no governor should speak on behalf of the governing body unless specifically authorised by the governing body
- all governors share responsibility for decisions
- all governors must respect confidentiality.

Activity The duties and powers of governing bodies

To determine the duties and powers of your governing body, you need to look at your college's instrument and articles of government. Governors are not expected to know the detail of the instrument and articles. Your clerk will advise you where necessary, but some general knowledge is helpful. Drawing on the instrument and articles, answer the questions set out below.

Does the governing body have the power to:	Yes	No
1 appoint the college principal	<input type="checkbox"/>	<input type="checkbox"/>
2 appoint a vice-chair	<input type="checkbox"/>	<input type="checkbox"/>
3 appoint the clerk of the governing body	<input type="checkbox"/>	<input type="checkbox"/>
4 invite members of the public to attend a meeting of the governing body	<input type="checkbox"/>	<input type="checkbox"/>
5 authorise payments of travelling and subsistence to governors	<input type="checkbox"/>	<input type="checkbox"/>
6 determine the pay of individual members of staff	<input type="checkbox"/>	<input type="checkbox"/>
7 instruct the principal which courses to run	<input type="checkbox"/>	<input type="checkbox"/>
8 set fee levels for courses	<input type="checkbox"/>	<input type="checkbox"/>
9 determine the retention and achievement rates for the college	<input type="checkbox"/>	<input type="checkbox"/>
10 set up task groups to explore estates or quality	<input type="checkbox"/>	<input type="checkbox"/>
11 make the minutes of all governing body meetings confidential	<input type="checkbox"/>	<input type="checkbox"/>
12 decide to introduce performance-related pay for senior postholders	<input type="checkbox"/>	<input type="checkbox"/>
13 delegate the approval of the annual estimates of income and expenditure to a committee	<input type="checkbox"/>	<input type="checkbox"/>
14 put out to tender the catering contract for the college's refectory	<input type="checkbox"/>	<input type="checkbox"/>
15 dismiss a governor for failing to attend meetings for six months?	<input type="checkbox"/>	<input type="checkbox"/>

Viewpoint

The instrument and articles of government set out the governing body's responsibilities for the employment of senior postholders, the determination of the educational character and mission of the college, the importance of openness, and the key financial responsibilities.

Answers to questions 1–5, 9–10, 12, 14 and 15 are ‘yes’ – these are the responsibilities of the governing body. Answers to 6–8 and 13 are ‘no’. The governing body sets the overall framework for the pay and conditions of staff, determines the educational character and mission of the college and sets the overall policy by which tuition and other fees are determined. It must approve the annual budget and this task cannot be delegated. Question 11 is not straightforward. The governing body must make public the agenda, minutes and documents of every governing body meeting. Items concerning a named member of staff or student can be made confidential. The governing body can decide to treat other items confidentially *if there are good reasons* (e.g. a sensitive business transaction).

For more information on questions 1, 3, 6 and 12 see *Module 5 Human resources*; on questions 11 and 15 see *Module 6 The clerk to the corporation*; on questions 13 and 14 see *Module 4 Financial management*.

Activity Putting legal responsibilities into practice

Let’s now look at some practical situations where you might need to act on these responsibilities. Read through these examples and note down your responses.

Example 1: Corporate decisions

The governing body – after long and serious debate to which you contributed – comes to a decision which you strongly oppose and which you think is not in the best interests of the college. What action might you take?

Example 2: Monitoring

Between meetings of the governing body, you have received data issued by the college showing a small reduction in the number of exam passes of students. This matter is not included on the next agenda of the governing body. What might be your response?

Viewpoint

Example 1: Corporate decisions

The governing body may on occasions come to a decision with which you disagree. An effective governing body is one where individuals are encouraged to express their views forcibly and with vigour. But assuming that everyone has an opportunity to participate and that their views have been

heard, then a decision of the governing body should be binding on all governors.

If a governor feels unable to support a decision on a matter of principle, e.g. a decision to open discussions on merging with another college, or selling a college playing field, there are several possible steps. The governor can:

- record his/her dissent in the minutes
- ask to have the matter raised as a separate agenda item at the next meeting
- as a last resort, resign.

What is not acceptable is for a governor to seek to change the decision of the governing body by, for example, publicising the disagreement in public, or by lobbying hard to get the decision overturned. The interests of the college and governing body come first. But if the governor considers the governing body has acted outside its powers in making a decision, the matter would need to be reported to the funding council, usually through the chair, the principal as accounting officer or the clerk. This happens very rarely but your college should have a procedure in place, just in case.

Example 2: Monitoring

On the question of the reduction in exam passes, the governing body will have set targets for student achievement as part of its annual cycle of meetings. The governing body would expect regular reports on progress against targets. If you have a concern about an item not included on the agenda, the proper course of action is to raise the matter with the chair or clerk, and ask for the item to be included. It is a serious matter if important information is deliberately being withheld from a governing body. The chair should consider disciplinary action in such a case.

Section 4 The composition of the governing body and its committees

There are variations in categories of members for different types of college. These are summarised in Table 1. The aim of these membership categories is to ensure that the governing body includes people from a range of backgrounds reflecting the community that the college serves. The size of a governing body varies between 12 and 20 members.

Table 1 Membership of the governing body – modified August 1999

Category	General FE colleges		Sixth-form colleges	
	Minimum	Maximum	Minimum	Maximum
Business	4	7	4	7
Co-opted	0	3	0	3
Staff	1	3	1	3
Students	1	3	1	3
Parents	0	2	1	2
Local authority	1	3	1	3
Community	1	3	1	3
Principal	1*	1*	1*	1*

*Note that the principal (chief executive) is normally a member of the governing body but can choose not to be.

In former voluntary controlled sixth-form colleges, there are some governors nominated from foundations or trusts ('foundation governors'). The constitution of other institutions designated to receive FEFC funds – known as designated colleges (e.g. the Workers' Educational Association and the Working Men's College) – will vary, but the membership of governing bodies will be broadly similar to that of other colleges.

In addition to the categories in the table the FEFC has the power to nominate up to two members to serve on a governing body.

Before 1 August 1999, at least 50% of governors had to be selected from the business sector. Other categories of governor were optional. Over time, business governors should make up no more than one-third of a governing body.

As part of the changes, your governing body will have made a resolution about its future composition and membership. As existing governors come to the end of their terms of office, their membership is reviewed. The governing body must consider the advice of its search committee on future membership.

Why change the membership?

The new membership arrangements have been put into place to ensure that the governing body has the benefit of views from the community served by the college, its students and staff, its local authority and the business community. However, governors are not representatives of the organisations from which they come. All governors are appointed as individuals – including governors who are elected (e.g. by the staff or student body). They are required to put the interests of the governing body and the college first. They are not allowed to accept a mandate from any other organisation.

Activity The membership and composition of your own governing body

- 1 Find out the composition and categories of membership of your governing body before 1 August 1999. What is the current composition? What composition has your governing body decided upon to be phased in over a period of time? If your college is a former voluntary controlled sixth-form college or a designated institution, find out its membership and how governors are appointed.
- 2 In what ways do you think this change in membership will have an impact on the operation and work of your governing body?

Viewpoint

- 1 In answering this question, bear in mind why the government decided to change the membership of governing bodies. There may have been few changes to the membership of your governing body, perhaps because governors appointed under the previous legal arrangements have not yet completed their term of office, or because some governors have been reappointed under new categories after advice from the search committee. In some colleges there may have been a substantial change in membership, perhaps because the terms of office of several governors have come to an end or governors have moved out of the area.
- 2 Under the previous instruments of government, business governors were in many cases in the majority on the governing body. The revised arrangements will lead to a wider range of categories of governor. Whereas in the past governing body meetings may have been run like business meetings, concentrating on budgets, the new wider accountability should mean that meetings focus more on wider issues such as responsiveness to the needs of local communities.

Wider membership may also mean the governing body has individual members whose expectations or styles of working differ considerably from each other and from those of governors appointed before the reforms. However, broader representation improves the governing body's capacity to gather information, understand different local interests and communicate with the community it serves.

Committees

Governing bodies are required to have an audit committee, a search committee and, when the occasion arises, a special committee, and to appoint the members of these committees. They are also entitled to set up any other committee and to appoint its members. With the exception of the special committee, members can be drawn from within and outside the governing body and college. Governing bodies are able to delegate a wide range of matters to these committees. The governing body must not, however, delegate the following:

- the determination of the educational character and mission of the college
- the approval of the annual estimates of income and expenditure
- ensuring the solvency of the college and safeguarding of its assets
- the appointment or dismissal of the principal or the clerk to the governing body
- the modification of the articles of government.

The **audit committee** advises on matters relating to the governing body's audit arrangements and systems of internal control. The committee must consist of at least three people, including one person with relevant financial/audit expertise, and may include college employees other than senior postholders. (See *Module 7 The audit committee*.)

The **search committee** advises the governing body on the appointment of governors and any other matters relating to membership and appointments that a governing body delegates to it. No governor (other than the principal) can be appointed by the governing body unless the advice of the search committee has first been heard. Each governing body is expected to make rules for the conduct of the search committee. (See *Module 8 The search committee*.)

The **special committee** is convened where it is considered appropriate to dismiss a senior postholder. The special committee must consist of at least three governing body members (excluding the chair, vice-chair, principal, and staff and student members). (See *Module 5 Human resources*.)

Some governing bodies prefer to have as few committees as possible to ensure that the governing body as a whole is involved in all decisions. Others prefer to set up committees and working/task groups that can carry out more detailed work remitted to them by the governing body.

Activity How effective are governing body committees?

- 1 List the committees set up by your governing body. Note their remits. Set out three ways in which they report to the governing body.
- 2 In your view, is it better for a governing body to have a wide range of committees, or would you prefer there to be fewer committees with more detailed work being allocated to task groups?

Viewpoint

- 1 Apart from audit, search and special committees, each governing body will vary in the number of its committees, their remits, and the way they report. Committees might feed back to the governing body through an official written report, an oral or written report by the chair, or an overall presentation made by members of the committee. Some governing bodies may receive only the minutes of committees; others might receive a short report with recommendations or direct advice.
- 2 There is no right or wrong answer here – both approaches have benefits and drawbacks. Some governing bodies prefer to have a large number of working or task groups because it enables individual governors to contribute their expertise on specific topics. These task groups may be wound up once their task is completed. Others prefer a large number of standing committees in which governors can become involved in a more detailed way in the work of the college and provide specific advice and support to the senior management team. The disadvantage of having too many committees is the amount of time spent by governors in attending, and the clerk and senior managers servicing, the meetings. It is important to avoid small groups of governors having a disproportionate influence on the work of the governing body.

Section 5 Integrity in working practices

The Committee on Standards in Public Life chaired by Lord Nolan identified seven key principles for those serving in public life. These are selflessness, integrity, objectivity, accountability, openness, honesty and leadership. All governors must uphold high standards of public conduct. They are custodians of large amounts of public money and have a key role in determining the education and training of the UK workforce. The FEFC Chief Inspector's Annual Report has emphasised that the large majority of governors act with integrity. However, there are always a few cases where standards fall below those that might be expected.

Governors must ensure that there are no conflicts of interest on any matters being considered by the governing body. The clerk may be alerted to likely conflicts of interest through the register of interests. However, it is the duty of every governor to declare an interest when the occasion arises. Conflicts of interest do not cover financial matters alone. The test is whether the governor's independent judgement is affected in any way.

Code of conduct and register of members' interests

All governing bodies are required to draw up, and all governors to sign, a code of conduct and register of members' interests. Agreement to sign both of these is a condition of appointment as a governor.

Activity How is the code of conduct applied?

- 1 Look over the code of conduct drawn up for your own governing body and note down the key elements.
- 2 How can individual governors best ensure that they uphold the principles of your code?
- 3 In what circumstances and to whom would you be expected to declare a conflict of interest?

Viewpoint

- 1 Your code of conduct is likely to include the seven Nolan principles. It may also make reference to the roles and responsibilities of governing bodies, how to behave in meetings, the meaning of openness and confidentiality, and the importance of a collective and corporate view.

- 2 It will be important that the governing body provides an account of how governors have upheld the principles contained in the code and that the code of conduct is regularly reviewed and monitored.
- 3 If governors feel that their independence and judgement might be affected on any item, then they should report this before the meeting to the clerk or to the chair, or during a meeting to the chair. If the chair rules that there is a conflict of interest, the governor may be required to take no further part in the discussion on the item or to leave the meeting for the agenda item. When in doubt, a governor should always declare an interest. Not all conflicts of interest are financial. For example, you may know or be related to a candidate for a senior postholder's position or to a person seeking membership of the governing body; you may be a member of a trade union seeking recognition in the college; or you may be in a position as a local authority member or member of a training enterprise company to use information as a governor to shape decisions affecting the college.

Section 6 Rules and procedures of the governing body

Most governing bodies have standing orders. These determine how business is conducted. They might include rules covering membership, quorum, the holding and organisation of meetings, the appointment of the chair, the procedure for drawing up the agenda, the work of committees, and how members should behave at meetings. Standing orders are not there to act as a bureaucratic check on what governors do. Rather they help the smooth running of meetings. Governors should ensure that they have a copy of their standing orders and are familiar with their contents.

Activity How useful are standing orders?

- 1 What are the key elements of the standing orders for your governing body? When were they last reviewed?
- 2 Standing orders should give you some guidance on the right procedure to deal with the situations below. Read them through and note down what you would do.

As a new governor, you are unhappy with the way meetings are conducted. They go on for far too long in your judgement and are dominated by one or two governors. What steps might you take?

You wish to raise a matter at the next meeting of the governing body but it is not covered by the agenda or the papers. How might you do this?

A local community group asks you to raise an important matter with the governing body (perhaps a desire for the college to set up a local learning centre or concern over unavailability of public transport to the college). What is the appropriate way of dealing with this request?

Viewpoint

- 1 Standing orders vary from college to college. They normally cover the rules and procedures to help the meetings of your governing body and committees work smoothly. If they include the remit of various committees, they should clarify the purpose of the committee, whether it has an advisory or decision-making role, and whether any powers have been delegated to it from the governing body. The standing orders should be regularly reviewed in the light of experience and to ensure they take account of legislative changes and advice from bodies such as the funding council.
- 2 Following the right procedure:

If you are concerned about the way meetings are conducted, you should raise this concern with the chair and/or clerk. You may wish to suggest that the governing body evaluates its own performance, which might include the effectiveness of meetings.

If you wish to raise a matter at a meeting, you should approach the clerk or the chair well before the time when papers are due to be sent out. It is not appropriate for an item to be tabled at the meeting, as this will not allow governors to give the topic careful consideration beforehand.

If you are approached by an outside group to raise an issue about the governing body, the appropriate way of dealing with it is to inform the chair. It will then be for the chair to determine how to deal with the issue or whether it should be referred to the principal.

Section 7 The relationship between the governing body and the senior management team

An effective working relationship between the governing body and the senior management team (led by the principal) is crucial for the success of the college. The responsibilities of the principal complement those of the governing body (see Section 2). The principal makes proposals to the governing body about the educational character and mission of the college, prepares annual estimates of income and expenditure, and determines the pay and conditions of service of staff within the framework set by the governing body (apart from senior postholders – see below). The principal has the responsibility for the day-to-day management of the college and for maintaining student discipline.

The principal is appointed and employed directly by the governing body, and is its professional adviser and the college's accounting officer. The principal is usually also a full voting member of the governing body unless he/she chooses not to be. The governing body appoints senior postholders, determines their pay and conditions and arranges their appraisal, but their line manager is the principal. (For more information about the governing body's direct responsibilities for senior postholders see *Module 5 Human resources*.)

Governance and management

Each governing body needs to define its working relationship with the principal and senior management team – what some call the 'grey area' between governance and management. Because of the pace of change in further education, governors might consider annually reviewing the working relationship with the senior managers. This review might cover the general style of working, information requirements and key tasks. It might also be useful for the senior management team to clarify what it expects from the governing body.

This exercise might help avoid misunderstandings over the respective roles of governance and management. Effective management is likely to be hindered by governor interference in the day-to-day affairs of the college. On the other hand, a governing body which is completely detached from the work of the college will not be able to carry out its responsibilities effectively. An appropriate balance between interference and detachment needs to be found. Key features of a successful relationship are rigour, mutual trust and respect, and regular review and monitoring.

Activity Relationship between governing body and principal

- 1 Write down what you think are the key elements of an effective working relationship between a governing body and the college principal and senior managers.
- 2 What, in your view, are the key differences between interference in the work of the college and taking an interest in the business of the college?

Viewpoint

- 1 Your list of key elements might include some of the following:
 - a shared common purpose and vision
 - a written statement setting out respective roles and responsibilities
 - an annual review of working relationships
 - appropriate information received by governors
 - mutual trust and respect
 - governors acting as a critical friend and not being afraid to reject management proposals should the occasion arise
 - scrutiny of management organised so as not to jeopardise effective working relationships with senior managers.
- 2 There is a fine line to be drawn between interference and taking an interest in the work of the college. Governors need to be clear about what is the province of senior managers and what are their own responsibilities. Governors are unpaid volunteers. Senior managers are paid professionals. Governors need to understand the core business of the college and to ensure that the college is meeting the needs of its prime stakeholders – including students, staff, local business, the community and the taxpayer.

It is not appropriate for governors to tell the principal what courses to run or to instruct a member of staff to carry out a task. It is important to emphasise that the legal authority of the governing body resides in the governing body as a whole and not with individual governors. (The chair has certain additional responsibilities – see *Module 5 Human resources*).

Section 8 Governor training

Being a governor is a highly responsible position. A governing body has major legal and financial responsibilities. Governors will help determine the future education and training of young people and adults, the success of which makes a vital contribution to the UK economy. The government therefore believes it is important for all governors to undertake some training to clarify their roles and responsibilities and improve their performance. New governors are expected to take part in training approved by the FEFC. Training programmes are also provided by national bodies and regional and local providers. Your clerk will have details of these.

Every governing body should draw up a training policy for its governors. This might include a focused programme for new governors, which has specific modules on finance, curriculum and human resources, and which may involve attendance at external courses. The policy might also include:

- induction for new governors, including an induction pack
- special training sessions held at the college
- briefing sessions held before meetings of the governing body
- inputs from curriculum leaders in the college at or before meetings
- residential Away Days or weekends, which provide an opportunity for governors and senior managers to look at the long-term direction of the college, or for personal development
- a mentor system in which experienced governors provide support and advice to newly appointed governors
- individual governors linking up with curriculum areas in order to become more familiar with the work of the college
- training for governors who have taken on specific roles such as chair or member of the audit or finance committee.

The governing body might find it helpful to set an overall budget for investing in its development.

Activity What can governor training offer?

- 1 If you are a new governor, what do you think are your major training needs? If you have a busy schedule, how best can these be met?
- 2 Obtain a copy of your governing body's training policy. Are there any ways in which you feel you can contribute to governor training?

Viewpoint

- 1 If you are a new governor you will find it useful to identify your own development needs. For example, if you are a governor with financial expertise from the business world, you may need to know more about the college's academic work and the services it provides. A staff governor may know a lot about the work of the college but need to learn more about budgets and balance sheets. Governors from the community, those elected by students, or those co-opted because they have specific skills and experience to contribute, all have different training needs. To ensure the governing body is effective, each governor needs to think of his/her training needs as part of the development of the governing body as a whole.
- 2 Most governors are busy people and your governing body should aim to offer a range of flexible training and development options. You can select modules in this pack for self-study. Some modules may be offered through facilitated training. If you are a newly appointed governor, you could ask the clerk to find an experienced governor willing to act as your mentor.

It is likely that you will be able to contribute some of your own experience and expertise in helping the development of other governors, for example by doing a presentation on a subject you are knowledgeable about, or acting as a mentor to a less experienced governor.

Your clerk will be a useful source of advice on finding out about training opportunities and useful publications and papers.

Section 9 Knowledge and skills of governors

Governors bring to their governing body a wide range of skills, expertise and experience. The background of governors varies widely. Some have experience of working in a wide range of business settings, and some will have a background in local authorities, trade unions, other public sector organisations, or in local community groups with knowledge of local community needs. Some are employees of the college with direct experience of the business of the college, and others are students – the direct recipients of the college's services – or parents of students aged under 19 years. The skills, expertise and experience of all governors need to be combined to the benefit of the college.

The personal qualities which governors may be expected to have include strategic awareness, individual responsibility, sound judgement and communication skills. They should be able to work in a team. Governors will be expected to ensure they have sufficient time available to devote to the work of the college.

Your governing body may wish to carry out a skills audit to ensure an appropriate balance of experience and expertise. For example, a governing body may wish to include those with experience of vocational areas served by your college and of students with learning difficulties and/or disabilities and also some specialist areas such as personnel, finance and running a business. The governing body may co-opt specific governors to fill any skill gaps within the governing body.

Activity What skills and experience does the governing body need?

- 1 What, in your judgement, are the skills and experience required for your own governing body?
- 2 Which of the following areas of experience and expertise can you contribute?
 - knowledge of the local community
 - managing personnel
 - financial management
 - running a company
 - experience as a student of the college
 - knowledge of the college's academic and vocational work
 - knowledge of the needs of students with learning difficulties and/or disabilities.
- 3 How best can your governing body ensure that the views of groups not serving on the governing body are taken into account in its work?

Viewpoint

- 1 Every governor contributes areas of experience, knowledge and skills to the governing body. What is important is that there is a balance of expertise within the governing body as a whole. If you have a strong view about weaknesses in your governing body, consider raising this issue with the clerk or chair.

- 2 What matters is not the number of areas that you can tick off on the checklist, but that each governor is clear about what he/she can contribute, and that the clerk and chair know what his/her strengths are. Personal qualities will be as important as specific areas of experience and expertise.
- 3 To take on board the views of groups in the wider community, the governing body might set up advisory groups of local stakeholders. These could act as a sounding board for ideas and participate in the annual general meeting at which the governing body presents the college's annual report and is available to answer questions. The college may also hold open days and prize-giving events, which are also useful opportunities to meet members of the community. In addition, individual governors, through their local contacts, will be able to obtain useful feedback on the overall performance of the college that can be passed on to the college senior management team.

Section 10 Governors' information needs

Governors need appropriate information to ensure they carry out their job effectively. Governors should determine with their senior managers the type of information they require and how this information should be presented. Because of the importance of governing bodies being adequately informed, college managers often err on the side of giving governors too much information rather than too little.

Information may be received as part of the agenda for a full governing body meeting, it may be produced for members of committees and task groups, or it may be general information distributed between meetings.

The type of information given to governors varies from one governing body to another, depending on discussions between the governors and senior managers. It also depends on the time of year because of the annual cycle of business. However, governors can expect to receive information on the financial health of the college, its academic performance, and other matters relating to the work of the college such as its buildings and estates.

Information must be presented in a way that enables governors to monitor the overall performance of the college. Many governing bodies prefer papers to be presented in the form of an executive summary clarifying whether the paper is for decision, for information or for noting, and setting out a number of clear options. To these summaries may be attached more detailed information. Some governing bodies divide the agenda into items requiring decision, reports from committees and working groups, and papers for noting.

The agenda and papers should be sent out well in advance of meetings. Unless there are exceptional circumstances, papers should never be tabled.

Activity What is the quality of papers presented to the governing body?

Read through the minutes of the last two meetings of your governing body.

- 1 How much of the agenda is devoted to the academic work of the college and to its financial health?
- 2 Comment on the style of the papers. Are they written in a way which you can understand?
- 3 Write down three key features of an effective governing body paper.

Viewpoint

- 1 The matters considered by the governing body will vary between meetings, depending on the time of year and the annual cycle of meetings. The governing body will expect at every meeting a report on the financial health of the college and progress with respect to meeting achievement and retention targets. The cycle of meetings will set out when the annual budget has to be agreed and the previous year's accounts approved, when the strategic plan has to be approved, and arrangements for monitoring progress in financial and academic matters. Governors need to ensure that there is an appropriate balance between academic and financial matters.
- 2 If you have a problem with style and presentation of the papers – they may be full of jargon – you should raise this with the chair. If governors cannot understand the content of papers or are unable to understand what it is they are expected to do with the papers, their effectiveness is reduced.
- 3 A governing body paper should be clearly written, jargon-free and well presented, with an executive summary. It should set out whether the content is for decision, noting or information. If it is for decision, then there should be a number of clear options set out. Generally it should be as short as possible although it may be lengthened by the addition of relevant appendices.

Papers are an essential source of information for the effective working of the governing body but they are not the whole picture. It is useful to think about other ways in which you can get quickly get a feel for how the college runs on a day-to-day basis.

Activity Developing your understanding of how the college operates

- 1 List what you feel are the important things you need to know about your college.
- 2 What steps do you need to take to ensure you have a good understanding of the way the college operates?

Viewpoint

- 1 It is important for governors to find out about the work of their college, and to be well informed about its mission and educational character, the extent of its land and estates, its students and its general curriculum offer. However, governors will not be expected to know the detail of what the college does. The governing body will be most effective if every governor has an appropriate knowledge of the work of the college.
- 2 Examples of steps you could take to find out more about how the college operates include:
 - attend college functions such as speech days, open days and prize giving
 - link up with curriculum department/faculties within the college to enable you to meet staff and students in one part of the college
 - ask to receive regular newsletters or bulletins distributed in the college
 - attend presentations by senior staff to the governing body on curriculum areas of the college
 - attend any briefing sessions by senior management (normally before meetings of the governing body) on issues affecting the college.

If this list has given you useful ideas for developing your own knowledge, discuss these with the clerk or chair.

Module Review

This module has briefly reviewed the work of the governing body and the role and responsibilities of governors. If you have worked through all the sections in the module you should now be confident that you can:

- describe the range of provision in the further education sector
- explain the role and responsibilities of college governors
- assess your own knowledge and skills and identify your training requirements
- know how to access the governor-training programme
- know where to find more detailed information on particular topics or procedures
- play a full part in the work of the governing body.

Summary of key learning points

The further education sector is diverse and complex but makes a key contribution to developing the education and training of young people and adults.

The responsibilities, powers and duties of governing bodies are set out in your college's instrument and articles of government.

The main responsibilities of the governing body are to determine the educational character of the college, ensure its overall well-being and financial solvency, and monitor its performance.

Governing bodies must comprise members from business, staff, students, local authority and the community. Sixth-form colleges also have parent members and former voluntary controlled sixth-form colleges also have foundation members. The principal is also a member (although he/she can choose not to be) and other members may be co-opted on the basis of their experience and skills.

Governors are expected to uphold high standards of public conduct.

Governors should be familiar with their governing body's standing orders.

The working relationship between the governing body and senior managers is crucial for the success of the college.

Governing bodies should consider annually reviewing their working relationship with senior managers.

Governors can find out about the governor-training programme through their clerk. Training and development enhances governors' capacity to contribute to the governing body.

Governors should get to know their college.

Governors bring a wide range of experience, skills and knowledge. The overall expertise within the governing body needs to be well balanced.

Governors need to ask for clear information to ensure they do a good job.

Where next?

You have now completed work on Module 1 *Introduction*. If there are areas on which you need more guidance or information, they may be covered in other modules. Turn to the section *Check your current knowledge and skills*. This self-assessment questionnaire will help you to decide which modules or sections of modules may help to fill these gaps. Tick the useful sections for further study.

If you cannot find the information you need within these materials, turn to the *Action planner*. Note down what further information, support or guidance you would like. The *Action planner* gives advice on who may be able to help, and how.

Putting it into action

We hope that working through this module has raised useful questions, increased your awareness of issues and given you ideas for practical action that you would like to follow up. The *Action planner* contains a section where you can note down any questions or action points that you want to follow up within your own college.

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The Further Education Funding Council
Cheylesmore House
Quinton Road
Coventry CV1 2WT.

Telephone 024 7686 3265
Fax 024 7686 3025

E-mail fefcpubs@feffc.ac.uk