



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Menter a Dysgu
The Enterprise and Learning Committee**

**Dydd Iau, 21 Mai 2009
Thursday, 21 May 2009**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Christine Chapman	Llafur Labour
Jeff Cuthbert	Llafur Labour
Paul Davies	Ceidwadwyr Cymreig Welsh Conservatives
Nerys Evans	Plaid Cymru The Party of Wales
Gareth Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Huw Lewis	Llafur Labour
David Melding	Ceidwadwyr Cymreig Welsh Conservatives
Sandy Mewies	Llafur Labour
Jenny Randerson	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

Eraill yn bresennol
Others in attendance

Mike Barker	Swyddog Datblygu, Llywodraethwyr Cymru Development Officer, Governors Wales
Anna Brychan	Cyfarwyddwr, Cymdeithas Genedlaethol y Prifathrawon Director, National Association of Headteachers
Richard Edwards	Ysgrifennydd, Cymdeithas Genedlaethol y Prifathrawon Secretary, National Association of Headteachers
Ellis Griffiths	Prifathro, Ysgol Gyfun Gwynllyw, Tor-faen Headteacher, Ysgol Gyfun Gwynllyw, Torfaen
Jane Hutt	Aelod Cynulliad, Llafur (y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau) Assembly Member, Labour (the Minister for Children, Education, Lifelong Learning and Skills)
Gareth Jones	Ysgrifennydd, ASCL Cymru Secretary, ASCL Cymru
Rhian Watcyn Jones	Pennaeth y Gangen Cynllunio/Ailfodelu'r Gweithlu, Llywodraeth Cynulliad Cymru Head of Workforce Planning/Remodelling Branch, Welsh Assembly Government
David Lloyd-Thomas	Pennaeth Cangen Llywodraethu a Refeniw Ysgolion, Llywodraeth Cynulliad Cymru Head of School Governance and School Revenue Branch, Welsh Assembly Government
Jane Morris	Cyfarwyddwr, Llywodraethwyr Cymru Director, Governors Wales
Hugh Pattrick	Cadeirydd, Llywodraethwyr Cymru Chair, Governors Wales
Catherine Pickett	Rheolwr Llywodraethu Ysgolion School Governance Manager

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Dan Collier	Dirprwy Glerc Deputy Clerk
Siân Phipps	Clerc Clerk
Anne Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service

Dechreuodd y cyfarfod am 1 p.m.
The meeting began at 1 p.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Gareth Jones:** Mae'n 1 p.m., ac estynnaf groeso cynnes felly i bob un ohonoch i'r cyfarfod hwn o'r Pwyllgor Menter a Dysgu. Mae gennyf un neu ddau o'r cyhoeddiadau arferol i'w gwneud ar y cychwyn. Atgoffaf bawb i ddiffodd eu ffonau symudol ac unrhyw ddyfeisiau electronig eraill. Peidiwch â chyffwrdd â'r meicroffonau. Nid ydym yn disgwyl ymarfer tân; os bydd argyfwng, rhaid dilyn cyfarwyddyd y tywyswyr. Mae'r cyfarfod yn ddwyieithog. Mae clustffonau ar gael i dderbyn gwasanaeth cyfieithu ar y pryd o'r Gymraeg i'r Saesneg ar sianel 1, ac i chwyddleisio'r sain ar sianel 0. Cyhoeddir cofnod o'r cyfan a ddywedir. Nid oes ymddiheuriadau, ac nid oes dirprwyo.

Gareth Jones: It is 1 p.m., and I warmly welcome you all to this meeting of the Enterprise and Learning Committee. I have one or two of the usual announcements to make at the start. I remind you all to switch off your mobile phones and any other electronic devices. Do not touch the microphones. A fire test is not expected today; in the case of an emergency, we must follow the ushers' instructions. The meeting is bilingual. Headphones are available to receive the simultaneous interpretation from Welsh to English on channel 1, and channel 0 can be used to amplify the sound. A verbatim record will be published. There are no apologies, and there are no substitutions.

[2] Cyn inni gychwyn ar ein trafodaethau, dyma ein cyfarfod cyntaf o'r Pwyllgor Menter a Dysgu wedi marwolaeth Dr Kathryn Jenkins. Yr wyf yn siŵr eich bod yn teimlo ei bod yn ddyletswydd drist ofnadwy arnaf i ddweud ychydig eiriau ar yr achlysur hwn. Mae rhai wedi cael cyfle i dalu teyrnged. Mae'n golled aruthrol i ni fel Aelodau unigol, gymaint oedd cymorth Kathryn i bob un ohonom, ac wrth gwrs mae'n golled i'r pwyllgor ei hun. Wrth ymwneud â gwaith y pwyllgor, yr oedd Kath yn gyson a dyfal, ac yr oedd mor ofalus ohonom, gan sicrhau bod y pwyllgor yn cyrraedd y safonau craffu gorau posibl. Yn athrylithgar, yr oedd popeth yr oedd hi'n ymwneud ag ef yn broffesiynol. Ni allaf ond dweud—ac yr wyf yn siŵr eich bod i gyd yn cytuno â mi—ei bod yn golled ddirfawr, nid yn unig i ni fel pwyllgor, ond i'r Cynulliad ac, os caf ddweud, yn ehangach hefyd i

Before we commence our discussions, this is the first meeting of the Enterprise and Learning Committee since the death of Dr Kathryn Jenkins. I am sure that you all feel that it is my truly sad duty to say a few words at this time. Some will have had an opportunity to pay their tribute. The loss to us as individual Members is great, such as Kathryn's support for each of us, and of course it is a loss for the committee itself. In undertaking the work of the committee, Kath was consistent and diligent, and she took great care of us, ensuring that the committee's scrutiny was of the best possible quality. Intuitively, everything that she was involved in was dealt with professionally. I can but say—and I am sure that you will all agree with me—that the loss is immense not just for us as a committee, but for the Assembly and, if I may say so, for the whole of Wales, such is our respect and admiration

Gymru gyfan, gymaint yw ein parch a'n hedmygedd i'r diweddar Dr Kathryn Jenkins.

for the late Dr Kathryn Jenkins.

[3] Wedi geiriau dwys o dristwch, fe glywaf Kath yn dweud wrthym, 'Reit; bwriwch ymlaen â'r gwaith', a rhaid inni wneud hynny, er lles Cymru a'i phobl, sy'n disgwyl y gorau ohonom. Yn yr ysbryd hwnnw, yr wyf yn croesawu'n fawr iawn Siân Phipps yn glerc i'r pwyllgor, gan ddymuno'r gorau iddi.

Following those words of great sorrow, I can almost hear Kath telling us, 'Right; get on with the job', and that is what we must do, for the sake of Wales and its people, who expect the best from us. In that spirit, I warmly welcome Siân Phipps as the clerk to the committee and wish her all the best.

[4] Cyn dychwelyd at yr agenda, rhaid nodi'r gwaith anodd ac ardderchog a wnaed gan Dan Collier a Mike Lewis ar adeg ofnadwy o anodd a heriol iddynt. Yr wyf yn dra diolchgar i chi am ymgymryd ag adrefnu gwaith y pwyllgor dan amgylchiadau ofnadwy o anodd. Gwnaethom ddibynnu dipyn arnoch yn yr amser hwnnw, Dan a Mike. Diolch yn fawr iawn i chi.

Before we return to the agenda, we must note the difficult and excellent work done by Dan Collier and Mike Lewis during what has been a terribly difficult and challenging time for them. I am exceedingly grateful to you for rescheduling the work of the committee under terribly difficult circumstances. We have relied on you rather heavily during this time, Dan and Mike. Many thanks.

1.04 p.m.

Swyddogaeth Llywodraethwyr Ysgolion yng Nghymru The Role of School Governors in Wales

[5] **Gareth Jones:** Trown yn awr at y sesiwn graffu: swyddogaeth llywodraethwyr ysgolion yng Nghymru. Yn fyr iawn, y cefndir yw i'r pwyllgor gyhoeddi yn gynharach eleni adroddiad ar weithredu'r cytundeb llwyth gwaith athrawon. Yr oedd amryw o argymhellion yr adroddiad hwnnw yn ymwneud â swyddogaeth llywodraethwyr ysgolion. Yr oedd yr Aelodau'n unfrydol bod angen inni edrych yn benodol ar y mater hwn drwy gynnal ymchwiliad byr. Daeth pethau i'r amlwg a oedd yn golygu bod rhaid inni ystyried agweddau ar swyddogaeth llywodraethwyr, a dyna'r rheswm dros yr ymchwiliad byr.

Gareth Jones: We now turn to the scrutiny session: the role of school governors in Wales. Very briefly, the background to this is that the committee published a report earlier this year on the implementation of the teachers' workload agreement. Many of the report's recommendations were to do with the role of school governors. The Members were unanimous about the need to look specifically at this matter by means of a short inquiry. Certain things came to light that require us to consider aspects of the role of governors, and that is the reason for this short inquiry.

[6] Mae'n bleser gennyf groesawu Jane Hutt, y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, David Lloyd-Thomas, pennaeth cangen llywodraethu a refeniw ysgolion yn yr adran rheoli ysgolion ac effeithlonrwydd, Rhian Watcyn Jones, pennaeth y gangen cynllunio/ailfodelu'r gweithlu a Cath Pickett, rheolwr llywodraethu ysgolion. Gobeithiaf fy mod wedi cael y teitlau swydddi hynny yn gywir. Diolch am eich tystiolaeth ysgrifenedig, a gofynnaf i'r Gweinidog wneud cyflwyniad

It is a pleasure to welcome Jane Hutt, Minister for Children, Education, Lifelong Learning and Skills, David Lloyd-Thomas, head of school governance and school revenue branch in the schools management and effectiveness division, Rhian Watcyn Jones, head of workforce planning/remodelling branch and Cath Pickett, school governance manager. I hope that I have stated those job titles correctly. Thank you for your written evidence, and I ask the Minister to make a brief presentation

byr o ryw bum munud, a chawn gyfle wedyn fel Aelodau i ofyn rhai cwestiynau.

of about five minutes, and we will then have an opportunity as Members to ask some questions.

[7] **Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau (Jane Hutt):** Diolch yn fawr, Gadeirydd.

The Minister for Children, Education, Lifelong Learning and Skills (Jane Hutt): Thank you, Chair.

[8] I also wish to add my words of tribute to Dr Kathryn Jenkins. She led this committee with vision and distinction, and she was courteous to Ministers appearing before the committee. I have appeared before the committee many times, and Dr Jenkins always made sure that we had everything that we needed and gave helpful feedback. More than anything, she produced excellent reports due to her contribution and distinction as committee clerk. Again, I join in the tributes that have been made to her, not just today but previously.

[9] I am very grateful that you have given me a chance to give a very brief overview, because this is a short inquiry about the role of school governors but specifically focusing on your report, to which I responded. In my written evidence, I want to give an overview of the role of school governors and their wide range of duties and powers, their importance in delivering effective education and ensuring that they are linked to and take responsibility for the workload agreement, and what that means for the working relationships and roles of headteachers and the whole school staff.

[10] As I have done in my written evidence, I want to draw attention not just to the role of school governors and how it is underpinned in law, but also the support for school governors, because the delivery of support is critical. I draw attention to the fact that the governors' guide to the law is being updated for publication this summer, but the national as well as local support for governors in relation to local authorities, who employ governor support officers that provide advice and training for governing bodies, which is critical. Local authorities are required by law to provide governors with information and free training to ensure that they are effective, and also to ensure that Governors Wales plays an appropriate role. That is the organisation that we fund to deliver the support and the clarification of the role.

[11] I was interested to read all of the evidence that has come to the committee, which will be very helpful to explore areas where we have committed to implement recommendations of your previous committee report, but also to learn further lessons on national and local delivery. It is pertinent to draw attention to the most recent response from Estyn, which is the report that I referred to in response to the previous committee report on the teachers' workload agreement. Estyn's latest report, on the evaluation, extent and impact of remodelling on learning and the school workforce, which was published in April, is very helpful. I have responded to the recommendations in the Estyn report, many of which fit very well with the recommendations that I followed through in relation to the Enterprise and Learning Committee's report on the teachers' workload agreement. Estyn found that there have been many positive outcomes of workforce remodelling in schools to date, and that the changes associated with the national agreement have been far-reaching in all schools. The benefits are the changes for teachers, representing good value for money. The importance of the role of governors in delivering, in learning the lessons and in taking on board the issues from that further report from Estyn will be pertinent to your inquiry today.

1.10 p.m.

[12] **Gareth Jones:** Mae'r cwestiwn cyntaf oddi wrth Nerys Evans.

Gareth Jones: The first question is from Nerys Evans.

[13] **Nerys Evans:** Hoffwn ategu'r

Nerys Evans: I would like to endorse what

geiriau sydd wedi cael eu dweud am Dr Kathryn Jenkins. has been said about Dr Kathryn Jenkins.

[14] Diolch yn fawr i chi am eich tystiolaeth, Weinidog. Hoffwn ofyn i chi am y Rheoliadau Ffederaleiddio Ysgolion a Gynhelir (Cymru) 2009. Mae'r rhain yn gam pwysig ymlaen i ni wrth geisio sicrhau dyfodol ysgolion bach, ac yr ydym yn eu croesawu'n fawr. Mae pedwar cwestiwn penodol gennyf am y rheoliadau hyn. Beth oedd y bwriad y tu ôl i'w cyflwyno? Sut ydych yn disgwyl gweld llywodraethwyr yn ymateb o ran defnyddio'r pwerau sydd o fewn y rheoliadau? Pryd ydych yn debygol o weld llywodraethwyr yn defnyddio'r pwerau hyn neu a oes rhai esiamplau lle maent wedi dechrau eu defnyddio'n barod? Yn olaf, sut fyddwch yn cefnogi llywodraethwyr wrth iddynt ddefnyddio'r pwerau hyn?

Thank you very much for your evidence, Minister. I would like to ask you about the Federation of Maintained Schools (Wales) Regulations 2009. They are an important step forward for us in trying to safeguard the future of small schools, and we warmly welcome them. I have four specific questions about these regulations. What intention lay behind their introduction? How do you expect to see the governors responding in using the powers within the regulations? When are you likely to see the governors using these powers, or have they already begun to use them in some instances? Finally, how will you support the governors as they use these new powers?

[15] **Jane Hutt:** I presume that you are talking about the federation of governing bodies. My officials are finalising the draft regulations. We also have other regulations on collaboration, which may come up in another question, enabling schools to work together and form committees and enabling collaboration between schools and further education. To move to the federation of governing bodies, which I think that you were referring to, we expect those regulations to be in place in the coming academic year, which begins in September. They will allow school governing bodies to federate under a single governing body. We believe that these regulations will help schools to improve governance and management; for example, small schools that may have difficulty in recruiting governors can have one governing body under the regulations, requiring fewer governors. In England, the regulations have been in force for four to five years and have proved successful, so we can learn from that. In addition, a federation can take a more strategic overview of its schools, helping them to work better together and make better use of resources. There will be opportunities for the expertise of specialist staff to be shared across schools.

[16] With regard to local education authorities supporting governors to take up these opportunities, LEAs are keen to take that forward. I think that it was a local education authority that, working through its school reorganisation plans, approached us initially to ask whether we could move forward in securing these new regulations. These federations are not the same as a federated multisite school that is established by local authorities, they are federated governing bodies. The benefits include providing greater scope for staff and freeing up headteachers to concentrate on all-important leadership issues. Governor support will be important to the introduction of the regulations. Before federating, it is clear that schools would have to be confident about the outcomes and the objectives. The advantages of federating will soon emerge among the first schools to take the step with the support of their local education authorities, which will mean that they will lead the way in Wales.

[17] **Jeff Cuthbert:** I begin by endorsing your comments about Kath. I worked with Kath for a number of years, because she also provided services for the Committee on European and External Affairs for a time, and I particularly remember her contribution to the dyslexia rapporteur group, to which she provided enormous support and enthusiastic encouragement. I could tell that she did not always agree with our decisions, but she was always professional and always sought to guide us. She was also one of the very few people with the same sense of humour as me, which I will also miss tremendously. It is a great loss.

[18] Turning to the work in hand, Minister, I have a few points to raise. I do not know whether I should declare it or not, but I am a school governor for Trinity Fields Special School in Ystrad Mynach. The issue of training for governors is a difficult thing because governors are very busy people in their broader lives. How do you ensure that appropriate training is delivered in a way that is suitable for them? Should that training be competency based with some form of assessment and even certification perhaps, to show what has been done? I think that this may be particularly relevant as we move into the full roll-out of the 14 to 19 learning pathways, which will require new skills from many governors, as regards the collaboration agenda and being able to think strategically about different approaches to learning. I wonder whether this is a matter that is under consideration.

[19] **Jane Hutt:** Having also been a chair of a governing body for many years before I became an Assembly Member, I recognise the importance of having the authority that you can exercise if you have had the training to enable you to be competent. As I said in my opening remarks, local education authorities have a duty to offer governors training on a wide range of topics, with governors training support associations around Wales. I am sure that you have taken part in the Caerphilly training. Also, interestingly, Governors Wales is now working on a regional basis, bringing together local education authorities' associations of governors to ensure that we can also deliver that specialist training to a wider critical mass.

[20] It is very clear that the All-Wales Centre for Governor Training and Research, which we fund, not only is expected to produce training materials that authorities can access, but also runs courses on behalf of local authorities. As for whether we could move to more competency-based assessment and accreditation, I do not know whether that has been discussed and you may want to explore it in taking evidence from Governors Wales this afternoon. A common question that I am asked, for example, is whether we should make training mandatory. At present, we say that we want to ensure that we do not put people off from coming forward to be governors. We have to ensure that not only do they undertake induction but all the other panoply of training requirements. For example, issues around child protection have been a key area of training, and we know, for those governors who have a specific role, how important it is that governors with specific responsibilities should not only have access to training, but ensure that their competence is assessed in some way.

[21] The issue about the strategic support that we can give for training is something that we can explore further. I will also briefly make a connection with the points that I made earlier, Jeff, about the collaboration regulations that we have now developed between school and further education. Those regulations enable the governing bodies of schools and further education to collaborate and work together. You can do that through the new regulations, which we think will enable some useful collaboration between further education and school governors to deliver the 14 to 19 learning pathways in particular. That may also enable better opportunities for training facilitated for governors in both settings. It is critical that they work together and can form joint committees under delegated powers from their governing bodies. That may be an opportunity to look at training in a more focused way.

1.20 p.m.

[22] **David Melding:** I wish to associate myself fully with your heartfelt tribute to Kathryn Jenkins. I know that we all share those sentiments.

[23] I have been a governor for many years—I think since 1992—and I was chair of the board of governors for a long time as well. On vacancy rates, Minister, you have provided a very useful table in your report. There has been an increase since 1999 from, on average, 3 per cent to around 6 per cent. You say that the mean is usually around 4.5 per cent, so 1999 may have been a year of very low vacancy rates for whatever reason. I am not alarmed by the

rate of vacancies at 6 per cent, provided that we think it is controlled and coming down a bit. There is a certain frictional vacancy rate that you could expect in the normal course of things, I suppose. However, if it is indicative of problems recruiting governors, we will need to look at it. Does the rate indicate a problem with retaining particular types of governor? Are there more vacancies among parent governors, for example? If there are any trends, it would be helpful for us to know that.

[24] I think that the regulations have changed so that some expenses can now be recovered, but how does that operate? Is there a problem with parents who have caring responsibilities or who find it difficult to get transport of an evening or whatever? Perhaps these are issues that we need to look at.

[25] Secondly, speaking as someone who, like you, was a chair of the governing body for quite a while, do you agree with some of the evidence that we have received that chairs and vice-chairs should receive a special package of training, given their leadership role? Might that be helpful? Training for governors is very important, and authorities do not all offer the same level of provision. In Cardiff, which is where I have had my experience as a governor, the council strikes me as a very good authority in its provision of governor support, but perhaps not all are of that standard.

[26] **Jane Hutt:** As I said in my written evidence, there are more than 23,000 governors in Wales. It is a tremendous volunteer workforce, and vacancy rates have remained in the same range throughout this decade, as the paper shows. We monitor the figures very carefully in the 'Schools in Wales: General Statistics' document. There is a reason for the 1999 position, which relates to changes in legislation. The corresponding vacancy levels for governors in 1999-2000 increased as a result of the School Standards and Framework Act 1998, which required every school to have its own governing body, resulting in a big increase in the numbers of governors required. That had an impact on recruitment, but the vacancy rate is now pretty consistent at around 5 to 6 per cent. So, it was a legislative change that resulted in that blip. It is the local education authorities that must fill governing vacancies and ensure that there is a wide range of people on the board. As we all know from our own experience, it is important to encourage parents in particular because they are so representative of the school and they link the community, the home, and the school.

[27] In Cardiff and across Wales, we have governing bodies that are increasingly representative of the very diverse communities across Wales. That is a critical point. You make two points, one of which is about whether issues such as being able to claim expenses is helpful. I know that governing bodies are looking at work-life balance, which I am sure is an issue, not just for teachers and headteachers, but for governors. For example, not every governor can take time off work for their duties, so we have to think about making provision after working hours. We need to ensure that governing bodies have enough of a steer on that through regulations so that that happens.

[28] I do not think that there is an issue around the particular cohorts that we want to attract, but perhaps you are right about the specific training that we offer headteachers and deputy heads, which may be a question for Governors Wales. It is a bit like the training for those who have responsibility for child protection: it has to be very specialist training. They are taking a leadership role, which means that, for example, human resources expertise is critical for the chair of governors, given that role's involvement in the teachers' workload agreement and in supporting the headteacher.

[29] **Gareth Jones:** I think that Paul has a follow-up question for you, Minister.

[30] **Paul Davies:** Yes, thank you. On recruitment, what guidance do you issue as a Government to local education authorities to support them in recruiting governors?

[31] **Jane Hutt:** Guidance is given directly to local education authorities on the overall responsibilities that we place on them relating to governors' requirements. There is an expectation on them in law, but there is no further specific guidance on how they should go about recruiting.

[32] **Paul Davies:** Do you think that there should be specific guidance?

[33] **Jane Hutt:** As it stands, the expectation is that they should be representative bodies, but the committee may want to consider that.

[34] **Christine Chapman:** That was the point that I wanted to make on the diversity of potential governors. We have talked about parent governors, but there is a wider range of potential governors. The governing body has an extremely important role to fulfil, particularly, as the paper suggests, in promoting high standards of educational achievement. It is important that such bodies are representative.

[35] Leading on from previous questions, the other point is to do with the leadership and governance role, because governing bodies are also supposed to scrutinise or hold to account the teaching staff. I was interested to read in the evidence of the National Association of Head Teachers and the Association of School and College Leaders that they seemed to be keener on the governance role of governing bodies than the leadership role. I do not know whether I misinterpreted that, but it is an interesting one because they obviously see it differently from the Government.

[36] **Jane Hutt:** On the first point that you made about representative bodies and recognising that we need all skills and community representation, I mentioned the importance of governor recruitment from ethnic minority communities, for example. The Swansea training centre is looking at how we can encourage employers of small and medium-sized enterprises to become governors because of the critical importance of their skills, which need to be reflected in the governing body. A leaflet is being distributed by the Federation of Small Businesses to encourage its members to think about becoming governors. The same could be said of achieving a gender balance, as there are many more women governors in primary schools than there are in secondary schools.

[37] On the points that you made about leadership and the governors' role, the evidence from NAHT is interesting in that respect, because it represents headteachers and their need for leadership. We need to ensure that the training is honed to the responsibilities of being a governor, particularly with regard to David's point about the chair and vice-chair role. We should not underestimate the responsibility of the leadership role, but the balance of leadership between head, governor and chair always has to be worked through if you are in that role. The clarity of that role can be tested and supported through training.

1.30 p.m.

[38] **Jenny Randerson:** I gather that there are plans in England to make governing bodies more effective and to reduce their size, which would make it easier to recruit, although it is not necessarily desirable just for that reason. Do you have any plans to reshape or review governing bodies in Wales, Minister?

[39] **Jane Hutt:** From my understanding, the Department for Children, Schools and Families will shortly be issuing a White Paper in mid June, and it has set up a working party to look at these issues. We look at its documents to see whether there is anything that we can gain from them. However, we have not considered what the Department for Children, Schools and Families is looking at, as regards changing the size of governing bodies. We need to look

at it from our own perspective in light of our needs and the demands placed on governors.

[40] **Jenny Randerson:** Thank you; that is interesting, Minister. Following on from the information about vacancies, do you track those areas in which the vacancies are highest? Do you have any kind of warning system when a school has a very high percentage of vacancies, or do local authorities operate such a warning system? I have a concern because it is well known that, in the more affluent areas, it is easier to get people to stand for the governing body than is the case in poorer areas.

[41] **Jane Hutt:** Yes. That goes back to the question about whether any trends are emerging. I mentioned the fact that the Assembly Government publishes figures, and, as you will have seen in my evidence, I have referred to the report, 'Schools in Wales: General Statistics'. So, we are monitoring the position. We publish the figures and we monitor the position, but the close working relationship between the governors' support unit, the schools and their governing bodies is a matter for local education authorities. So, we would not intervene other than taking that overview.

[42] **Paul Davies:** I want to look quickly at the relationship between the headteacher and the governing body, because there are schools where the relationship and the working practices are neither appropriate nor effective. It has been suggested that, in schools where the relationship between the headteacher and the governing body is not effective, the role and responsibility of the local education authority needs to be reviewed. Do you agree with that, and how can these relationships be improved?

[43] **Jane Hutt:** That is very important, as we issue a comprehensive guide to governors about their relationships. It is set out in the terms of reference regulations, and it is all very well having the regulations, but it is a matter of having support to deliver. We must remember that every local authority employs not just a governor support officer but a team. Those governor support officials carry out networking across Wales and are supported by Governors Wales and the Swansea centre. It would be helpful for the committee to explore current experience. I am sure that evidence will come through of support for that relationship, which is so critical. As we know, the chair and headteacher role is like the chair and chief executive role, or a non-executive role in any setting.

[44] If we move into the whole territory of the workload agreement, support for work-life balance, and the new powers that come through the Apprenticeships, Skills, Children and Learning Bill, we know that this will give headteachers an important role as regards their teachers' workload.

[45] **Nerys Evans:** Gofynnais yn Nerys Evans: I asked earlier about the gynharach am y ddeddfwriaeth ffederaleiddio federalisation legislation for governing i gyrff llywodraethu a ddaw i rym eleni. Beth bodies that will come into force this year. yw rôl llywodraethwyr o ran y rheoliadau What is the role of governors in current cyfredol ar ffederaleiddio ysgolion? regulations on the federalisation of schools?

[46] **Jane Hutt:** That relates to finalising the regulations that are coming through for the new academic year. Could you repeat your question, Nerys?

[47] **Nerys Evans:** Yr oeddwn yn sôn am Nerys Evans: I mentioned the powers that y pwerau a fydd yn dod i rym o ran will come into force on the federalisation of ffederaleiddio cyrff llywodraethu. O ran y governing bodies. On the regulations that rheoliadau sydd eisoes yn bodoli ar already exist on the federalisation of schools, ffederaleiddio ysgolion, beth yw rôl benodol what is the specific role of the governors? llywodraethwyr?

[48] **Jane Hutt:** I think that you are probably referring to what I mentioned earlier, namely multisite arrangements for schools. No regulations apply to that, but I will give you an example of the difference between the new regulations being introduced and the current ones on multisite schools. Since 1998, under the School Standards and Framework Act 1998, local authorities have been able to propose opening and closing maintained schools. Sometimes, when they do that, they create a new school that has more than one site. Those have often been separate schools. Legally, the new schools are one school with one governing body, one headteacher and one budget and they are federated.

[49] Once a local authority has created a federated school and there is a proposal to close one of those schools—which has happened, because there is nothing to stop the governing body deciding to close one of the sites—no statutory proposal is required because it would not be a school closure in the legal sense. Where there are multisite, federated schools, I think that the new regulations will enable a much clearer responsibility as regards the powers, because they allow the separate school governing bodies to unite to create one governing body. However, legally, the schools remain separate entities that could employ their own headteacher, but only the governing bodies can decide to do that. The local authority cannot propose a federation of that kind or make governing bodies federate, because the schools remain separate legal entities. In this model, no-one can close one of them without making a statutory proposal to do so. So, they are a different set of arrangements.

[50] **Nerys Evans:** Dywedasoeh yn eich ymateb i'm cwestiwn cyntaf bod y rheoliadau newydd a fydd yn dod i rym yn ymwneud â ffederaleiddio cyrff llywodraethu yn unig, yn hytrach nag â ffederaleiddio ysgolion. Felly, beth yw rôl y llywodraethwyr wrth i ysgolion gael eu ffederaleiddio? A all cyrff llywodraethu fod y cyntaf i alw am ffederaleiddio ysgolion neu a fydd hynny'n cael ei gynnwys yn y rheoliadau a gyflwynir eleni?

Nerys Evans: You said in your response to my first question that the new regulations coming into force will only relate to the federalisation of governing bodies, rather than to the federalisation of schools. So, what is the role of governing bodies as the schools become federated? Can governors be the first to call for the federalisation of schools or will that be covered in the regulations to be introduced this year?

[51] **Jane Hutt:** The regulations that we are introducing this year will enable governing bodies to federate under a single governing body. So, we will have to separate that from existing multisite schools; you will already be aware of such schools. Some of those multisite schools might decide that they wish to follow up these new regulations and form a single governing body.

1.40 p.m.

[52] The intention is not only to help governors, but also to help local education authorities to be much clearer about their responsibilities in planning school places. It gives clarity to their role in relation to statutory procedures if and when they choose to consider closing a school within what will be a federated arrangement, given the number of sites.

[53] **Nerys Evans:** With regard to the powers and the role of governors, do they currently have the power to instigate the federation of schools?

[54] **Jane Hutt:** What I have tried to explain is that they can federate the schools as multisite schools, as I have described, but they cannot federate the governing bodies, which is why we are putting the new powers in.

[55] **Gareth Jones:** Daw'r cwestiwn olaf gan David Melding. **Gareth Jones:** David Melding has the final question.

[56] **David Melding:** I would like to know where we are currently with information giving. I cannot remember what the status of school annual report is now—the annual reports have become awfully technical, and no-one but a professional educationalist could understand them. In addition, there was a problem with the need to hold an annual meeting of parents, and often no-one would go to them. There is a sense that schools need to be connected to the wider community and offer information. How can the governing body take that sort of role on? It is a crucial part of scrutinising how that public service is delivered.

[57] Do you have a view on the role of school clerks? I suspect that it is principally a matter for the LEAs, but are they in general senior enough, and are they well trained and supported? There is sometimes a danger that they could be quite junior compared with the headteacher, who, in effect, becomes the clerk. There is not much of a source for robust alternative advice. I have to say that that is not my direct experience of the governing bodies that I have been on, but I hear that that does sometimes happen.

[58] **Jane Hutt:** We still require every school to produce an annual report, and they must offer parents a meeting every year. This question is put to me often by governors' associations. We have all been there, and we know that if you want to get parents to attend an annual meeting, it is often the case that you have to offer something else. It can go very well with a concert or a display of work. Schools must, nonetheless, offer such a meeting and produce an annual report.

[59] The issue of the role of clerk is an interesting one, and it comes up in some of the evidence to the committee, particularly with regard to the workload agreement and responsibilities. We have nothing at present that would lead us to look at the role of clerk apart from what has come through as a result of committee reports and evidence. It is a useful one to consider, however.

[60] **Gareth Jones:** Dyna ni, Weinidog a swyddogion. Diolch yn fawr am ymuno â ni ac am gyflwyno tystiolaeth ac ateb cwestiynau y prynhawn yma.

Gareth Jones: There we are, Minister and officials. I thank you for joining us and for presenting your evidence and answering questions this afternoon.

[61] Symudwn ymlaen yn awr at ran nesaf y sesiwn graffu ar swyddogaeth llywodraethwyr ysgolion. Estynnwn groeso cynnes i Jane Morris, cyfarwyddwr Llywodraethwyr Cymru, Hugh Patrick, cadeirydd Llywodraethwyr Cymru, a Mike Barker, swyddog datblygu Llywodraethwyr Cymru.

We now move on to the next part of the scrutiny session on the role of school governors. We extend a warm welcome to Jane Morris, director of Governors Wales, Hugh Patrick, chair of Governors Wales, and Mike Barker, development officer of Governors Wales.

[62] Yr ydym wedi derbyn eich tystiolaeth ysgrifenedig; yr ydym yn ddiolchgar amdani, ac yr ydym wedi cael cyfle i'w darllen. Fe'ch gwahoddaf i wneud cyflwyniad o ryw bum munud i gyfleu'r prif bwyntiau i ni. Cawn ni fel Aelodau gyfle i ofyn cwestiynau wedi hynny.

We have received your written evidence, for which we are grateful, and we have had an opportunity to read it. I invite you to make a presentation of about five minutes to convey the main points to us. As Members, we will then have an opportunity to ask questions.

[63] **Mr Patrick:** Before we start, we would like to associate ourselves with the comments made about Dr Kathryn Jenkins, who was very helpful to Governors Wales in the past.

[64] **Gareth Jones:** Thank you.

[65] **Mr Patrick:** We have submitted evidence to the committee, and I would like to highlight one or two of its points. As schools are very much focused on the community, we believe strongly in the stakeholder representation of school governors; in other words, we would reject some of the moves in other parts of the United Kingdom towards having executive governors. The governing body comprises representatives of all parts of the community, and it is a part of the community, and it will stay so only if everybody is allowed to play a full part.

[66] We also accept that, although the majority of governing bodies work very well, there are weaknesses that need to be addressed to ensure that we provide the best possible service. To do that, you need to look at the governing body, its function and how it operates. We also feel strongly that there should be compulsory induction training for every new governor. I know that there are those who say that governors would disappear quickly if that were the case, but we have to ask how useful someone will be to the governing body and to the strategic direction of the school if they are not prepared to undertake induction training.

[67] Mention has been made of the chair and vice-chair of governing bodies. Some local authorities have training for chairs, but not all, and it is variable. To have proper leadership of the governing body, there should be a commitment to proper training from chairs and vice-chairs—and not just new chairs, but also long-established chairs. That is the only way for us to get somewhere.

[68] The third part of this is about the clerk to the governing body. The role of the clerk varies in different parts of Wales. In the more urban areas, the local education authority often provides a central clerking facility but, in much of Wales, the governing body has to find its own clerk, whether that is a school secretary or somebody else. The clerk is not just a minute-taker; he or she should be available to provide advice and guidance on regulations and to help the chair to conduct meetings. That is variable, and training for clerks also varies between different local authorities, and that needs to be looked at in the consideration of governing bodies as a whole.

[69] **Gareth Jones:** Thank you, Mr Patrick. We will turn now to Jeff Cuthbert for the first question.

[70] **Jeff Cuthbert:** Thank you for the written paper and for your oral statement, Mr Patrick. I am assuming that you heard the discussion with the Minister. I am going to put very similar points to you, to see what your response is on the issue of training. I am pleased that you concentrated on that matter. I am a school governor, and it seems logical to me that, if you are putting yourself forward to be a school governor, which is a very important role in the community, you should welcome opportunities for training and enhancing your skills, which can be useful in life in general, not just in that role. There are opportunities to be taken. I do not underestimate the difficulties experienced by very busy people in finding the best way of doing that. What thoughts have you had on that?

1.50 p.m.

[71] In paragraph 10.1, you talk specifically about compulsory training for chairs and, in 10.2, you talk about training for governors more generally. Do you feel that it might be useful to have a form of accreditation, perhaps competence-based training, so that governors could build up a portfolio towards an accredited qualification, which could be developed? We have that for headteachers, and so on, so it is nothing new in this day and age, and it is a means of motivating people to get involved. As I said in my question to the Minister, when moving to the 14 to 19 learning pathways, certainly at secondary level, where there will be a

combination of learning centres involved in the delivery of the learning package for students, it is important to work jointly with FE colleges. I know that the regulations are prepared for it, but there is a need to encourage that broader view. That would also include work-based learning providers and employers, thereby broadening the depth and strength of governing bodies.

[72] **Mr Patrick:** I will ask one of my colleagues to reply to that. Before I do so, I will just say that we have considered accreditation. Our general feeling is that having accreditation of governing bodies is perhaps the way to go, rather than the accreditation of individual governors, where you might end up with a first-class and a second-class governor, which might cause problems.

[73] **Ms Morris:** Thank you for your questions. We have said previously that training has to be accessible. It is the role of LEAs to look at the training mechanisms that they provide for governors, for example, by looking at providing training in the morning or evening. We also need to look at online delivery. I know that the all-Wales centre, which the Minister referred to earlier, has produced some research on training. I do not think that that is out in the public domain yet, but that will be incredibly helpful for the remit of this group.

[74] On accreditation, we, together with a few governor support officers from LEAs, are currently exploring the possibility of a quality mark system for the training of whole governing bodies. That would be based predominantly on a whole governing body self-review. I am sure that those of you who are governors have experienced the whole governing body review exercise. Perhaps we could look at developing something like that, which is a wonderful opportunity for governors to look at their strengths, their weaknesses, and how to take things forward, which would be linked closely to school self-evaluation. That may be a way forward. That is in very early days. We have had some initial discussions with Welsh Assembly Government officials, with whom we are closely connected. We have produced a first draft, which will be pre-piloted in a few schools to see how it works. It is always a difficult question. I always think that it is nice to offer some sort of qualification at the end of a training course, if that is appropriate. However, we also need to look at the quality of training. That is another issue.

[75] As regards the 14 to 19 agenda, there needs to be training across the board and partnership agreements. Obviously, the collaboration regulations and guidance will assist with that. It will be incredibly vital to have clusters of governing bodies getting together, and so on.

[76] **Nerys Evans:** Yr wyf am barhau ar yr un trywydd a ddilynais ar gyfer holi'r Gweinidog ynghylch y rheoliadau ffederaleiddio. Soniodd y Gweinidog y bydd rheoliadau ffederaleiddio cyrff llywodraethu yn dod allan fis Medi 2009. Sut y bydd y pwerau newydd hyn yn cael eu cyfathrebu i lywodraethwyr? Pwy fydd yn rhoi'r hyfforddiant neu'r gefnogaeth i'r llywodraethwyr wrth iddynt ymgymryd â'r pwerau newydd hyn? Soniodd y Gweinidog fod llywodraethwyr ar hyn o bryd yn gallu ysgogi neu gymryd y cam cyntaf tuag at y broses o ffederaleiddio ysgolion, nid cyrff llywodraethu yn unig. A yw hynny'n wir? A yw hynny'n digwydd yn aml? Pa gefnogaeth yr ydych yn ei rhoi i lywodraethwyr wrth

Nerys Evans: I will continue with the same line of questioning that I followed when asking the Minister about federating regulations. The Minister said that the regulations on federating governing bodies will be in place by September 2009. How will the new powers be communicated to governors? Who will provide training and support to the governors as they take on these new powers? The Minister mentioned that, at present, governors are able to initiate or to take the first step in the process of federating not just governing bodies, but schools. Is that the case? Does that happen frequently? What support do you give governors as they carry out that role?

gyflawni'r rôl honno?

[77] **Ms Morris:** I will answer your first question. With regard to training and support, when the regulations come out this term—or in September, or whenever—I envisage that there will be guidance to accompany them. I imagine that LEAs will be looking at their training provisions, and, knowing that these regulations are coming out, including specific training in their training programmes to meet the needs of governors. As an organisation, we need to look carefully at the regulations and the impact. There will be different ways of working. We responded to the consultation when it came out a few months ago. Although we certainly agree with federated governing bodies, we had concerns about some issues. Therefore, we will be looking very carefully at what is coming out. I guess that there will be a role for us in ensuring that, a little way down the track, we produce a fact-file publication to help governing bodies.

[78] **Nerys Evans:** Beth am ail ran y **Nerys Evans:** What about the second part of cwestiwn, ynghylch ffederaleiddio ysgolion? the question, about the federated schools?

[79] **Ms Morris:** On the second question, I am not au fait with exactly what is happening in Wales with regard to federated schools. At the end of the day, there will be school organisation plans, and there must be a proper process for consultation and so on when schools federate. Perhaps my colleagues have a further answer to your question.

[80] **Mr Barker:** I think that the problem is that the term 'federation' means different things in different places. I am aware that there are examples in some rural areas, although the formality of those arrangements may not be exactly what we are talking about with the new regulations. It has to be set out clearly not only in the school organisation plans, but in the funding mechanisms, the scheme for fair funding and all of those elements. I am aware that the move by local authorities to ask for these regulations was based very much on the fact that they felt that there was nothing available that they could access to assist them in their areas. As Jane has said, it will be a matter of looking at those regulations when they come out and assisting governing bodies in implementing them. Initially, it will be the role of the local authority, but Governors Wales will obviously assist where required.

[81] **Nerys Evans:** I appreciate your saying that it means different things in different areas, but I am trying to get to the bottom of whether governors have a role in promoting or taking the first step towards federating schools in their area. Alternatively, does it come from the local education authority? What is the role of governors if they decide that their school should be federated?

[82] **Mr Barker:** I see no reason why it should not come from governors. In many cases, governors have gone to local authorities to suggest amalgamations or even closures. As you said, in the first instance, they understand the communities probably as well as anyone, and so, if they feel that that is the solution, to raise standards or provide education more efficiently, that should be a role for governors.

[83] **Nerys Evans:** So, they have the power to do that now, do they?

[84] **Mr Barker:** Governors can go to local authorities, although they obviously have to work with them in that respect. What did not exist was formal provision for governing bodies working together; that was not enshrined in the law, and that is what these regulations have brought in.

[85] **David Melding:** I was interested in what you said about the role of school clerks. I have to say that I did not realise that some local education authorities do not provide that service. I am a long-standing governor in Cardiff, which is obviously an urban setting. When

you raised this in your evidence, I thought that there was perhaps an issue of the variability or the quality of the clerks' seniority and whether they could offer an alternative view. When you are on a governing body and the headteacher is leading on some of the more technical issues or a legal position, it is fine most of the time, but there is not necessarily a check unless the clerk is able to provide it. This leads to the need for training and support for clerks, so I wonder whether you have anything further to say on that. I suspect that, as a minimum, you think that LEAs should provide clerks, and that, even if governing bodies seek their own arrangements, there should be a pool of appropriately trained supported people available.

[86] On the role of the governing body as a critical friend, most of us who have served as governors would say that the term 'critical friend' captures something. I know that it can be a useful tag that is sometimes used in a glib way, but it seems to convey something about the role of the governing body. The issue of the leadership role as against the governance role needs a bit more teasing out.

2.00 p.m.

[87] I am sure that if members of the senior management of a school are going to be told how to run the school and how to use their professional judgment, they are going to get pretty annoyed with governors going beyond their direct competence. Yet, some of the leadership issues can come from governors, such as those to do with how the school looks and its ambitions and target-setting. Do you think that governance and leadership can sit together if people are sensible and work things through? There are some fairly obvious demarcations in that governors are not teachers—well, they are if they are teacher governors. With regard to their role in the governing body, they are not there to directly provide the education; that is for the professionals.

[88] **Mr Patrick:** They are there to provide—[*Inaudible.*] We talk about having a balance and the fact that it is about leadership and not management. It is about knowing how to ask the right questions, and it is about knowing about data and other things and not just accepting what is said. That is appreciated by the professional staff, because if you ask the right questions, it makes them think. It is not about saying, 'You are wrong', or anything like that. You have to train people to do that, because it can become too cosy. If you are trained properly and you want to do the best for the school, it does not get like that.

[89] Clerks can be in very difficult situations, because, in many schools, the clerk will also be the school secretary, and the school secretary is part of the headteacher's team, whereas the clerk to the governing body is answerable to the governing body. So, although it may not be as convenient, it is sometimes better if the clerk is not employed in the school. However, that is not always possible, particularly in large, rural areas. Similarly, it is not always possible for LEAs to clerk all the schools in rural areas. Where I live, in Powys, there are about 120 schools, and it would be totally impossible. There is no team to support governors; there is one person who, as part of her job, covers 120 schools, whereas, in somewhere like Newport, you might have 63 schools and a governor support team of five. It varies so much between local authorities. Training is the core thing here. You have the web, there is information on the Governors Wales website, there is WAG information, and there is additional training. With that training, the clerk can be very useful.

[90] **Ms Morris:** It is also about raising the profile of clerking, big time, because an effective governing body will more often than not have a very effective clerk who is not just going to take the minutes—which is incredibly important—but who will also act in that advisory capacity. For the first time this year, we were funded by the Welsh Assembly Government to arrange an award for an outstanding clerk in Wales, and that was welcomed and greeted with tremendous encouragement by clerks throughout Wales, and we need to build on that.

[91] Going back to the leadership and governance role, we have just produced a fact file on the critical friend, because that can be one of the most difficult concepts for governors to grasp. Yes, the role is to support and challenge, but I probably prefer to use the words 'scrutiny' and 'accountability'. Christine raised that. Those words are important, but it is about getting that balance right. As Hugh said, it is about asking those relevant questions. Sometimes the simplest questions will give you those answers, but it is also about having that information provided via the headteacher's report.

[92] **David Melding:** To come back to the clerking point—and this is very helpful evidence, incidentally—I do not have much experience of the challenges faced in a rural area, but I am very interested in that, because it is important that we identify subjects to follow through. I can see how, for an LEA in a rural area, as you have described, it is formidably difficult to provide these services, and it is not really feasible. If we emphasise the clerking role—and I certainly do not think that it is appropriate that someone like the school secretary undertakes the role, as that causes very obvious problems—a lot of rural communities will have a very effective community council with a clerk. People like that may be ideal candidates; perhaps they could think about clerking a couple of schools too. There would be other people locally who would have the professional wherewithal to do it, if we were a bit more imaginative about getting them involved, I suppose.

[93] **Mr Pattrick:** Indeed, and in some school catchment areas it has been known for a clerk to service all the primary schools in that area. As you say, there are innovative ways of dealing with the problem.

[94] **Ms Morris:** To add to that, the person who won the outstanding clerks award was employed in a school.

[95] **David Melding:** It is possible, obviously.

[96] **Gareth Jones:** Is your point a follow-up point, Christine?

[97] **Christine Chapman:** It is, really. One of the concerns that I have had for many years, which is why I was very keen for us to do this inquiry, is that we have talked about leadership and accountability, scrutiny and so forth, and, at best, a strong governing body can do an awful lot for a school, and can really lead, but, at worst, there can just be a very cosy relationship between the headteachers and the governing body. I have seen headteachers who—to be blunt—will run rings around the governing body, which really bothers me because, at the end of the day, we are looking at the effectiveness of the school. That is why I was very keen on this inquiry. The question that I have is about communication, which Mr Pattrick raised. We all acknowledge that training is very important, but the worst-case scenario would be some governors saying, 'I do not know what is going on; I do not have a website'. Quite often, that information could be accessible perhaps only via the chair of the governing body or the headteacher. Therefore, it is a problem. I wonder whether you have any strategies or thoughts on that and how we can overcome that.

[98] **Mr Pattrick:** We were looking at means of getting information through to the individual governor, because, as you rightly say, information through the chairs sometimes does not really get any further. There are things such as e-mail, the interactive web page, which we are looking at, and various ways such as that, and actually sending out documents via e-mail so that they are more easily available rather than the old-fashioned printed version. Do you have anything to add to that, Jane?

[99] **Ms Morris:** Communication involves working with all parties, such as the local education authorities and the Welsh Assembly Government, to ensure that that message gets

across. It is also vital that governors are involved in the consultative process on new initiatives. Sometimes, that is patchy and perhaps does not always happen as well as it should. It is certainly something that we, as an organisation, are looking at: how we communicate with governors to ensure that the 23,000 governors know what they should be doing and so on.

[100] **Jenny Randerson:** Christine mentioned that there can be a cosy relationship, but governors have to make very difficult decisions. I am a governor and a former chair of governors. There are terribly difficult judgments to make on personnel issues, with difficult legal issues in relation to the way in which you treat staff. Governors also have to do things such as deciding how much to pay the headteacher, which is very tricky in some cases. What is your experience of the support that local authorities give to governors, given that there is this variability in the background and expertise of the clerks?

[101] **Mr Patrick:** It varies from one local authority to another. All schools have school improvement officers. You can call them advisers by another name, perhaps. They are there to support the governing body and give advice. In some authorities there is a great deal of advice, but in other authorities it is less so.

[102] **Ms Morris:** I also think that you have to be mindful, as Hugh has mentioned, that in some cases, you will have one LEA officer who acts as a governors' support officer but wears many other hats. Some authorities will have six officers in their team. It is a difficult one. Obviously, we have a confidential helpline and I totally agree with what you have said: HR issues are the most taxing for governors. At the end of the day they need timely, accurate advice. I cannot speak for the provision throughout Wales. I know that we offer a valuable service to governors in helping them as far as we can on some of these tricky issues. It is an entitlement that that support should certainly exist.

2.10 p.m.

[103] **Mr Patrick:** There is usually an agreement between the LEA and the school about the level of service that should be provided.

[104] **Jenny Randerson:** If a suggestion came out of our consultation that there should be a more even level of support across Wales, would you welcome that?

[105] **Mr Patrick:** Yes.

[106] **Jenny Randerson:** I have another brief question. We were talking with the Minister about the vacancy rate, and although the vacancy rate across Wales is not exceptionally high, I have some concerns that the statistics might hide very high vacancy rates in some areas. Are you aware of particular areas where it is difficult to recruit governors, and are you aware of good practice elsewhere that could be followed to encourage the recruitment of governors in those areas?

[107] **Mr Patrick:** Some areas keep a central register of people that are interested in becoming governors, and vacancies are fed through that pool. However, other local authorities do not keep any such information. I have not experienced any difficulty in recruiting governors in any area.

[108] **Mr Barker:** One of the things that we are currently exploring as an organisation with local authorities to support officers is the benchmarking exercise, which is looking at the points that you raised. As Hugh said, there is variable practice. If we collect that information, we can use it to try to drive up improvement in that respect, and it would also provide some of the specific issues with those statistics that may not be currently available. So, it is in hand.

[109] **Huw Lewis:** I want to bounce an idea off you that has been popping into my head in relation to training—and I wish that I had thought of it when the Minister was here. We clearly have an inconsistent picture across Wales, and it is the role of the Welsh Assembly Government to find all-Wales solutions to things such as this. As a result of our look at these issues, what would you think if we went away and asked the Minister to find a training partner that would deliver gold standard training? People would not have to use it, but it occurs to me there are organisations out there that deliver training in a very flexible way, that are used to distance learning and do it every day of the week with regard to NHS qualifications, childcare qualifications, and so on. I am thinking of an organisation such as the Open University, for instance. If a Minister was to approach the Open University or another such university to talk about a Welsh governor training programme or clerking programme, would that be an idea that you would like to see explored, or is it a crazy idea?

[110] **Ms Morris:** I think that it would be worth exploring. As I said earlier, we need to look at all angles of training, and we need to look at what will promote best practice even more to encourage governors to partake of training. My fundamental concern is about making it accessible, and there are plenty of providers out there. We have started initial discussions with one or two organisations on this, and we would welcome further dialogue with you on that at the appropriate time.

[111] **Gareth Jones:** Under Standing Orders, and as we have a couple of minutes to spare, I am allowed a question from the chair. I have listened with great interest and I am very grateful to you for the frank exchange of information. We have talked about the clerk to the governing body, and the availability of expert advice and bridging that with the local authority. You can correct me if my interpretation is not correct, but are we saying that expert advice to schools in this day and age, with so many exciting challenges and developments out there, is patchy in Wales as far as governing bodies are concerned?

[112] **Mr Patrick:** Yes.

[113] **Gareth Jones:** I thought that you would say that. [*Laughter.*] I find that astonishing, actually. I believe that we as a committee need to take note of that particular point. It is an aspect that I would wish us to explore further.

[114] Thank you for joining us this afternoon, and for sharing your experience, making various comments and answering our questions. We wish you the best in this important work and we hope to maintain contact, as I know we will. Diolch yn fawr—thank you very much.

[115] Symudwn ymlaen at drydedd ran y sesiwn graffu ynghylch swyddogaeth llywodraethwyr ysgolion yng Nghymru, gan estyn croeso cynnes i gynrychiolwyr Cymdeithas Genedlaethol Prifathrawon a Chymdeithas Arweinwyr Ysgolion a Cholegau Cymru. Yma y prynhawn yma y mae Anna Brychan, cyfarwyddwr Cymdeithas Genedlaethol y Prifathrawon, Richard Edwards, ysgrifennydd Cymdeithas Genedlaethol y Prifathrawon, Gareth Jones, ysgrifennydd ASCL Cymru, ac Elis Griffiths, prifathro Ysgol Gyfun Gwynllyw Tor-faen, ac y mae ef yma hefyd ar ran cymdeithas y prifathrawon. Let us move on the third part of the scrutiny session into the role of school governors in Wales and offer a warm welcome to the representatives from the National Association of Head Teachers and the Association of School and College Leaders Cymru. Here with us this afternoon is Anna Brychan, director of the National Association of Head Teachers, Richard Edwards, secretary of National Association of Head Teachers, Gareth Jones, secretary of ASCL Cymru, and Elis Griffiths, headteacher of Ysgol Gyfun Gwynllyw in Torfaen, and he, too, is here on behalf of the headteachers' association.

[116] Ni fydd angen i chi gyffwrdd â'r meicroffonau. Mae rhai ohonoch yn hyddysg yn hynny o beth, mi wn, ond mae tueddiad weithiau i ni fynd am y meicroffon. Nid oes angen eu cyffwrdd.

You do not need to touch the microphones. Some of you are well versed in this, I know, but there is a tendency to sometimes touch the microphone. There is no need to touch them.

[117] Ar ran y pwyllgor, fe'ch diolchaf yn fawr am y dystiolaeth ysgrifenedig. Yr ydym wedi cael cyfle i'w darllen gan iddi gael ei dosbarthu i'r Aelodau.

On behalf of the committee, I thank you very much for the written evidence. We have had the opportunity to read it as it has been circulated to the Members.

[118] A fyddech mor garedig â gwneud cyflwyniad byr o ryw bum munud, ac wedyn cawn ni fel Aelodau y cyfle i ofyn cwestiynau?

Would you be so kind as to make a short presentation of about five minutes, after which we as Members will have an opportunity to ask questions?

[119] **Mr Jones:** I will start. First of all, there is the general point to make that both associations strongly support the principle of local autonomy for schools, which involves the governing body. Over the years, that has proved to be of great benefit and value to the schools, the children and the education service. In that context, we have to recognise that the majority of governing bodies are doing a very good job. There are problems, but they tend to be with the minority. We need to remember that even in Estyn's findings from its inspection reports, it is in a minority of the schools that it has inspected that there are significant problems with the governing body. In talking about the role of the governors, we need to bear that in mind. Local autonomy has worked, and although there are problems in some places, and despite needing to refine and improve the arrangements, let us remember that in the majority of cases, the relationships are sound and working well. I do not know whether others would want to come in at this point.

[120] **Ms Brychan:** Dim ond i ategu'r hyn y mae Gareth eisoes wedi'i ddweud. Lleiafrif yw'r ysgolion hynny lle mae'r problemau hynny wedi codi. Mae nifer fawr ohonynt efallai yn deillio o'r ffaith nad ydym wedi llwyddo i sicrhau dealltwriaeth lawn o'r gwahaniaeth rhwng llywodraethu ysgol a rheoli gwaith bob dydd yr ysgol. Pan fyddwn yn trafod casgliadau ein papur maes o law, gwelwch ein bod yn dymuno canolbwyntio ar yr elfennau hynny, oherwydd yr ydym eisiau osgoi creu'r argraff bod problem ar draws Cymru. Mae problemau mewn ysgolion unigol, ond mae problemau hefyd yn deillio o'r strwythur cefnogi sydd iddynt, sef y system glercio a hefyd yr awdurdodau lleol sy'n eu cefnogi.

Ms Brychan: Only to support what Gareth has already said. Those schools where these problems have arisen are in the minority. A great many of them perhaps stem from the fact that we have not been able to ensure a full understanding of the difference between governing a school and managing the day-to-day work of the school. When we come to discuss the conclusions of our paper in due course, you will see that we want to focus on those elements, because we do not wish to give the impression that there is a problem throughout Wales. There are problems in individual schools, but problems also arise from the support structure, namely the clerking system and the local authorities that support them.

2.20 p.m.

[121] **Gareth Jones:** Diolch am yr eglurhad hwnnw sy'n ein cyfeirio at y pwyntiau hollbwysig. Daw'r cwestiwn cyntaf gan Nerys Evans.

Gareth Jones: Thank you for that explanation, which refers us to the critical points. The first question is from Nerys Evans.

[122] **Nerys Evans:** Diolch yn fawr am

Nerys Evans: Thank you for your written

eich tystiolaeth ysgrifenedig. Yr ydych yn sôn yn eich papur na fu rhai llywodraethwyr yn llwyddiannus wrth edrych ar lwyth gwaith arweinwyr ysgol, a cheir esiamplau llwyddiannus ac aflwyddiannus. Pam mae'r gwahaniaeth hwnnw'n bodoli rhwng cyrff llywodraethu a sut y gellid ei oresgyn? A yw rhai cyrff llywodraethu yn ymdrin â hyn yn well nag eraill? Cafwyd llawer o dystiolaeth yn ystod y cyfarfod am hyfforddiant i lywodraethwyr, felly a yw hyn yn ffactor bwysig wrth iddynt geisio ymdrin â llwyth gwaith arweinwyr ysgolion?

[123] **Mr Jones:** The best answer that I can give is to point you to these two serving headteachers, and let them give you evidence from their experience and work with the governing body.

[124] **Ms Brychan:** Hoffwn ddarlunio pwynt penodol sydd wedi ein taro, a chrybwyllodd Llywodraethwyr Cymru hyn hefyd. Rai blynyddoedd yn ôl, bu i'r undebau i gyd ond un a Llywodraethwyr Cymru lunio llythyr i bob un o gadeiryddion cyrff llywodraethu ysgolion Cymru yn darlunio'r moddion y gallent eu cyflwyno i hwyluso ychydig ar faich gwaith arweinwyr ysgol, megis pryd i gynnal cyfarfodydd, pa baratoadau a oedd angen eu gwneud fel bod y busnes yn cael ei gyflwyno mewn ffordd rymus a chyflym, a phwy fyddai'n glerc. Yr oedd pump neu chwech o awgrymiadau sut i hwyluso'r broses, ac yr oedd cefnogaeth gyd-undebol a chan Lywodraethwyr Cymru i hyn. Yr oedd ymateb cyrff llywodraethu unigol yn ddiddorol: rhoddodd rhai ohonynt y mater ar yr agenda a llunio strategaeth a fyddai'n cael ei mesur a'i gwerthuso'n gyson o ran mynd i'r afael â'r materion hyn, gan sicrhau eu bod yn gwneud cynnydd, ac yr oedd eraill wedi'i nodi fel eitem o ohebiaeth a gafwyd a dyna i gyd. Felly, yr oedd gwahaniaeth sylfaenol. Fodd bynnag, fel y dywedodd Gareth, mae'n debyg mai profiadau'r penaethiaid eu hunain fydd yn darlunio'r broses yn llawnach i chi.

[125] **Mr Griffiths:** Bu'r llywodraethwyr yn Ysgol Gyfun Gwynllyw yn gefnogol iawn ohonof ar hyd y blynyddoedd, ac mae'n gorff llywodraethu hynod effeithiol. Mae'n cefnogi ond hefyd yn cwestiynu lle bo angen. Felly, yn bersonol, nid oes gennyf unrhyw broblem gyda'r corff llywodraethu.

[126] Mae consŷrn mawr gan y corff

evidence. You mention in your paper that some governors have been successful at looking at the workload of school leaders, and you give successful and unsuccessful examples of that. Why does that difference exist between governing bodies and how could it be overcome? Are some governing bodies better at dealing with this than others? We have heard a lot of evidence during the meeting about training for governors, so is that an important factor as they attempt to deal with the workload of school leaders?

Ms Brychan: I want to elaborate on one specific point that has occurred to us, and Governors Wales also mentioned it. A few years ago, all the unions bar one and Governors Wales drafted a letter to every chair of school governing bodies in Wales, illustrating the means by which they could facilitate the workload of school leaders, such as when to hold meetings, what preparations needed to be made so that the business was presented in a powerful and efficient way, and who would be the clerk. There were five or six suggestions on how the process could be facilitated, and there was joint support from the unions and Governors Wales for that. The response of individual governing bodies was interesting: some placed the issue on the agenda and subsequently drew up a strategy, which was measured and evaluated regularly to see how they were addressing the issues and to ensure that they made progress, while others noted it as an item of correspondence received, and left it at that. So, there was a fundamental difference. However, as Gareth just said, the experience of headteachers themselves will probably give you a fuller picture of the process.

Mr Griffiths: The governors of Ysgol Gyfun Gwynllyw have been very supportive of me throughout the years, and it is a very effective governing body. It is supportive but it also asks questions as and when required. So, personally, I have no problem with the governing body.

The governing body is greatly concerned

llywodraethu am fy mhwsau gwaith, ond rhaid ichi fel pwyllgor ystyried y problemau y mae'r corff llywodraethu hwnnw yn eu hwynebu. Yn 2000, yr oedd gan Ysgol Gyfun Gwynllyw ddirprwy bennaeth, ond pan fu i'r dirprwy bennaeth ymddeol, oherwydd cwtogi ariannol, nid oedd yn bosibl penodi dirprwy newydd. Mae'r corff llywodraethu yn hollol gefnogol ac mae'n awyddus i benodi dirprwy, ond oherwydd y problemau cyllido a diffyg arian, nid yw'n gallu gwneud hynny. Felly, nid mater o ddiffyg cefnogaeth, diffyg dealltwriaeth na diffyg hyfforddiant mohono. Ambell waith, mae'r corff llywodraethu yn wynebu sefyllfaoedd anodd iawn, ac er ei fod yn hynod gefnogol, nid oes ateb syml i'r broblem.

about my workload, but, as a committee, you must consider the problems that that governing body faces. In 2000, Ysgol Gyfun Gwynllyw had a deputy headteacher, but, when the deputy head retired, it was not possible to appoint a new deputy head because of financial cutbacks. The governing body is wholly supportive and is anxious to appoint a deputy head, but given the funding problems and the lack of finance, it is unable to do so. So, it is not a case of lack of support, lack of understanding or lack of training. The governing body sometimes faces difficult situations and, although it is very supportive, it is just that there is no simple solution to the problem.

[127] **Mr Edwards:** My experience is very similar. Following the implementation of the workload agreement, the governors took note of that and reviewed their working practices. The letter from unions held sway because it was supported by all the teaching unions in Wales, and that had quite an impact. The annual review by the schools workload advisory panel, which has often commented on this over the past three years, has been taken on by governing bodies. Speaking anecdotally, my governing body has improved its practices by ensuring that our agendas are timed and that the meetings are earlier. Like Ellis, they are concerned about my workload. I know through colleagues that many schools have taken this on board and tried to improve their practices. However, there are opportunities to review this annually and possibly take on board the latest thinking, and advice from the workforce agreement monitoring group and others would be useful.

[128] **Mr Jones:** A key factor in all this is the relationship between governing bodies and school leaders, and a key factor in that relationship is an awareness of each other's roles and responsibilities. One thing that has helped in England is the guidance paper, a copy of which we attached to our submission. It was provided by the Association of School and College Leaders, the Association for all School Leaders and the National Governors Association. A draft has been discussed by Governors Wales for circulation in Wales, but it has been held up waiting for the publication of the new guide to the law in Wales. So, there is a similar paper in the pipeline for circulation in Wales, which will help governing bodies to clarify each others' roles.

[129] **Jeff Cuthbert:** I assume that you heard the earlier evidence session. You did not? Oh good. [*Laughter.*] On the issue of training, you point out in your written evidence—which I found very useful, thank you—the importance of high-quality governor training. From my reading of it, you are certainly talking about chairs of governing bodies, but perhaps it is intended more broadly. I asked the previous witnesses, including the Minister, this question, which I will now ask of you. Obviously, there must be training, and anyone who puts their name forward to be a governor ought to accept that training is part of the deal. It is an important role, and, if someone is not prepared to undergo training, we must question their motives for wanting to do it. There can be many benefits from the training provided with regard to life in the community in general. Presumably, you support that, but would you go further and say that it may be time to start looking at whether training should be accredited?

[130] Perhaps governors should be allowed to form a portfolio and receive formal recognition for their skills and knowledge as governors. Competency-based training is not a new phenomenon; it is quite well established in our continuous professional development, and

perhaps it is appropriate here. I am a governor, and I acknowledge that one of the greatest difficulties is finding the right mechanism for delivering training at a time that is convenient for busy people. As Huw mentioned earlier, it could be done through the Open University or Learndirect, and there are organisations that can do it over the net. Perhaps that is the way, but where there is a will, there is a way. Do you feel that that would definitely have advantages, or is it a step too far at this stage? Might it not help you to get rid of those governors who disrupt the agenda and insist on discussing their personal complaints? I think that we have all experienced that sort of person in a range of walks of life—although politicians do not do it, of course. *[Laughter.]*

[131] **Mr Edwards:** I think that this is the time to consider accreditation on a modular basis for those involved with governing bodies. It will provide a wider vista of what is going on as far as governing the school is concerned—a view not just of your own primary or secondary school, but an all-Wales view of how schools are funded, human resource considerations, and so on. The opportunity to complete accredited modules would be welcomed by many and should be open to all governors. However, it would allow for some specialism, given the particular roles of the chair and so on. There is an opportunity to provide accredited training that could result in the awarding of a certificate that would be valued by others.

[132] **Mr Jones:** Two issues come to mind with regard to volunteers. Yes, accreditation can be an incentive, but if it becomes compulsory it could be a disincentive. That would certainly be the case for people who work full time, often in very challenging jobs. The other factor, as we head into budget constraints, is the cost. What would the costs associated with setting up accreditation be? Those are the only two qualifications that I have.

2.30 p.m.

[133] **Ms Brychan:** I want to add another point. It was interesting to read the evidence from Governors Wales, although we did not actually see its evidence session. It suggests that training should be compulsory in any event for the chairs of governing bodies. There is virtue in that, although I see Gareth's point about requiring volunteers to undertake training. Accreditation could help in that regard. It is not so much that the motives of governors are in some way suspect, but there may be a halfway house. I imagine that when someone in the role of governor begins to deal with things that are immensely complex, given that people's futures may be involved, it would be a good start if we could make a better job of selling how much easier and less nerve-racking these decisions and discussions might be with that level of training.

[134] **Mr Griffiths:** Yn fy mhrofiad i, mae hyfforddiant yn fwy defnyddiol pan fydd aelodau'r corff llywodraethu yn cael eu hyfforddi gyda'i gilydd. Mae'n beth rhyfedd i'w ddweud, ond maent yn eistedd mewn cyfarfodydd gyda'i gilydd am oriau hir ond prin iawn yw'r cyfleoedd iddynt siarad a phenderfynu sut y dylai'r corff llywodraethu weithredu. Rhaid imi ddweud mai, i mi, y ffordd mwyaf effeithiol o'i wneud yw hyfforddi'r corff cyfan a chael rhywun o'r awdurdod lleol i mewn i gynnal yr hyfforddiant, er enghraifft, ar sut i ymdrin â materion personél anodd sy'n wynebu'r ysgol. Mae'r hyfforddiant wedyn yn ymwneud â phroblem sy'n effeithio'n uniongyrchol ar yr ysgol, ac mae presenoldeb

Mr Griffiths: From my experience, the most valuable way of training is when all members of the governing body are given training together. It is a strange thing to say, but they sit in meetings together for many hours at a time, and yet they rarely get the opportunity to talk to each other and to decide how the governing body should operate. I have to say that, to my mind, the most effective way of training is to get the whole body to receive training by bringing someone in from the local authority to provide it, if, for example, there are difficult personnel matters facing the school. The training then relates to the problems that have a direct impact on the school, and the governors' attendance is very good, because they are keen to understand

y llywodraethwyr yn dda iawn, gan eu bod and to learn how to solve those problems.
eisiau deall a dysgu sut i ddatrys y problemau Therefore, that is one way that works very
hynny. Felly, dyna un ffordd sy'n gweithio'n effectively.
effeithiol iawn.

[135] **Gareth Jones:** Jeff, did you have a follow-up point?

[136] **Jeff Cuthbert:** Yes. In fairness, you do not call for compulsory training; you say that governing bodies need 'access' to high-quality support. You specify employment law and procedural guidance, but I dare say that you would not restrict it just to those. So, are we as one in the sense that there should be an expectation that governors will undertake training—subject to the practical constraints that we are aware of—so that that is seen as part of the deal, although not as a disincentive, and it should be marketed and campaigned for in a way that shows that it is to their benefit so that they can do their job better? Perhaps that is what should be emphasised.

[137] **Mr Jones:** We agree.

[138] **Jenny Randerson:** My question follows on closely from what Ellis has just said. The point at which you realise that you need the training is when you are facing a really difficult personnel issue. If you put a foot wrong, there can be major consequences in legal terms and for morale throughout the whole school, as well as having an impact directly on children's learning. Given that training is not compulsory and is variable anyway, and that you say in your evidence that many local education authorities do not provide enough back-up—although Ellis mentioned that back-up is available in his case—in your experience, how often, across Wales, do you find that HR advice and legal advice is not adequate? In what sort of circumstances is that the case?

[139] **Ms Brychan:** We have been looking at that increasingly recently, because we have been approached by more and more members who are concerned about the level of expertise of local authority HR departments, specifically in dealing with issues in schools. As I say, we are still collecting information on this. We are aware that it is an issue that we will have to do something about, because, in some cases, our members are finding themselves in difficulty, because if you get the wrong advice and act upon it, the consequences can be very serious for everybody involved. There seems to be a lack of appreciation of the application of the schoolteachers' pay and conditions document. There does not seem to be enough expertise at local authority level in many areas to advise fully, properly and reliably on that, which has led our members, in some cases, into difficulty. I am not entirely sure what the reason for that is, unless it is that local authorities, as much as anybody else, have had to look at how they provide services and are joining up to do things differently. It may be that those people who have experience of the policies and the employment law that pertains in schools do not have enough of a profile or are not accessible enough to schools in difficulty.

[140] **Mr Edwards:** This is becoming increasingly important as school reorganisation takes place across Wales. Many schools that have not had to look at redeployment and redundancy, or human resources issues related to that, are now having to look at this and be briefed on it by councils throughout Wales. So, this is highlighting that there is an issue that is affecting schools in every county in Wales and that many governing bodies are going to need far more experience in this and help and support in the very near future.

[141] **Mr Jones:** In answer to your question, the feedback that I have had from representatives from a majority of local authorities indicates that, certainly with regard to secondary schools—and ASCL represents the majority—there seems to be a general lack of confidence in the quality of human resources departments at local authority level, and that has increased in recent years. Evidence of that might be seen in the number of hot calls to our

hotline in Leicester from people seeking advice on personnel issues, which is then used to brief governing bodies. You can speculate on the reasons for it, and I do not know what the answer is, but one thing that seems to have increased in recent years is what we might call the corporatisation of local authorities, in which the education department of the olden days has been incorporated into a much larger department that deals with core services for the whole of the local authority, with the consequence that some of the specialist education department expertise that we have traditionally had has been lost in that reorganisation. I think that that is the best answer that I can give to your question.

[142] **Mr Griffiths:** Sylfaen y broblem yw bod gennych 22 awdurdod hynod fach yng Nghymru, sydd yn golygu bod diffyg arbenigedd mewn rhai awdurdodau. Canmolaf fy awdurdod fy hun, sydd, ar hyn o bryd, yn dechrau ailstrwythuro a chydweithio gydag awdurdodau lleol cyfagos, yn enwedig ym maes adnoddau dynol. Credaf y bydd y cydweithio hwnnw yn gwella'r sefyllfa. Mae 22 awdurdod hynod fach yng Nghymru, ac efallai nad oes gan rai ohonynt yr arbenigedd sydd ei angen.

Mr Griffiths: The root of the problem is the fact that you have 22 very small authorities in Wales, which means that there is a lack of expertise in some authorities. I commend my own authority, which is currently restructuring and collaborating with nearby local authorities, especially in the field of human resources. I believe that that co-operation will improve the situation. There are 22 very small authorities in Wales, and perhaps some of them do not have the necessary expertise.

[143] **Gareth Jones:** Mae gennyf brofiad o weithio gydag awdurdodau lleol a, hyd y gwn i, mae gan bob awdurdod adran sydd yn arbenigo mewn adnoddau dynol. Ai'r anhawster yw methiant awdurdod i ddefnyddio'r arbenigedd sydd ganddo yn y maes hwnnw mewn ysgolion? Mae hynny'n bosibilrwydd. Yr ydym wedi nodi y prynhawn yma bod yr elfen hon yn allweddol bwysig a bod diffyg—os caf ei roi mor syml â hyn—cyngor arbenigol i ysgolion a bod y sefyllfa, ar bob lefel, yn gwaethygu. A yw hynny'n gywir? Ai dyna beth yr ydych yn ei ddweud wrthym?

Gareth Jones: I have experience of working with local authorities and, as far as I know, every authority has a department that specialises in human resources. Is the difficulty that the authority cannot apply the expertise that it has in that field in schools? That is a possibility. We have commented this afternoon that this element is crucial and that there is a lack—if I can put it in simple terms—of expert advice finding its way to our schools and that the situation on all levels is getting worse. Is that right? Is that what you are telling us?

[144] **Ms Brychan:** Dyna beth mae ein haelodau yn ei ddweud wrthym, yn sicr.

Ms Brychan: That is certainly what our members are telling us.

[145] **Gareth Jones:** Diolch am gadarnhau'r pwynt hwnnw. David Melding sydd am ofyn y cwestiwn nesaf.

Gareth Jones: Thank you for confirming that point. David Melding has the next question.

2.40 p.m.

[146] **David Melding:** I have two questions. The first is on the role of school clerks. It seems to me that they are an important source of advice to the governing body, as they are, to some extent, independent of the headteacher. In order to provide a robust relationship, that seems to be appropriate, if it can be achieved. Sometimes, school secretaries will also be the school clerks, or the clerks will not be provided centrally, because of the local education authority's lack of resources, or because it is in a large, rural area, and, as a result, it is much more difficult to have centralised services, compared with a place like Cardiff. What is your view of the clerking service? Should more training and support be provided, so that it can act as an independent source of advice to the governing body? How appropriate do you think it is

for the school secretary, for example, to be the clerk?

[147] My second question follows on from some of the evidence that you have submitted in writing. It is on the role of the ‘critical friend’, and how that is understood. Would you go further in what I think it is that you are implying—that there is, sometimes, a bit of confusion between the leadership and the governance role of the governing body?

[148] **Mr Edwards:** In our written evidence, we said that the role of the clerk needs to be reviewed as to whether it is being fulfilled appropriately and to a sufficiently high standard. We believe that the clerk should have a very clear role in ensuring that the governing body is fulfilling its legal duty of care towards the school leaders regarding compliance with the workload agreements. There is a distinction between the role of the secretary to the governing body, who prepares agendas and takes minutes, and the role of the clerk, who provides procedural and legal advice. We also said in our evidence that there should be guidance for clerks that is sufficiently robust, so that the clerk restricts himself or herself to giving advice and guidance on procedural matters, rather than on the decisions of the governing body.

[149] **David Melding:** So, do you think that the school secretary should be the clerk? Sometimes that is the case.

[150] **Mr Edwards:** Sometimes they are, and that is their decision. However, again, many governing bodies meet in the evening, and the school secretary may not wish to be the clerk. There may be people who are very keen to take on that particular role. The secretary would not necessarily bring the skills that are required to the role of clerk. Clerks provide procedural and legal advice, which needs training. That may be above and beyond what a school secretary does, at the moment. They are compatible, but it may be that different people may be required to carry out that particular role. Every school is particular and peculiar to itself; it has its own context, and you need the right people for the job. You cannot say that the secretary must or should be the clerk; you need people who are appropriate for that particular role.

[151] **Mr Jones:** The confusion is that we have the term ‘clerk’, yet, in fact, there are two roles, which are distinctly separate. One is the role of the minute secretary, which is the role that represents the majority of the workload. There is not a crisis in every governing body meeting, whether it is a meeting of the full governing body or a committee meeting. Most of the meetings are straightforward and operational, in which case you do not need legal advice, and it is about receiving information and dealing with it. It is perfectly adequate for a member of the school staff, under a separate contract, to act as the ‘secretary’ for that purpose. The minutes of the meeting are dealt with administratively.

[152] The key role of the clerk relates to the legal knowledge of procedure—making sure that meetings operate according to protocols, that there is an agenda that is kept to, and providing legal advice on human resources, or anything else. The key issue is about having access to that clerking role. When I was a headteacher in Rhondda Cynon Taf, when the issue of clerking was delegated, a large number of secondary schools chose to have the minute secretary function taken on board within the school. At my school, before I retired, the director of education was still the clerk, but the minute secretary was my personal assistant. That functioned extremely well, because it meant that the governing body had access to very good legal advice when it was required. What we need to do is separate the two functions and say that they can be done by the same person, but that they can also be done by two people. There may be safety in seeing it as two distinct roles.

[153] **Ms Brychan:** I just wanted to make the point that, ultimately, it is the role that is important and not necessarily the person. Two distinct jobs need to be done: one is obviously the administrative running of the committee and the sub-committees, but the other is

dispensing legal advice, which, as Richard pointed out earlier, in many cases, particularly in relation to staffing issues and redundancy, will become increasingly crucial and difficult for governing bodies all over Wales. You need someone who can give you reliable and timely legal advice so that these things are done as painlessly as possible and in accordance with all of the procedures. That person needs to be a reliable purveyor of information to the chair.

[154] **Gareth Jones:** Would it be your expectation that that person would be from the local authority?

[155] **Ms Brychan:** That would usually be the case, but, as I say, it is the role and its reliability that is important, and not the person.

[156] **Mr Jones:** In a number of schools where LEA support staff provide the clerking duties, according to anecdotal examples—and sometimes this is down to individuals—those individuals, who are there to act as clerks, often get involved in the operational decisions of the governing body and they get drawn into discussions and advise the governing body on the decision rather than just safeguard procedure. That is the difficulty.

[157] Did you want us to respond to the other questions that David Melding asked?

[158] **David Melding:** I had not quite finished asking my questions. I can understand the distinction that you make on minute-taking and the administrative side of notice of meetings and so on. I understand that the Cabinet Secretary takes the Cabinet's minutes and is also head of the civil service, but I suspect that those minutes are slightly more sensitive documents than the general capturing of a particular meeting.

[159] It seems to me that if, for example, the director of education was the clerk, he or she would not attend many meetings. In my experience, I often have to ask for advice on procedure; perhaps there is no problem with this, and I may be pushing the point too much. I sense that you do not feel that there is a great problem in this area and that there is no great lack of capacity, but that perhaps there should be a bit more clarification. You do not feel that there is currently a huge incubus on governing bodies that—

[160] **Mr Jones:** Sorry to interrupt, but there is a potential problem when it comes to technical matters of redundancy and so on. The advice that is required may not be a clerking issue, but relates more to the quality of human resources advice. So, again, we are talking about what advice the clerk is expected to give and there is a difference there.

[161] **Mr Griffiths:** Yn ymarferol, os oes gan y corff llywodraethu broblem ddifrifol neu os oes angen cyngor arbenigol arno, mae'n rhwydd galw ar swyddogion yr awdurdod addysg i fynychu cyfarfod y corff llywodraethu hwnnw i roi cyngor arbenigol, ar ben yr hyn y mae'r clerc yn ei gynnig inni'n fisol. Yn ymarferol, mae'n bosibl dod â phobl o'r awdurdod addysg i mewn i ddarparu cyngor ar ba bwnc bynnag.

Mr Griffiths: In practical terms, if a governing body has a serious issue or needs specialist advice, it is easy to call on the education authority's officers to attend that governing body's meeting to provide that specialist advice, on top of what the clerk offers us monthly. In practical terms, it is possible to bring in people from the education authority to provide advice on whatever subject.

[162] **Gareth Jones:** Diolch am y sylw hwnnw. **Gareth Jones:** Thank you for that comment.

[163] **Mr Jones:** On the other question on the role of the critical friend, it is crucial for the governing body to fulfil that function. In the secondary sector, with which I have contact, anecdotal evidence suggests that that is how the governing body tends to operate. They ask

the right questions. There are individual circumstances where relationships go wrong, either because individual governors overstep the mark or get carried away, or the headteacher is not prepared to respond appropriately. There are such individuals, but it works well for the vast majority.

2.50 p.m.

[164] The role of the chair is crucial in whether a governing body acts as a critical friend, and that depends on the quality of that person and the knowledge of procedural points and the protocols of running an efficient meeting that he or she brings. That is the crucial factor. I do not know whether the others want to come in on that point.

[165] **David Melding:** There was an issue there. Do you think that leadership and governance are sometimes confused?

[166] **Mr Jones:** Yes, very much so. Reference was made earlier to individual governors pursuing personal agendas.

[167] **David Melding:** Their training would be the key to ensuring otherwise.

[168] **Mr Jones:** Training? Or is it the quality of the chair who would say, 'Hang on; that is not an acceptable topic' to a parent-governor. Some of the worst cases, I have often found, were those in which the local authority representative, having been badgered by one or two parents, would suddenly say in a meeting, 'I've had a couple of my constituents saying, 'This is what's wrong with the headteacher or the school''. The point was not on the agenda, but here it is suddenly coming at the head as a complaint. I see the Chair smiling at this—you have memories of this happening, Chair. That is the kind of situation in which the chair of governors needs to know what is acceptable, and when something is not, he or she must stop it. Ellis, do you want to add to that?

[169] **Mr Griffiths:** Daw rhieni-lywodraethwyr i gyfarfodydd â'u hagendaŷ eu hunain yn aml, a'r rheini efallai'n seiliedig ar rywbeth sydd wedi digwydd i un o'u plant yn yr ysgol. Yn lle edrych ar y rôl yn strategol, maent yn dueddol ar adegau o fod yn awyddus i wneud gwaith y pennaeth, ac mae hynny yn broblem.

Mr Griffiths: Parent-governors often bring their own agendas to meetings, the result perhaps of something that has happened to one of their children at school. Instead of approaching the role strategically, they tend on occasion to be keen to do the job of the headteacher, and that is a problem.

[170] **Gareth Jones:** Diolch am y sylwadau hynny. Credaf fod gan Christine gwestiwn.

Gareth Jones: Thank you for those remarks. I believe that Christine has the next question.

[171] **Christine Chapman:** My question touches on what Ellis was saying.

[172] Richard, quite rightly, said that governors may need to look at bigger strategic issues to do with education. I have an example. I sit on the Children and Young People's Committee, and we recently conducted an inquiry into child poverty in education. If my memory serves me well, we made a recommendation or held a discussion to the effect that perhaps governing bodies should engage more with the child poverty agenda. I am not sure whether that is already the case, so I would welcome your views on that.

[173] Other issues, such as the 14 to 19 agenda that Jeff talked about, will require collaboration. I can see tensions arising in governing bodies where a collaborative agenda means that some schools do not offer certain subjects for the benefit of the young person. The

tension could arise from the fact that governors are there to serve the school or institution affected. Any thoughts on that? It is about the bigger picture as well, is it not? It is not just about particular institutions.

[174] **Mr Jones:** There are some real issues to be addressed in this matter of governance as we move to collaboration and consortia. The regulations that will allow working through consortia also allow the establishment of a joint committee with delegated funding and governor representatives, and that is fine. But who has the final decision? That is the first point. There is no clarity on that in the regulations. The regulations contain nothing that says that an institution that does not like a decision cannot suddenly pull out. What happens to the consortium then? Who has the accountability in law for the use of the funds? Who has the final decision? Who is the chief executive of that joint committee? There are all sorts of governance issues associated with consortia working that have yet to be teased out. A review of FE governance has been announced and that, I think, will touch on all of these issues, because FE is also involved in consortia working. So, there is a whole range of issues associated with the governance of consortia that will need to be teased out. But I think that the review of FE governance may well provide some thoughts on the matter.

[175] **Christine Chapman:** The other point is whether governors are looking at the bigger picture. I gave you the example of child poverty because it came up in our inquiry. That impacts on the wider educational agenda, does it not?

[176] **Ms Brychan:** I think that relates to one of the earlier points that David Melding made on the difference between governance and management and whether that was a training issue. To a certain extent, I think that that is a training issue so that people can properly distinguish between governance and daily management.

[177] On school leader workload, we have this problem ourselves in that we have been campaigning hard to ensure that our school leaders get dedicated headship time to enable them to plan and lead their schools strategically rather than focus entirely on the daily management of their schools. However, trying to pin down what that means on paper becomes progressively difficult. There is a training issue to be addressed here to make governors aware of their role in tackling strategic planning concerns. In that context, the Welsh Assembly Government's wider policy agenda probably comes into this through the recommendations in the report, 'Child Poverty in Wales: Eradication through Education', which will probably impact on schools. So, an awareness of the wider policy agenda is needed, but I am not entirely sure how you process that into the strategic discussions of governing bodies.

[178] **Mr Griffiths:** A siarad yn ymarferol eto, mae'n bwysig bod y pwyllgor yn sylweddoli faint o gyfrifoldebau a faint o lwyth gwaith sydd gan gyrff llywodraethu eisoes. Maent yn ymwybodol o'r datblygiadau sy'n dod o'r Cynulliad drwy adroddiadau'r pennaeth a thrwy adroddiadau awdurdodau addysg, ond mae'n sialens enfawr i gorff llywodraethu ymateb i holl ofnion y Cynulliad a'r awdurdodau.

Mr Griffiths: In practical terms, again, it is important that the committee realises how many responsibilities and how much of a workload governing bodies already have. They are aware of the developments that come from the Assembly, through the headteacher's reports and local education authority reports, but it is a huge challenge for a governing body to respond to all the Assembly's and authorities' requirements.

[179] O ran datblygiadau 14 i 19, o safbwynt fy nghorff llywodraethu i, mae'n ymwybodol o'r rheini. Yr ydym yn gweithio mewn partneriaeth ag Ysgol Gyfun Cwm Rhymni. Neithiwr, trafodwyd sefydlu corff

On 14 to 19 developments, from the perspective of my own governing body, it is aware of those. We work in partnership with Ysgol Gyfun Cwm Rhymni. Last night, we discussed the establishment of a joint

llywodraethu ar y cyd rhwng dwy ysgol gyda chynrychiolwyr o Ysgol Gyfun Gwynllyw ac Ysgol Gyfun Cwm Rhymni yn cydweithio yn y dyfodol fel corff llywodraethu. Nid yw hyn erioed wedi cael ei wneud o'r blaen ac nid ydym yn siŵr o sefyllfa gyfreithiol y corff canolog hwnnw, ond mae'n sialens y byddwn yn ei hwynebu gan obeithio y byddwn yn datrys y problemau. Mae hynny'n tanlinellu maint y llwyth gwaith. Mae'r cyfrifoldeb sydd ar ysgwyddau'r llywodraethwyr yn sylweddol.

governing body between two schools with representatives from Ysgol Gyfun Gwynllyw and Ysgol Gyfun Cwm Rhymni collaborating as a governing body in the future. It has never been done before and we are unsure about the legal position of that central body, but it is a challenge that we face and we hope to resolve the problems. That underlines the enormity of the workload. The degree of responsibility on governors' shoulders is substantial.

[180] **Mr Edwards:** As a primary school headteacher, I can tell you that, as a governing body, we get 10 per cent of the consultation documents and, having that 10 per cent, we feel duty bound to try to respond, so we are aware of national initiatives throughout Wales. You will also be pleased to hear that, as a governing body, we have discussed, in the last 12 months, issues such as child poverty, the United Nations Convention on the Rights of the Child and lifting the lid on such matters. We try to fit that into our agendas.

[181] **Christine Chapman:** To follow on from that, I realise that there is a huge workload. I have been a chair of governors myself and it is an extremely busy job. Sometimes it is a question of carrying on with what you have always done and adding new things, but also of starting to re-evaluate what governors should be doing rather than just keep adding more things. Are there things that you do not wish to continue with? That is just a thought.

[182] **Mr Jones:** John Dunford, the general secretary of the Association of School and College Leaders, has a motto, which he uses in London frequently: one policy in, one policy out. On the wider agenda issue, which links with many other issues that we have discussed, a crucial document for the governors is the headteacher's report every term. The quality, style and content of that may vary.

[183] Guidance on a template on what the headteacher's report should consist of might merit some discussion because that report provides the basis for the critical friend analysis.

3.00 p.m.

[184] It is the response to that report—the statistics that are in it, the performance indicators, and the briefing on current issues from the Welsh Assembly Government—that prompts the discussion and the questions. At present, I am not aware of any framework or guidance as to what should be in that report. For someone who comes in as a new headteacher it is a case of trial and error.

[185] **Gareth Jones:** Hoffwn wneud ychydig sylwadau o'r gadair. Mae'r drafodaeth hon wedi bod yn hynod bwysig ac allweddol. A fyddwn yn gywir i feddwl nad ydym am ailddyfeisio'r system ond bod lle i dynhau a gwella? O'r hyn a welaf, yr ydym wedi cyfeirio at lywodraethu ac efallai fod gwahaniaeth o ran rheolaeth, ond ochr yn ochr â hynny mae gennyh hunanreolaeth o ysgolion. Mae'r cysyniad hwnnw wedi tyfu, a chan fod y cysyniad o hunanreolaeth yn tyfu yr ydych yn hepgor gwasanaethau megis rhai

Gareth Jones: I would like to make a few comments from the chair. This discussion has been extremely important and crucial. Am I right in thinking that we do not want to re-invent the system but that there is room for improvement? As far as I can see, we have referred to governance and that perhaps there is a difference in management terms, but alongside that, we have self-management of schools. That concept has grown, and because that concept of self-management is growing you omit the services of, perhaps,

yr awdurdodau lleol. Yr wyf yn amau efallai fod y system wedi mynd yn rhy bell o safbwynt yr awdurdodau addysg a bod mwy o alw am arbenigedd, neu rannu arbenigedd. Cyfeiriodd Gareth at gonsortia a sut yr ydych yn rheoli a gweithio mewn partneriaethau. Mae pob math o oblygiadau yma.

[186] Nid wyf yn siŵr sut y mae fy nghyd-Aelodau yn teimlo ond yr oeddem hefyd wedi gofyn am dystiolaeth gan Gymdeithas Llywodraeth Leol Cymru. Yr oeddwn wedi mawr obeithio y byddai ADEW—os yw'n dal i fodoli—wedi dod yma i gyfoethogi ein trafodaethau. Teimlaf fod gwacter, gan na chafwyd y dystiolaeth honno. Gallaf eich sicrhau ein bod yn gwerthfawrogi'r hyn yr ydych, yn gwbl agored, wedi ei rannu â ni heddiw.

[187] Rhaid imi ddweud hefyd fy mod yn poeni ynghylch yr hyn a ddywedodd Ellis mewn perthynas â'i sefyllfa. Nid ydym am fod yn bersonol ac enwi ysgolion unigol, ond, er bod y llywodraethwyr a'r pennaeth yn gwneud eu gorau, yr ydych yn dal i ddiodef o safbwynt y cydbwysedd rhwng gwaith a bywyd. Holl bwrpas yr ymchwiliad hwn yw ceisio mynd i'r afael â llwyth gwaith athrawon. Ceir *impasse* yn yr ysgol honno ac mewn sawl ysgol arall sydd yn yr un sefyllfa. Dyna'r hyn yr ydym yn ceisio ei ddatrys.

[188] Yr wyf yn ddiolchgar am yr atebion, ond mae cwestiynau hefyd wedi'u gofyn yma heddiw. Bydd yn rhaid i ni, fel aelodau'r pwyllgor hwn, ystyried yn ofalus iawn pa gamau pellach y gallwn eu cymryd. Yr ydym yma i'ch cynorthwyo a hoffem weld cyfundrefn yn bodoli sy'n llywodraethu ac yn rheoli y gallwch fod â pherffaith ffydd ynddi. Mae her arbennig i bob un ohonom. Diolch yn fawr am ddod atom heddiw; yr ydym yn gwerthfawrogi eich sylwadau, a dymunaf yn dda i chi.

[189] **Mr Jones:** Thank you very much for giving us the opportunity to give some evidence.

[190] **Gareth Jones:** We appreciate it. Thank you.

3.04 p.m.

the local authorities. I suspect that perhaps the system has gone too far in respect of the education authorities and there is more of a call for expertise, or for expertise to be shared. Gareth referred to a consortia and how you manage and work in partnerships. There are all kinds of implications here.

I do not know how my fellow Members feel about that but we had also asked for evidence from the Welsh Local Government Association. I had hoped that ADEW—if it still exists—would have come here to enrich our discussions. I think that there is a gap because we have not had that evidence. I can assure you that we appreciate what you have shared with us so openly this afternoon.

I also have to say that I am concerned about what Ellis said about his situation. We do not want to be personal and name individual schools, but, despite the fact that governors do their best, and the headteacher is doing his best, you still suffer as regards your work-life balance. The main reason behind this inquiry is to try to get to grips with teachers' workload. There is an impasse in that school and in many other schools that are in the same situation. That is what we are trying to resolve.

I thank you for your answers, but questions have also been raised here today. As members of this committee, we will need to consider very carefully what further steps we can take. We are here to help you and we would like to see a system that governs and manages in which you can have complete confidence. It is a particular challenge for us all. Thank you very much for coming here today; we appreciate your comments, and I wish you well.

Papur i'w Nodi a Chofnodion y Cyfarfod Blaenorol
Paper to Note and Minutes of Previous Meeting

[191] **Gareth Jones:** Mae papur gan Estyn i'w nodi, fel y gwyddoch, yn ogystal â chofnodion y cyfarfod blaenorol. **Gareth Jones:** There is a paper from Estyn to note, as you will be aware, along with the minutes of the previous meeting.

Cynnig Trefniadol
Procedural Motion

[192] **Gareth Jones:** Cynigiau fod y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog Rhif 10.37(vi). **Gareth Jones:** I move that the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).

[193] Gwelaf fod y pwyllgor yn gytún. I see that the committee is in agreement.

Derbyniwyd y cynnig.
Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 3.04 p.m.
The public part of the meeting ended at 3.04 p.m.