

The Board of Governors in Operation

This chapter explains how a school Board of Governors should conduct its business.

The Role of the Board of Governors

The Board of Governors has to fulfil its statutory functions in relation to the school and is accountable for ensuring that its decisions support the best interests of the school and its pupils. To do this, it has to:

- set the structures for the delegation of its management functions
- set the limits of delegation at each level i.e., committee, Principal
- ensure that there are formal written procedures for handling complaints in relation to the school
- respect the role of the Principal and work with the Principal on all matters affecting the school
- ensure that it has all of the information necessary to make sound management decisions and that it seeks additional advice from the Education Authority (EA) School Support Services as necessary
- share responsibility for setting the agenda for its meetings
- adhere to the procedures for the conduct of business as set out in the scheme of management (and the procedures agreed for dealing with employment matters - chapter 9 refers)
- encourage the involvement of pupils in the development of school councils

4.1. Under the law, the Board of Governors of a grant-aided school in the Northern Ireland is constituted as a body corporate. As a corporate body, the Board of Governors is legally liable for all decisions and actions taken in its name by a governor (and the Principal) or committees to which it has delegated functions. Access to advice, including on request legal advice, is available to assist the decision-making process. Further detail can be found from the schools Board of Governors or the schools Managing Authority.

4.2. School governors are expected to act in accordance with the 7 Principles of Public Life (see [Appendix 2](#)) when fulfilling their public duties. The school Board of Governors has a wide range of statutory duties and should be ready to explain its decisions to staff, pupils and parents and others to whom it is accountable. In doing so, the Board of Governors should act as a corporate entity and individual governors should respect the sometimes confidential nature of certain aspects of boardroom business in the best interests of the school and its staff and pupils.

4.3. The Board of Governors may delegate functions only in accordance with the requirements of the scheme of management for the school (see below) and the

financial memorandum for the school ([see chapter 8](#)). Decisions to delegate specific functions must be recorded in the minutes.

Role of the Principal

4.4. The strategic focus of the Board of Governors is on raising the quality of education in the school. Effective leadership within a school by the Board of Governors and the Principal working in close partnership is the key to raising standards.

4.5. The Board of Governors exercises its functions within a strategic framework. The School Development Plan which includes the school's education aims and objectives, the financial plan and the policies and targets for achieving the school's aims and objectives provides that framework. It is important that the Board considers the Principal's advice when agreeing this framework.

4.6. The Principal is responsible for the internal organisation, management and control of the school and for the implementation of the School Development Plan approved by the Board of Governors. A governor should not be involved in the day-to-day running of the school.

4.7. The Principal is the executive governor and should discuss all the main issues relating to the management and operation of the school with the Board of Governors. The Board of Governors, acting as a critical friend, should offer support and constructive advice. Governors can and should raise questions on the Principal's proposals or recommendations. They should, where appropriate, seek further information to enable them to make sound decisions on the basis of all the available facts. They should be confident that the Principal is providing all the information that the Board requires to enable it to fulfil its statutory obligations effectively.

4.8. The Principal is accountable to the Board of Governors for their performance in relation to their normal duties and for any functions delegated to them by the Board of Governors, in accordance with the scheme of management for the school. To assist the Board of Governors, the Principal must provide the Board with such reports in connection with the exercise of their functions, as the Board requires. The Principal has to ensure that the decisions of the Board of Governors are translated into action. At meetings, the Principal should:

- advise the governors on educational issues and all matters relating to the proper functioning of the school;
- submit regular reports, oral and written;
- submit a written annual report on the achievements and progress of the school.

4.9. The National Standards for Headteachers recognise the key role that the Principal plays in raising and maintaining levels of attainment in schools in order to meet the needs of every child within the framework of government.

'The core purpose of the Principal is to:

- provide professional leadership and management for the school;
- be the leading professional in the school;
- work with others to secure the commitment of wider community to the school; and
- create a productive learning environment that is engaging and fulfilling for all pupils, drawing on the support of the school community'.

4.10. The National Standards are set out in six non-hierarchical areas. These six key areas, when taken together, represent the role of the Principal:

- Shaping the Future;
- Leading, Learning and Teaching;
- Developing Self and Working with Others;
- Managing the Organisation;
- Securing Accountability; and
- Strengthening Community.

Role of the Chairperson

4.11. The Chairperson is responsible for the overall conduct of each Board of Governors or committee meeting. They should ensure that all its business is carried out in a structured manner and that all views are heard. Other than in the most extreme circumstances, every governor should be able to express a view and have it considered. The Chairperson must ensure that governors respect the confidentiality of the business discussed.

4.12. The Chairperson is responsible for agreeing the date, time, place and agenda of each meeting. The timing of meetings has to be consistent with deadlines for the decisions required on agenda items. Agenda items may reflect routine issues arising on the school calendar, but the Chairperson has to ensure that items that affect and promote the good governance of the school including raising standards are included.

4.13. Meetings must be quorate, and minutes must be taken and retained of the consideration of agenda items and the decisions made at each meeting and the reasons for those decisions. It must be evident from the minutes that there is an opportunity for governors to declare personal or pecuniary interests. In addition, the minutes of any committee meetings should be referred for information to the next Board of Governors meeting. It is in governors' best interests to follow these procedures.

Scheme of Management

4.14. Every grant aided school must have a scheme of management that provides for:

- the membership and procedures of the Board of Governors;
- the management of the school and the functions to be exercised by the Board of Governors, the Principal and any other person or body specified in the scheme.

4.15. The scheme for each school must be consistent with education legislation and other statutory instruments including those relating to employment matters and except in so far as education legislation requires, any instrument of government for the school.

4.16. The scheme of management is an important tool which contributes to the effective governance of the school. The Board of Governors is required to operate in accordance with the scheme of management which reflects good management practices and procedures. Each governor should have a personal copy of the current scheme that applies to the school.

4.17. The scheme of management enables the Board of Governors to establish committees and to delegate certain of its own functions to a committee or to the Principal. It is a matter for each Board of Governors to determine its own committee structures subject to the membership provisions in the scheme. Small schools may choose to operate committee structures only occasionally as the need arises. However, the appropriate use of committee structures will enable the Board of Governors to be more effective in its governance of the school.

4.18. Where a committee is established, the Board of Governors has to:

- define its membership having regard to the provisions in the scheme and the competences of the members in the functions of the committee;
- define the extent of the committee's delegated authority;
- ensure that it receives the minutes of the committee;
- review the committee's membership and remit regularly, and at least every four years.

4.19. A committee should report its recommendations or, as appropriate, its decisions to the Board of Governors.

4.20. The Board of Governors may delegate functions to the Principal in accordance with the scheme of management. The functions that should not be delegated by the Board of Governors either to a committee or to the Principal include the approval of:

- the School Development Plan
 - the School's annual and triennial Financial plans
- the levels of expenditure that may be authorised by a committee, the Principal or a Bursar
- the investigation of financial irregularities
- the school's admissions criteria

- a proposal to change the character or size of the school
- the co-option of governors and the appointment of parent governors (further information is contained in [chapter 3](#))
- the appointment or removal of the Chairperson or Vice-Chairperson
- the appointment, suspension, the cessation of a suspension, the dismissal and the outcome of an appeal against the dismissal of the Principal

Pupil Participation

4.21. Many schools have established participation structures, including School Councils as a way to enable pupils to express their views and have a real say in issues which affect them and the wider school community.

4.22. The Department is committed to encouraging all schools to find meaningful ways of giving their pupils a voice and of listening and responding to the views of young people, however, it does not wish to be overly prescriptive on this matter. It is for individual schools to identify the method and degree of participation which best suits the needs of their pupils.

4.23. [School Circular 2014/14](#), available on the DE website, provides guidance for Principals and Boards of Governors on how to encourage pupil participation in decision making in schools and explains how successful and effective participation can be achieved. The DE website has further information including guidance on the establishment and operation of [School Councils](#) issued by the NI Commissioner for Children and Young People. The Board of Governors is encouraged to use the available guidance to support the development of genuine engagement with pupils in its own school.

Visits to the School

4.24. It is recognised that governors may need to visit the school from time to time in order to extend their knowledge and to assist them to fulfil their statutory responsibilities. These visits should be arranged in advance with the Principal. Each visit should have a purpose and be planned to cover a range of schoolwork. Visits by governors can be useful but do not replace the monitoring and evaluation carried out by the Principal.

The Law

Education and Libraries (NI) Order 1986 - Article 9A-D, as inserted by Article 123 of the Education (NI) Reform Order 1989 (*Schemes of Management for Grant-aided Schools*)

Education and Libraries (NI) Order 1996, Article 40 and Schedule 4 (the Incorporation of School Boards of Governors)

Public Services Ombudsman Act (Northern Ireland) 2016.

Guidance

DE Circular 1996/31: Incorporation of Boards of Governors

DE Circular 2014/14 : Pupil Participation

<https://www.education-ni.gov.uk/publications/circular-201414-pupil-participation-0>

NICCY Pupils' Voices: Making a Difference

<http://www.niccy.org/professionals-practitioners-policymakers/participation/pupils-voices-pupil-participation-in-schools/>

National Children's Bureau's Participation Support Programme:

<https://www.ncb.org.uk/participation-support-programme>