

Authored article

## HMCI's monthly commentary: November 2015

From: [Ofsted](#) and [Sir Michael Wilshaw](#)  
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In his second monthly commentary Sir Michael Wilshaw looks at the role that governance plays in an increasingly autonomous education system.



### 21st century governance needed for 21st century schools

Five hundred failing governing boards identified by Ofsted this year – time for a re-think?

Following on from [my commentary last month](#) on the progress that has been made by primary schools in recent years, I want to turn my attention this month to the issue of governance.

The role that governance plays in ensuring that every child receives the best possible education has never been more important.

The huge changes to our increasingly autonomous education system over the past 5 years, including the rapid growth of academies and free schools, has placed more power into the hands of governing boards than ever before.

Governors and trustees are there to set the school's vision, ethos and strategic direction. They are also expected to hold the headteacher to account for the performance of teachers and pupils, and to ensure that public money is being well spent.

Governors have to be perceptive people who can challenge and support the headteacher in equal measure and know when and how to do this. They must never overstep the mark and try and run the school themselves. As the Chief Executive of the National Governors Association succinctly puts it, governors and trustees should be: "Eyes on, hands off!" They also have to understand the complexities of school organisation and be able to analyse the wealth of data that now exists on school performance.

We should not underestimate just how vital the role of governors and trustees has become in helping to raise standards. It is also why Ofsted now shines a brighter spotlight on the effectiveness of governing boards, and reports on their performance and their impact in greater detail. In every Ofsted report, inspectors are expected to write a discrete paragraph on the effectiveness of governance and whether it is influencing school performance.

In short, the role is so important that amateurish governance will no longer do. Good will and good intentions will only go so far. Governing boards made up of people who are not properly trained and who do not understand the importance of their role are not fit for purpose in the modern and complex educational landscape.

That is why, last year, I recommended to government that it should give serious consideration to mandatory training for all governors and trustees. I am disappointed that there has been such little progress on this recommendation. High-quality training for all governors, but particularly the chair and vice-chair, is vital to the success of our schools. I have, therefore, asked Her

Majesty's Inspectors, when they make a judgement on governance, to focus particularly on training and the arrangements schools are making to source expertise in this vital work.

We know what can happen when things go badly wrong with the governance of a school.

We have all heard about the governors in Birmingham who abused their position to try to alter the character of a number of schools in line with their own personal ideology – both 'eyes on and hands on'! We have also read the stories about governing boards nodding through wildly excessive remuneration packages for headteachers and lacking proper oversight of school finances.

These are, of course, mercifully rare cases, but they do serve to illustrate the influential role that governing boards play in modern schools.

There are thousands of people across the country who give up their time to serve on governing boards. We know that the majority take their duties very seriously and act responsibly and in the interests of the whole-school community.

Inspectors find that in many schools, governors and trustees are making an important contribution to raising standards and lifting aspiration. The best of these champion the school in the local community and take great pride in the success of their pupils.

Take, for example, these 2 extracts from recently published inspection reports of primary schools in Berkshire and the West Midlands respectively.

“ Governors work very effectively with school leaders to ensure the school is a successful learning community. They hold the leaders robustly to account for the school's performance. The range of governors' expertise and their knowledge of the school are excellent. Governors are fully tuned into pupils' current and future needs.”

and

“ Governance is outstanding. Governors hold the headteacher to account very well. They use their deep understanding of the school’s performance to ask challenging questions such as, ‘Why are standards in mathematics not improving as quickly as those in reading, and what is being done about it?’”

Unfortunately, such strong, dynamic and cohesive governance is far from universal. Ofsted comes across too many schools where oversight is weak and the governing board is struggling to have the necessary impact.

In the last academic year alone, there were nearly 500 schools where inspectors were so concerned about the performance of the governing board that they called for outside experts to be drafted in to carry out an urgent external review of governance.

In a speech I made nearly 3 years ago, I argued that we needed a more professional approach to school governance, especially in our most challenging schools serving the most deprived communities.

I also said that the first sign that a school was in decline or in difficulty should trigger intervention by the local authority, academy sponsor or the Department for Education, with additional professional appointees being parachuted onto the board.

Finally, I expressed my belief that we should not rule out payment to governors with the necessary expertise to challenge and support schools with a long legacy of underachievement.

Aside from a relatively small number of interim executive boards that have been put in place in some of the worst cases, nothing I have seen or learned in the intervening period has altered my view on these matters. Indeed, if anything, the need for decisive action in this area has become even more pressing, especially when it comes to underperforming secondary schools in certain parts of the country.

I therefore pose the question once again: has the time not come

to consider paying chairs and vice-chairs in order to recruit the most able people to schools in the most difficult circumstances?

When leadership and management of a school are judged to be ineffective, entrenched weak governance is invariably one of the underlying reasons. Time and again in these cases, inspectors come across the same type of issues:

- governors who lack the professional knowledge or educational background to sufficiently challenge senior leaders
- governors who have not received the regular, relevant, high-quality training to enable them to do their job effectively
- governors who lack curiosity and are too willing to accept what they are being told about pupils' progress and the quality of teaching. As a consequence, they often hold an overly optimistic view of how the school is performing
- governors who may know what the school's pupil premium funding is being spent on but have little idea whether it's actually having any impact on improving outcomes for disadvantaged children
- governors who devote too much time and attention to the marginal issues (like the school uniform, dinner menu or the peeling paintwork in the main hall) instead of focusing on the core issues that really matter – the quality of teaching, the progress and achievement of pupils and the underlying school culture

Depressingly, we often find the weakest governance operating in the most challenging schools in the poorest areas of the country – the very schools that stand to gain most from strong, professional and forensic governance and are least able to muddle through when this is absent.

That does not mean that our inspectors do not come across the type of weaknesses I've highlighted above in more affluent parts of the country. We also know there are schools where governors and trustees are aware of the overall attainment of pupils at the end of the key stages but do not realise these figures mask inequalities among different groups of pupils. They are also unaware that children further down the school are making less progress than they should be from high starting points.

Schools are now complex institutions subject to far greater external accountability than they were in the past.

In this context, being a governor is far more demanding and carries huge levels of responsibility.

It would be unrealistic to expect every member of the governing board to have a deep knowledge of educational issues. However, for the 2 or 3 people who hold the most senior roles on the board, and who could be responsible for 'cascading' training to other members, I believe this is essential.

In addition, these senior governors need to be able to ask the probing questions and hold the difficult conversations when necessary. That can be harder if governors lack confidence in their own knowledge of school organisation and performance. Indeed, lack of confidence can easily lead to a 'cosy' relationship with the headteacher and far too great a reliance on the latter's viewpoint.

Undoubtedly the most important task that will ever fall to a governing board is to appoint a new headteacher.

I suspect nearly all of us who have spent our careers in schools can cite examples of the wrong person being handed the top job. I think it is, therefore, legitimate to ask whether senior governors who lack the professional credentials can be relied on to make the right appointment that serves the interests of children. This is particularly pertinent when it comes to standalone academies that have opted out of local authority control but are not part of any multi-academy trust. In such cases, the governing board may have no-one to turn to for professional advice and support when deciding on a new head to lead the school. It is surely no coincidence that in last year's [Annual Report](#), Ofsted identified standalone academies as the most vulnerable to decline and failure.





I believe we also need to look seriously at how some governing boards are constituted and in particular at the role played by what are known as representative governors, in particular parent governors. As the latest Department for Education guidance

rightly makes clear, good governance is predicated on having the right range of skills and experience needed to do the job effectively. It should not be about how many people represent particular interest groups but about the level of knowledge and expertise that can be brought to the table.

That is not to say that simply having the right people with the right professional qualifications guarantees an effective governing board. The role demands commitment. There can be no place for those who have signed up to become a governor because they think it will boost the credentials on their CV and are content to sit passively through meetings where important aspects of the school's performance are being put under scrutiny.

The issue of governance is fundamental to the success of our education system in England and to whether we can sustain and build on the improvements in school standards of recent years.

For this reason, I have commissioned inspectors to carry out an in-depth and far-reaching survey into the effectiveness of governance in our schools. We will publish a report next year.

Today I am launching a [call for evidence](#)     to inform this piece of work from anyone who has views and experience to contribute.

This thematic survey will explore in detail the issues I have raised in this commentary.

Specifically, it will:

- examine whether governing boards have the right mix of professional skills and experience needed to perform their increasingly important role
- assess whether the time has now arrived to make provision for paid governance
- look at whether local authorities, Regional School Commissioners and others intervene early enough when problems with the governance of a school are spotted between Ofsted inspections
- explore whether in an increasingly diverse system, the right

structures are in place to support governors and trustees, and to deliver the training they need to hold schools to account

- investigate the level of guidance and support governors receive for headship appointments
- look at the extent to which governors are involved in succession planning for school leaders
- look at whether external reviews of governance are an effective tool for improving standards
- look at the role performed by National Leaders of Governance and whether there are enough of them to make a difference
- examine some of the specific challenges facing governors of standalone academies
- explore the relationship between multi-academy trusts and their local governing boards. Our survey will seek to determine the extent to which their respective roles are clearly defined and delineated

Governance is an issue that does not always get the attention that it merits. I hope this commentary and the survey that will follow will go some way to changing this. I look forward to hearing from serving governors and trustees, headteachers, teachers, parents and others whose view will help determine the way forward.

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**Sir Michael Wilshaw**

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