

# Ensuring continuity of school governance guidance

19 March 2020

In the light of the fast evolving situation regarding Coronavirus, schools are now postponing governing board meetings and/or are making arrangements to host events by virtual means, such as skype and video conferencing.

This guidance provides information about arrangements for virtual governing board meetings and provides a steer on governing important matters and making key decisions. We hope it will assist boards to ensure continuity in maintaining their governance functions during the coming months, whilst people will be avoiding social contact and working from home.

We will be continuing to provide advice to respond to any concern and give advice to governing boards of all schools over the coming months and strongly encourage you to contact [Maggie.Kalnins@learningtrust.co.uk](mailto:Maggie.Kalnins@learningtrust.co.uk) and [Madalina.Brockmann@learningtrust.co.uk](mailto:Madalina.Brockmann@learningtrust.co.uk).

## 1. Making alternative arrangements for virtual governing board meetings

**Maintained schools** - In accordance with [\*\*The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013\*\*](#), governing boards can approve alternative arrangements for governors to participate or vote at meetings; this includes but is not limited to telephone or video conference.

**Academies** - will be guided by their individual **Articles of Association** which will similarly provide clarity about such arrangements.

**All schools:** governing boards should collectively agree in advance that they will conduct business by a virtual method and in doing so, ensure that every governor has access to receive papers and participate in any virtual meetings that take place. This initial agreement can be reached through email correspondence and seeking an approval response from every governor. The rules regarding **quoracy** and the **schemes for delegation** of powers to committees remain the same as determined by individual governing boards.

**All schools** are required to hold at least three Full Governing Board (FGB) meetings in every academic year. Even where these meetings are conducted via a virtual method, boards must ensure that minutes of the business covered and decisions taken during the meeting are prepared for subsequent approval by the governing board and signed by the chair at the next meeting. These minutes will need to be made available to the public.

## 2. Governing important matters and making key decisions

This guidance is to help governing boards in conducting statutory and important business:

**All schools** will be responding to the **threat of Coronavirus** and will now be facing the decisions about partial school closure and the cancellation of examinations. It is clear that schools will need to be open in some form over the coming months to support vulnerable pupils and those with families who are similarly contributing to a nationwide effort to limit the further spread of illness. Special schools play a particular role. These are operational decisions taken by the school leaders who, together with their staff, have been working tirelessly. Whilst these operations do not require decision making by the board, school leaders will be in discussion with their chair and be acting on current advice from Public Health England and the local Public Health protection team. Leaders will also be keeping pupils, families and staff, as well as their governing boards informed of the actions and measures they are taking. This will include actions to prevent the spread of the virus; the response to any confirmed or suspected cases within the school and contingency plans for partial or whole closure of the school at short notice if required.

Full Governing boards of **Maintained schools** will be making a decision to approve the first **formal budget plan** of the financial year which needs to be submitted to the Local Authority by 1 May 2020 in accordance with the Hackney Scheme for Financing Schools. This process **cannot be delegated** to a smaller group or be taken as chair's action.

**Some school boards** may be considering/ approving **staffing recruitment and/or re-organisation plans**. These matters need to be approved by the full governing board of maintained schools, or in accordance with an academy's scheme of delegation. Governors should note that any formal consultations with relevant staff will have to be prolonged and/or suspended to ensure staff have been able to participate in this part of the process.

**All schools** monitoring of **staffing absences** will need to include consideration of the reasons for absences related to this pandemic and the impact on the future operations of the school, including implications on the financial budget.

Some schools may have a pending **Pupil Disciplinary Committee (PDC)** to consider the fixed term or permanent exclusion of a pupil. Whilst schools remain open, these meetings must go ahead and include at least 3 governors. Schools will decide how such meetings can best be conducted to permit a fair hearings whilst assuring health and safety practices during this period. PDCs must be held within 15 school days from the first day of exclusion. This means if a school is forced to close before the hearing can take place, it will be deferred until such time that the school reopens.

School Leaders may need to delegate a decision to the chair or vice-chair in cases of urgency. This is where the chair believes that a delay in exercising the function of the governing board could be seriously detrimental to the interests of the school; any pupil at the school, or their parent; or a person who works at the school. However, the approval of the first budget and the exclusion of a pupil cannot be delegated and must be considered by the full governing board or a PDC panel, respectively. If a decisions has be delegated to chair or vice-chair, there should be a clear communication and audit trail explaining why this alternative approach was taken.

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