# PERSPECTIVE

## School governors and the new partnership arrangements

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# Acknowledgements

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# Executive Summary

## Introduction

> *After many years when there was an emphasis on school autonomy and competition, there is now a focus on formal collaboration.*

The current policy agenda for schools is dominated by the need for partnership and collaboration, both with other schools and colleges, and with a range of agencies and services that provide for the well-being of children and their families. After many years when there was an emphasis on school autonomy and competition, there is now a focus on formal collaboration. Joint working is required, for example, in the delivery of the extended schools agenda and the provision of 14–19 education. Insufficient attention has been given to the governance of the new partnership arrangements. Our research reviewed this issue and looked in detail at how three different local authorities, serving relatively disadvantaged communities, approached the governance of partnership arrangements. These arrangements were examined over 18 months in 2007 and 2008. The case studies are presented in an anonymous way and we refer to the three local authorities as:

- Centro City
- Coast City
- Met Borough.

## A diversity of approaches

No single blueprint exists for partnership governance. The three case study local authorities each sought to establish arrangements for governing the clusters and localities they were planning for extended schools and 14–19 diplomas. But they differed in the forms of constitution they created, the degrees of formality of organisation and participation, in the inclusion of governors, in the structure of committees established, and in the accountability relations formed.

## Partnerships of providers or users

The case studies suggest that a significant shift is taking place in the role of school governance as a result of the new partnership arrangements. This involves a weakening of the 'traditional' concept of the lay school governor, and a strengthening of the decision-making power of education professionals.

The 1986 Education Act established 'the stakeholder model' for constructing school governing bodies based on the principle of partnership between all the groups with an interest in the school: parents, teachers and support staff would be elected, while other governors would be appointed by the local authority, and drawn from the local community (including local industry and commerce).

The stakeholders were conceived essentially as *users* of education, the constituencies in society that have an interest in the institution of the school working well to benefit the variety of needs which they believe schools should serve.

The local authorities in this study have formed the governance arrangements of clusters and localities to serve very different purposes of partnership. The consortia have been designed to form a partnership between *providers*, rather than users; the providers being the agencies which deliver services, activities and opportunities to children, families and communities. Governors are involved, but in their role as institutional leaders rather than their user stakeholder role.

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## Governors at the centre or the margins

The greatest distinction between the case study authorities lies in the extent to which they involve school governors in their collaborative structures. In two of the three local authorities, the role of governors was marginal. Coast City includes only two school governors in its cluster steering groups, and while Met Borough involves more governors, one from each school, they still form a minority in the larger partnership forum. Centro City was unusual in forming a Joint Committee. Although the representation is greater, the Centro City Federation Joint Committee works as a power sharing arrangement between heads and chairs of governors rather than as a governing body of user stakeholders as with school governing bodies.

## Commitment and detachment

The relative commitment of schools to collaborative arrangements is indicated in the degrees of formality established. The partners in Centro City have chosen the concept of 'Federation' to describe their partnership. They are not 'hard' federations, which would mean that the several institutions had constituted a legal integration embodied in the creation of one governing body. Nevertheless, the term federation does reflect the degree of formality informing the partnership. This is reflected in the elaborate constitution, informed by legislative understanding, which underwrites the formation of the Joint Committee, and the delegation of some powers from school governing bodies to the Joint Committee.

The level of school participation in each case study also reflects the differing commitments to partnership working. In the case of Met Borough participation is voluntary and a number of schools had not decided to join the Area Partnership Group or the smaller group clusters. In Coast City participation was strongly 'expected' but in the last resort voluntary. In the Centro City federation participation is 'required' by the joint agreement, though one head and chair of governing body nevertheless do not attend the Joint Committee.

## Tensions of accountability

While the partnerships perceive themselves as accountable to the constituent schools, whose governing bodies retain legal jurisdiction over budgets and ultimate decision-making, in practice the weight of accountability lies in relation to the authorities that control the resources and manage and evaluate the process, the local authority in the case of Coast City and Met Borough, and the Learning and Skills Council and the local authority in the case of Centro City.

## A negligible contribution?

*It is clear that the partnerships were constituted to ensure that ownership rested with professional providers in each case.*

The contribution of governors to the partnership deliberations in Coast City and Met Borough were typically negligible or non-existent. One or two governors, often parent governors, amongst 15 to 25 professionals, lacked the confidence to contribute, or felt they had not been prepared for the meeting by a head with the necessary information. One governor in Coast City following a cluster meeting complained that her headteacher had not provided her with any information or understanding of the issues to be discussed at the meeting. At a partnership committee meeting in Met Borough the only governor to contribute was a former councillor asking trenchant questions about the presentation of options for funding extended school activities.

The cases of partnership governance considered in this research show that the principles of a governor stakeholder committee have not been applied to creating clusters and localities. The cases demonstrate that these innovations have strengthened the voice and decision-making power of professionals at the expense of school governors, while there remains a formal acknowledgement that ultimate legal authority remained with individual school governing bodies. It is clear that the partnerships were constituted to ensure that *ownership* rested with professional providers in each case. This was revealed in the constitution, membership and the jurisdictions of the partnerships. Coast City and Met Borough had formally established forums which brought together the partners involved in deciding extended school services. This meant that school governors were constituted as one partner amongst others – no doubt an 'equal' partner, but numerically a minority voice in the larger colloquium of voices. The rationale, however, for including governors was that they represented a voice of the public, of public accountability, within the forum. But this was, in effect, constituting the voice of public accountability as a minority voice within a dominant professional discourse.

## The voice of the governor at cluster level

*A couple of governors were included but were a minority influence.*

Professionals dominated the cluster or neighbourhood level discussions about partnership. A *Cluster Governing Committee*, a formally constituted committee of schools and agencies was established in Coast City. In practice, headteachers had a dominant voice in these meetings. A couple of governors were included but were a minority influence. A *Cluster Committee,* a formally organised committee representing all the schools in a neighbourhood, was formed in Met Borough. This committee typically included only professionals. A *Primary School Cluster Committee*, a formally organised committee including all the primary schools in a neighbourhood, was formed in a number of areas in Centro City. Governors were not invited to join these meetings.

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# Specialist rather than public discourse

> *The meetings were typically not about developing strategic purposes and plans that allowed the decisions to be monitored and assessed.*

The nature of the discussions at partnership meetings typically privileged the professional voice over the lay perspective. The modes of deliberation and decision-making were often constructed as technical matters requiring specialist knowledge. If a meeting, for example, was asked to make a decision about providing counselling for young people, and which voluntary organisation should provide the service, this could often require specialist professional understanding to contribute to the discussion. The meetings and the agenda items were typically about making professionally 'knowledgeable' decisions about particular services. The meetings were typically not about developing strategic purposes and plans that allowed the decisions to be monitored and assessed. But those are the functions of strategic leadership and scrutiny which form the driving purpose of governing bodies. The unwritten code was that partnership meetings required assertions of knowledge, rather than voices of enquiry and scrutiny.

# Layers of partnership

There are three potential levels or layers of partnership working. Partnership can operate at a whole local authority level, at a neighbourhood or cluster level and at an intermediate level of the locality. Centro City did not develop a cluster or neighbourhood dimension to support its 14–19 locality governance arrangements, and although it had begun to develop clusters to support extended school services, it only envisaged creating a layer of cluster governance over the next three to five years. The other two case-study authorities had each developed forms of cluster governance. So Met Borough was the only case study authority to develop locality and cluster partnerships.

The authorities differed in their approach to the tiers or layers of partnership. Met Borough has created a two-tier structure of partnership, working to support its extended school policy development. The Area Partnership Group, which seeks to include all the providers and agencies involved in delivering extended services, is supported by local cluster committees that typically only involve heads and teachers from schools. Coast City and Centro City have differentiated the function of partnership working between different tiers: using the locality for 14–19 partnership working and the cluster for extended school service planning.

| CASE STUDY | Coast City |
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Coast City Local Authority envisaged school governors playing a significant role in the new framework of governance for the extended school clusters. The constitution of the Cluster Steering Groups included places for two governor representatives and the authority was keen to support governor associations at cluster level that might progress in time to play a formal role in cluster decision making. At an early stage, however, a number of concerns had been raised about the practice of establishing the arrangements of governance for the new extended school cluster.

The relationship between the cluster, the school and the authority has not been worked through to clarify the locus of authority for decision-making. There remains uncertainty with regard to some key questions. What are the protocols for delegating decision-making powers of the school to the cluster, what is the mechanism for getting something 'signed off', what is the relationship between the strategic decision-making of the local authority and the local decision powers of the cluster? The process of collectively agreeing spheres of interest and influence appears to have been underdeveloped.

In terms of voice and deliberation, governors have been a weak force in Cluster Steering Group decision-making, typically reluctant to contribute to conversations because they feel they lack information or knowledge about the issues being discussed to be able to contribute sensibly. This raises some important and unresolved questions. Because of their numerical membership of the meeting they also feel their voice is systematically diminished. What processes of communication can be established to ensure governors are informed before attending steering group meetings? Can governance ever carry weight with such a limited representation of governing bodies?

A proposed governor association has not materialised. The failure of the governor association to take off has disappointed leading governors and authority managers, weakening governors in the steering group and reducing the prospect of a significant tier of governor decision-making in the cluster.

| CASE STUDY | Centro City |
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Federation with a Joint Committee of Governors. The work of one federation was studied in detail. The committee is made up of a representative governor from each school and college in the federation. Although not formally members of the committee, headteachers and principals also attend its meetings.

Our research concluded that, as a result of establishing the federation, a great deal has been achieved which is of benefit to the young people in the area as well as the constituent institutions. *The relationship between heads and governors has played a key part in the success story.* The City Officer who developed the partnership constitutions is clear that a key to the success of the more effective partnerships is a proper relationship between heads and governors. 'I think the hub of a successful partnership is that the heads do see themselves as responsible to the governors for the working of the partnership.'

The research emphasises a number of practices that have contributed to the effective establishing of the federation: the *seniority* of those involved: headteachers, chairs of governing bodies, and senior, experienced officers; the *resources* invested, including money from the LSC; the levels or *layers of support* including a steering committee and a working party of experienced senior teachers; and all supported by an *experienced coordinator* who was a particularly able communicator, networker and tireless servant of the federation.

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| **CASE STUDY**...*continued* | **Centro City** |
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In terms of governance there are unresolved issues. There is ambiguity about the formal status of the federation. One chair views it as a voluntary scheme and not a legally constituted federation, whereas others believe a legally formed 'soft' federation has been established. There is a lack of clarity about the function of governance. One chair believes that the heads see the federation as a technical collaboration, managing a set of federation courses, rather than deliberating and determining the strategic purposes of the 14–19 education across the federation. The precise role of governors is unclear. The Federation Joint Committee works as a power sharing arrangement between heads and chairs of governors rather than a governing body of user stakeholders as with school governing bodies. One chair described it as 'a professional club'. Some heads on the joint committee are there ostensibly in their role as members of the College governing body. It is not yet established as proper forum of public accountability.

| **CASE STUDY** | **Met Borough** |
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For the purposes of coordinating extended services, the local authority has been organised into three area partnerships, each with an Area Partnership Group (APG). Each APG meets once a quarter. The initial vision was that the APGs would be both community driven and professionally coordinated. Each APG had an ambitious and comprehensive membership that included not only schools but a diverse range of agencies, such as: nurseries and childminders, Jobcentre Plus, libraries, adult education, out-of-school-hours learning providers, community groups and faith groups, NHS and police. Although every school had a governor representative on the APG, they were a minority of the overall membership.

The School Governance Regulations 2003 allow two or more governing bodies to form 'joint committees' to take legally binding joint decisions. At an early stage it was proposed that each APG would be constituted as a 'joint committee' to take legally binding decisions about the delivery of extended services. This led to a number of tensions in the early meetings of the APGs. The joint committee regulations meant that rights of voting on proposals for extended services were accorded only to school representatives (leaders and governors) and the other agencies felt excluded. They wanted to be able to communicate what they had to offer schools and this issue came to dominate the agendas of the APG meetings, crowding out more strategic and evaluative decision-making.

The APG proved to be too large a meeting and too unwieldy a decision-making mechanism, and so smaller clusters were established to allow groups of schools and agencies to clarify needs and priorities. The appointment of the area partnership managers provided the opportunity for clusters to be formed and supported in their decision-making. When the clusters were formed, they only included the local groups of schools, and the professional leaders of those schools, thus excluding a number of stakeholder interests from the discussions and priority setting. There were no governor representatives on these cluster committees.

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# Recommendations

## Reforming the law on school governance

The Government has adapted the regulations on school governance to enable flexibility in size and membership as well as the forms of 'hard' or 'soft' federation of governing bodies. But we argue that this fails to address the need for all local authorities to reconstitute the governance of schools not just as an ad hoc exercise for this or that specific need, but systemically to accommodate the purposes and practices of integrated children's services and partnership working. School governance has, historically, been just that, the governance of individual schools, or latterly the amalgamation of schools. But now the object of governance has been expanded to encompass the community and multiple services and our research suggests that the regulations are no longer fit for purpose.

## Organising multi-level governance

To date there has been a lack of sufficiently systematic thinking about how governance can work in the new, more complex policy environment. Governance arrangements need to be re-thought in a 'multi-layered' way, with new models of working at each of three 'layers': neighbourhood, locality and local authority.

### (i)  A twin track at the neighbourhood level

The movement of policy and practice is to create a learning community that goes beyond the individual school to encompass the set of neighbourhood schools and centres. The challenge for governance is to support this direction of travel with the appropriate institutional arrangements. Recognising a range of local circumstances we propose a twin-track approach towards integration at the level of the cluster.

(a)  'standard' neighbourhood cluster development: individual schools will continue to retain their governing body, although this may be smaller than hitherto and moving towards an executive governing body. Its work will be supported at the level of the school by a series of forums that seek to involve parents, children and young people in the life and governance of the school.

At the level of the neighbourhood cluster, a joint committee will be formed that will encourage collaboration between schools, though it will not be accorded delegated powers by the individual governing bodies. The cluster will also form a wider community or advisory council that will include, in addition to parents and governors, public representatives from primary care trusts, as well as voluntary and charitable bodies. The task of the advisory council will be to deliberate the learning needs of the community and to scrutinise the policies and practices of the joint committee as well as local schools and centres.

(b)  accelerated neighbourhood cluster development: when members of a neighbourhood cluster are ready to strengthen their collaborative practice they will constitute a federation board that integrates the governing bodies of local schools and centres. The board's membership will include representatives of each school as well as the primary care trust. The work of the board will be supported by a community Advisory Council of parents and community interests that will deliberate the learning needs of the community and scrutinise the work of the board. Each school will form an executive sub-committee of the cluster board.

### (ii)  Governing the locality

If the neighbourhood cluster is to be supported with all the extended learning activity envisaged in *Every Child Matters*

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and *The Children's Plan*, then this requires planning and coordination at the level of 'the locality'. A 'locality' may be large; for many local authorities, the 'locality' will be a third or a quarter of the authority, perhaps 100,000 people. The local knowledge and intensity of networking required suggests a point of negotiation and leverage below the local authority yet above the neighbourhood. In addition, if the emergent 14–19 landscape is to develop as planned it is clear that a locality tier is essential to coordinate the planning and networking of learning between secondary schools, college, and training providers.

At this level we propose a Partnership Board, which includes the variety of public, private and voluntary interests, and will focus on preparing the strategic plan for the locality. This Board might be quite large, in some local authorities perhaps 50–70 members. The Board would need to elect a smaller steering committee to organise the routine business of the Board.

**(iii) The level of the Authority**

What has become plainly evident during the unfolding development of neighbourhood clusters and localities is that the support of an overarching local authority is indispensable. Authorities provide for a number of needs that can only be catered for at that level, if the cluster and locality partnerships are to thrive. Strategic planning and development are needed to assess the diversity of needs and to ensure an appropriate and equitable distribution of resources. The local authority is rightly a political arena where differences are voiced, deliberated, and mediated. The central function of a local authority is to govern the local debate about the purposes and content of education, through processes that ensure public debate so that the shape of local education is agreed democratically. The role of the local authority is to build coalitions that create the climate for and thus legitimise change.

# The research

The first phase of study included three activities: *National data provided by DfES* enabled analysis of patterns of innovation. The distinctive finding pointed up the relationship between disadvantage and innovation: where deprivation is higher, collaboration is more likely to be pursued as a means of countering failure. Also there are more innovations in terms of institutional variety, extended schools and public/private partnerships. Second, a *questionnaire survey* of 25 of the most disadvantaged local authorities provided data on the progress they were making to implement national reforms to integrate services and to encourage participation of parents and communities. Third, a series of *interviews with national governor leaders* and attendance at a number of meetings provided understanding of the developing national discourse about the concerns facing school governance and how it might be reformed.

The second phase of the research created a typology of local authority which mapped local authorities in relation to the key design dimensions of *integration* (for example,

the extent of partnerships, multi-agency agreements) and participation (for example, the creation of forums for students, parents, and governors). Most of the local authorities planned to introduce new forms of cluster and locality governance. Following visits to nine local authorities three cases were chosen for fieldwork. The research questions for localities and cluster governance included:

- What patterns are emerging in the purpose, organisation and governance of localities and clusters?

- What place will governors and governing bodies have in the new forms of locality governance? Will the voice of governors be heard? And will volunteers be able to cope with the expansion of responsibilities?

- What place will the democratic 'stakeholder' tradition of governing bodies have in the emerging order of school governance?

- What interrelationships exist between governing bodies, clusters, localities and the local authority?

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