

Principles for Governance

Taken from The Education (School Government)(Terms of Reference)(England) Regulations 2000 and DCSF Guidance on the role of Governing Bodies and Headteachers April 2008 and A Guide to the Law for School Governors

1. Individual Responsibilities

Under the regulations, governors are required to act with **integrity, objectivity and honesty**.

This means, in practice, that governors should not be under an obligation that may have an influence on their decisions. All decisions must be based on the merits of the case before them. Governors have a duty to declare any private interests of both themselves and close relatives, which may influence any decision they make.

These principles are consistent with the Seven Principles of Public Life as defined by the Nolan Committee; being selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

All decisions and actions that are taken must be based on being “***in the best interests of the school***”.

2. Corporate Responsibilities

The governing body must act as a corporate body. The decision-making power lies with the whole governing body. Individual governors have no power to take actions unless they have been given delegated power on a specific issue by the full governing body. Governing bodies need to be aware of the regulations about delegating powers to committees, and decisions that cannot be delegated. If a governing body acts in good faith when carrying out any of its functions (i.e. honestly and reasonably), any liability falls on the assets of the corporation (i.e. the school's assets) rather than on individual governors.

3. **Openness**

The governing body has a duty to be accountable. As such, the governing body should be open about the decisions they have taken, and be prepared and able to explain those actions. Anyone who has a legitimate interest in the school can ask the governing body to account for its actions, these would include, parents, staff, pupils, the LA, the DfE, the local community and the press. Governing bodies will need to realise the implications for such documents such as the minutes of governors' meetings. They may wish to formally minute, briefly, the reasons to support their decisions. The minutes are a matter of public record and are the governing body's evidence if it is asked to account for its actions.

4. **Confidentiality**

Whilst the governing body does have to be prepared to be open about its work, this does not extend to disclosing information about:

- A named member of staff employed, or proposed to be employed by the school
- A named pupil, or candidate for admission to, the school
- Any matter which either the governing body or one of its committee's have declared should be deemed a confidential matter

This is not a new requirement, but one which governing bodies do need to be vigilant about to safeguard the rights of pupils and staff. Generally any business which refers to an individual, should be dealt with by a committee. Then if someone disagrees with a decision of the governing body they have an avenue of appeal through governors who were not involved with the original decision.