



Salisbury Diocesan Board of Education (SDBE)

Foundation Governor Appointment Policy (Single Academy Trust)

1. Rationale for this policy

1.1 This policy explains the role of foundation governors for academies in a single academy trust (SAT) as well as the criteria and the process by which they are appointed to Church of England SATs within the Diocese of Salisbury. For foundation governors serving in maintained schools or for academies which are part of a Multi Academy Trust, see separate policies.

2. Educational context / terminology used in this policy

2.1 In a SAT, the company directors are usually called “Governors”, but may be called either “Trustees” or “Directors”. Whatever they are called, they are both the directors of the academy trust company and the statutory governing body of the academy. In this Policy they are referred to collectively as the “SAT Board”.

2.2 The ‘Salisbury Diocesan Board of Education’ (SDBE) Strategic Plan states that the SDBE walks alongside all of its church schools – maintained and academies. It is the statutory responsibility of the SDBE to approve nominations from the SAT governors for foundation governors prior to their appointment in academies.

2.3 Each SAT which operates a Church of England Academy is obliged to maintain a certain ratio of governors who are appointed with prior approval from the Diocesan Authority for the academy, in this case Salisbury Diocesan Board of Education

3. The role of foundation governors

3.1 The inclusion of foundation governors is one of the distinguishing characteristics of church school education. Foundation governors represent the historic link with the original church establishment (*the ‘founding’ establishment, hence the term ‘foundation’*) of the school. As such they are the custodians of its distinctive Anglican and Christian ethos.

3.2 In most ways foundation governors have the same objectives as other governors. They are entrusted with responsibility for the core roles of governors, set out in the Department for Education’s ‘Governance Handbook’, namely:

- setting vision, ethos and strategic direction along with the head teacher
- holding the head teacher to account for teaching, achievement, behaviour and safety ... and challenging and strengthening their leadership
- ensuring finances are managed well leading to probity, solvency and effective use of resources

3.3 In addition, as representatives of the church’s role in the school, foundation governors must:

- fully support, cherish, preserve and develop the distinctive Anglican and Christian ethos of the school, ensuring that the school has a distinctive Anglican and Christian vision and values which lead to effective practice and outcomes
- preserve and strengthen the links between church, school and diocese

- take an active role in the school’s self-evaluations of progress against the ‘Statutory Inspection of Anglican and Methodist Schools’ (SIAMS) schedule
- ensure that collective worship and religious education at the school follow the appropriate guidelines and/or syllabus
- ensure that collective worship at the school is in accordance with the tenets and practices of the Church of England
- ensure that collective worship and religious education at the school are appropriately monitored.
- ensure that the distinctive Anglican and Christian ethos of the school is encouraged and supported throughout its local community and is reflected in its policies and protocols, its curriculum and activities
- ensure that their own attitudes and behaviour in relation to the school reflect its distinctive Anglican and Christian ethos
- make sure that the School Improvement Plan includes strategy for the development of areas reflected in the school’s SIAMS self-evaluation document
- inform the SDBE of any up-coming vacancy in the role of head teacher / principal, and, in partnership with the Chair of Governors, invite a representative of the Diocesan Director of Education to attend and advise throughout the appointment procedure
- ensure that foundation governors are represented in the appointment process of the head of school or of the headteacher
- to support and challenge the leadership within the school in their links with the wider parish(es) and community and to promote support for school activities and initiatives relating to its Christian distinctiveness and effectiveness

4. The role of sub-committees

Governors may operate sub-committees as they deem appropriate and may delegate certain functions to that sub-committee. It remains the Governors who are responsible and accountable for all activity carried out by a sub-committee.

5. The appointment of foundation governors

5.1 The ratio of foundation governors which serve a SAT is specified in its Articles of Association

5.2 When a foundation governor vacancy arises, or is anticipated, the SAT must, as soon as practicable, inform:

- the Parochial Church Council(s) (“PCC(s)”) for the Church of England Parish(es) served by the Academy ; and
- SDBE – governor@salisbury.anglican.org 01722 746952

The information provided to the PCC and SDBE must include:

- the names of the current foundation governors for the Academy and the name of the outgoing Foundation governor
- a description of the skills identified as being required on the governing body for the Academy (following a skills audit as appropriate)
- the date when the outgoing foundation governor stepped down (or is expected to step down).
- the names and contact details (telephone, e-mail and postal address) of at least two people with whom SDBE and the PCC should liaise (each of whom should be either a governor, trustee or member of the Academy Trust, or a person employed by the SAT to administer Governance)

5.3 The essential requirement in fulfilling a vacancy is to ensure that the SAT Board as a whole is able to fulfil its obligations as the governing body generally *and* that the foundation governors are able to deliver those characteristics detailed in *'The Role of Foundation Governors'* above.

5.4 The PCC(s) and/or SDBE may nominate prospective candidates for the vacancy by providing the SAT Board with a candidate profile and contact details. Provided that such nomination(s) are made within twenty one days of receipt of notification of the vacancy, the SAT will ensure that those candidates are included in the selection process referred to at 5.5 below.

5.5 In the event that more than one suitable application or nomination is received for the vacancy, the SAT Board shall determine the best candidate by a fair and reasonable selection process including an interview. SDBE's Corporate Member shall be included in the interview panel.

5.6 Once the SAT Board has identified its preferred candidate, it must complete the 'SDBE Foundation Governor Appointment' form and provide this, along with a written reference for the candidate, to SDBE. The Diocesan Director of Education and the Diocesan Strategic Lead for Governance will consider the appointment. If they are unable to reach a conclusion then the application may be referred to a meeting of the SDBE members, or a panel appointed by them.

5.7 The SDBE completes section D of the 'SDBE Foundation Governor Appointment' form, returning an electronic copy to the SAT Board to indicate approval or otherwise of the nomination. Full reasons must be detailed if the nomination is not approved. SDBE may contact the chair of the SAT Board as part of this process. SDBE will amend its data base and send a welcome letter to the new foundation governor, if approved.

5.8 The timeline between the foundation governor vacancy arising and the submission of the paperwork by the SAT to the SDBE should be not more than 6 working weeks. It is the responsibility of the chair of governors and the SDBE Corporate Member to work together in adhering to this. SDBE aims to return Application Forms with part D confirmed within 7 working days (21 days if the application is referred to DBE Members).

5.9 Appointments are always subject to appropriate DBS checks. The SAT must inform SDBE as soon as possible if it becomes apparent that a candidate will not be appointed. Once the SAT has received written approval from SDBE *and* a satisfactory DBE check, the candidate may be appointed.

5.10 An example internal process for a Trust filling a vacancy is set out in the Appendix to this policy. The Appendix also includes some suggestions for succession planning.

6. SDBE requirement of foundation governors

6.1 SDBE understands the responsibility that foundation governance brings. We also recognise the care and commitment of those who undertake this vital role. Every new foundation governor is expected to participate in SDBE's development programme. Participation in this programme is compulsory for SDBE foundation governors.

6.2 Foundation governors must commit fully to upholding the requirements detailed under *'The Role of Foundation Governors'* in this policy. They must also attend a training programme, led by the SDBE which is centred around the role of foundation governors, **within one full school term of their approval as a governor**. Any foundation governor unable to honour this commitment will not be able to continue as a governor (unless there are exceptional circumstances preventing this attendance with a subsequent date being attended instead).

6.3 Those who are nominated by the SAT to the SDBE must, in advance of the nomination process, have completed and signed section B of the 'SDBE Foundation Governor Appointment' form to show their commitment to both points detailed above.

6.4 The same full nomination process and subsequent SDBE development programme must also be undertaken in full when a foundation governor vacancy arises and the current governor wishes to put his/her name forward for re-selection to the governing body.

7. Criteria for foundation governors

7.1 The SDBE asks SAT Boards to consider and propose candidates who meet the 'SDBE Requirements of Foundation governors' detailed in this policy. Foundation governors can be members from a broad tapestry of Christian groups. It is their unfaltering commitment to the stated 'SDBE Requirements' which is essential.

7.2 Foundation governors must fall within one of the following groups:

- communicant members of the Church of England
- baptised individuals who regularly attend Church of England services
- members of a church which belongs to 'Churches Together in Britain and Northern Ireland'
- by exception, an individual may be appointed as foundation governor being a Christian who does not belong to the churches listed above but is committed to the tenets of the Apostles' Creed

7.3 It is vital that the Trust Board works with the PCC to ensure that the makeup of the governing body includes communicant representation of the Church of England in order to support the school's governance in being faithful to the Anglican tradition. Our expectation is that half of the foundation governors at any school will be communicant members of the Church of England, therefore an application from an individual from another category listed at 7.2 may not be successful where the appointment would mean that the number of communicant members of the Church of England would fall below that ratio. SDBE knows that the experience and depth of church commitment which communicant members can bring to their important foundation governor role, enriches a governing body and empowers it further to carry out its responsibilities.

7.4 It is the role of local clergy to interpret for their community the word 'regularly' as used in Section 7.2 of this policy.

8. Ex- Officio Incumbent foundation governor

8.1 Church academies do not necessarily have an ex officio seat on their governing body which is reserved for the incumbent of the parish. Where no such ex-officio seat is reserved, we encourage the incumbent to make an application for a foundation governor post.