



Children's Services

# **The Role of an Associate Member** (under The School Governance (Constitution) (England) Regulations 2012) 2014

## Introduction

This booklet is part of a series explaining the roles of the different types of governors in Central Bedfordshire Schools.

Central Bedfordshire Council values the contribution made by you and all governors to the success of its schools and recognises the time, energy and commitment that all governors give to their schools.

Governing bodies are an integral part of school leadership, setting the ethos of the school, driving continuous improvement, supporting, challenging and holding to account the head teacher and other members of the school leadership team by negotiating stretching targets for improvements in standards and monitoring progress towards them and overseeing the financial performance of the school and making sure its money is well spent.

Your role as an associate member is strategic and will continue to evolve to meet the needs of children in the 21<sup>st</sup> Century. Increasingly, schools will need to work in partnership and collaborate and the focus of our governing bodies will be in delivering outcomes for children in the wider community.

In March 2012, Central Bedfordshire Council formally adopted a renewed Education Vision for Central Bedfordshire. The renewed vision takes account of the new educational policy context created by the coalition government but retains the spirit and ambition of the Council's original vision.

This clears the way to develop approaches to raising attainment and improving learning, teaching and leadership which are based on shared high expectations, working through strong, accountable partnerships and commissions creating school-led improvement and the systematic capture and transfer of successful practice.

We support all governors by offering advice and resources on various aspects of governance and a subscription to a high quality training programme which includes face to face training and a suite of on-line training modules. See our website:

<http://www.centralbedfordshire.gov.uk/learning/schools/becoming-a-school-governor/default.aspx>

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## Categories of school governors

The current model of governance in schools is a stakeholder model; people who are representative of all those groups which have a vested interest, or a stake, in the effective delivery of education and care in a school have a voice in how their schools operate. The primary consideration in the appointment and election of new governors should be the skills and experience the governing body needs to be effective.

Governing bodies are made up of (under The School Governance (Constitution) (England) Regulations 2012):

Parent governors	Local Authority governor
Staff governor	Partnership governors
Co-Opted governors	Associate members
Foundation governors	Headteacher

Within certain limits, governing bodies are free to determine their own size and membership. The constitution of the governing body is set out in its Instrument of Government. Regulations specify that a school must have at least 7 governors and must include the following:

- At least 2 parents governors
- The headteacher unless he/she resigns the office of governor, in which case it remains vacant
- 1 staff governor
- 1 local authority governor

In addition, the governing body may appoint as many co-opted governors as it considers necessary (providing that the requirements are met in relation to governing bodies of foundation and voluntary schools). Those eligible to be elected as the staff governor may also be appointed as co-opted governors so long as their number, when counted with the headteacher and the staff governor, does not exceed one third of the total membership of the governing body.

### **Additional requirements for foundation and voluntary schools:**

#### **Foundation school or a foundation special school which does not have a foundation**

The governing body must also include at least two (but no more than one quarter of the total) partnership governors.

**Foundation school or a foundation special school which has a foundation but which is not a qualifying foundation school**

The governing body must also include at least two (but no more than 45 per cent of the total) foundation governors.

**Qualifying foundation school**

The governing body must also include such number of foundation governors as to outnumber all the other governors by up to two.

**Voluntary aided school**

The governing body must also include such number of foundation governors as to outnumber all the other governors by two.

**Voluntary controlled school**

The governing body must also include at least two (but no more than one quarter of the total) foundation governors.

In calculating the number of governors required in order to comply with this regulation, the number is to be rounded up or down to the nearest whole number.

**Role of the governing body**

The governing body is the strategic leader of the school and has a vital role to play in making sure every child receives the best possible education. This is reflected in the law, which states that the purpose of maintained school governing bodies is to 'conduct the school with a view to promoting high standards of educational achievement at the school'. In all types of schools, governing bodies should have a strong focus on three core strategic functions:

- a. Ensuring clarity of vision, ethos and strategic direction;
- b. Holding the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff; and
- c. Overseeing the financial performance of the school and making sure its money is well spent.

These functions are reflected in regulations that came into force in September 2013 and in the criteria Ofsted inspectors use to judge the effectiveness of governance in schools.

Key activities of the governing body:

- Understand the school – pupil attainment and progress; pupil behaviour, attendance and safety and teaching quality and staff development
- Set the school's strategic direction – the vision, ethos and values; set priorities for school improvement and consider governance structure
- Commission action – agree improvement targets and strategies; agree allocation of resources and agree how to monitor and review progress

- Performance manage school leaders – appoint headteacher and support their leadership; hold school leaders to account for progress and ensure financial probity and efficiency
- Ensure governing body is fit for purpose – clarify role and purpose; review constitution and ways of working and ensure members have the necessary skills

The governing body of a community, a community special and a maintained nursery school is a corporate body. A corporate body has a separate legal identity from that of its members.

An effective governing body will use the skills of all its members.

## **Associate Members**

An associate member is a person who is appointed by the governing body as a member of any committee established by them but who is not a governor.

The governing body can appoint associate members to serve on one or more governing body committees and attend full governing body meetings. The definition of associate member is wide and pupils, school staff and people who want to contribute specifically on issues related to their expertise can be appointed associate members

As an associate member of a governing body you:

- are appointed by the governing body but you are not a governor and will not be recorded in the Instrument of Government
- are appointed for a period of between one and four years
- are appointed as a member of a committee or committees established by the governing body, provided that a majority of members of the committee are governors – you cannot be appointed by a committee
- may attend full governing body meetings but may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff

Any person who is disqualified from holding office as a governor of a school under Schedule 4 of The School Governance Constitution Regulations is likewise disqualified from holding or continuing to hold office as an associate member, except that an associate member may be under 18. As an associate member you will agree to DBS checks as required. You will have:

- a specific area of interest/expertise
- an interest in all the children's futures
- a desire to make a difference
- a willingness to accept responsibility
- an ability to work in a team, ask questions, listen and learn

## **Good practice for associate members**

Ideally, your governing body will define your role and provide clear terms of reference (TOR), outlining attendance and voting rights, confidentiality, participation and the rules about withdrawing from meetings. These terms should include:

- date of appointment
- period of appointment (this can be between one and four years and you can be reappointed at the end of the term of office)
- committee(s) to which you are appointed

It should also be made clear that you are bound by the same regulations as governors. In addition, as an associate member you have:

- restricted voting rights
- may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff

The TOR must be agreed by the full governing body.

It is recommended that associate members complete an application form for the post. This gives you a good opportunity to describe the experience you have and how you feel you could use it to benefit the governing body and the school.

You should register annually any interests by completing a 'Declaration of Interests' form and submitting it to the Clerk to the governors.

You should also confirm that you are not disqualified from serving as an associate member by signing a declaration.

## **Students as associate members**

Many upper schools are now considering appointing students as associate members for their voice on the governing body or inviting them to meetings in an attendance capacity. Your governing body should appreciate the difference between an associate member and someone invited to a meeting (ie in attendance). If you are a student appointed as an associated member request that the governing body consider the terms of reference for your appointment, what committees you will attend and whether you will be allowed to attend full governing body meetings.

You should also remember that only students who are over 18 will be allowed to be given limited voting rights.

## **Voting rights**

You can be given such voting rights in a committee to which you are appointed as are determined by the governing body, providing you have reached the age of 18. You cannot, however, vote at full governing body meetings.

Every question to be decided at a committee meeting must be determined by a majority of votes of those governors and associate members present and voting.

If there is an equal number of votes, the chair (or the person acting as chair) – provided they are a governor – has a second or casting vote. The committee can only vote if the majority of the committee members present are governors.

## **Support you can expect from the Local Authority**

The LA provides support through training and other resources for members of governing bodies. Access to the following is available:

- a comprehensive, high quality training and development programme aimed at supporting improvements in leadership, management and governance; all training is free of charge to the individual governor or associate (schools may be charged separately for training for associate members)
- courses designed to develop and update knowledge around finance matters and governors and associate members with responsibilities for safeguarding, special educational needs, Health and Safety and succession planning will find courses that will support them in their work.
- an extensive collection of e-learning for governors and associate members in schools that subscribe to the LA training programme
- a newsletter, Governors' Essentials, which is provided monthly via email; an archive of back copies is available on the governors' section of the Central Bedfordshire Council website
- the governors' website with a range of resources
- telephone support from governor services: contact: 0300 300 8105

Your Training Link governor can provide more information about governor training and induction.

## **Time commitment**

Associate members are expected to attend committee meetings and full governing body meetings, as agreed. Each governing body must meet at least three times per year (once per term) but some meet twice per term. Each school is different in respect of their schedule of full governing body and committee meetings and you should clarify with your governing body the time commitment required.

## Allowances for expenses

School governors provide a voluntary service, and cannot be paid for their role as a governor. But they can receive out of pocket expenses. This may include reasonable expenses to cover travel costs or child care costs incurred as a result of fulfilling their role as governor - this does not include payments to cover loss of earnings for attending meetings. Where the board has a delegated budget, whether to pay allowances and what allowances might reasonably be paid are matters for the board to decide.

Travel expenses must be at a rate not exceeding the HM Revenue and Customs (HMRC) approved mileage rates which are changed annually and are on HMRC website. Other expenses should be paid on provision of a receipt and be limited to the amount shown on the receipt.

## Term of office

- an associate member can be appointed for between one and four years. The decision needs to be determined by the governing body at the time of appointment
- associate members can be reappointed at the end of their term of office
- associate members are not governors and they are not recorded in the Instrument of Government
- an associate member may be removed from office by the governing body at any time

## Nolan principles of public life

1. **Integrity:** do not allow the influence of bodies outside the school to affect your duties
2. **Accountability:** make choices on merit
3. **Objectivity:** submit to appropriate scrutiny
4. **Openness:** only restrict information when the public interest clearly demands this/ data protection
5. **Honesty:** declare any private interest
6. **Leadership:** promote and support these principles by leadership and example
7. **Selflessness:** act always in the public interest, not for personal gain



## Contact us:

If you have a question about governance, need support with a problem, or want to share good practice, please contact us:

By telephone: 0300 300 8105: Email: [joanna.brown@centralbedfordshire.gov.uk](mailto:joanna.brown@centralbedfordshire.gov.uk)

Information and resources for Central Bedfordshire governors can be found at:  
<http://www.centralbedfordshire.gov.uk/learning/schools/becoming-a-school-governor/default.aspx>



## A great place to live and work

### **Contact us...**

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