Ysgol Tŷ Monmouth Policy

Education Governance

POLICY STATEMENT

- This policy is intended to set out the aims, values and principles underpinning the governance and oversight of Phoenix's Education services.
- This policy sits alongside our group Governance policy which sets out the overarching governance structures of the Phoenix Group. Due to the specific nature of governance in our Education settings, this subsidiary policy sets out the specific elements.

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1. Introduction

1.1 Scope

1.1.1 Phoenix Learning and Care (the Proprietor) operate a small portfolio of education establishments (i.e., schools and colleges). The educational services are wholly owned by Phoenix Childcare Ltd or Phoenix Learning and Care Ltd and the respective Company is the responsible body for legal purposes under the Education Act 2002.

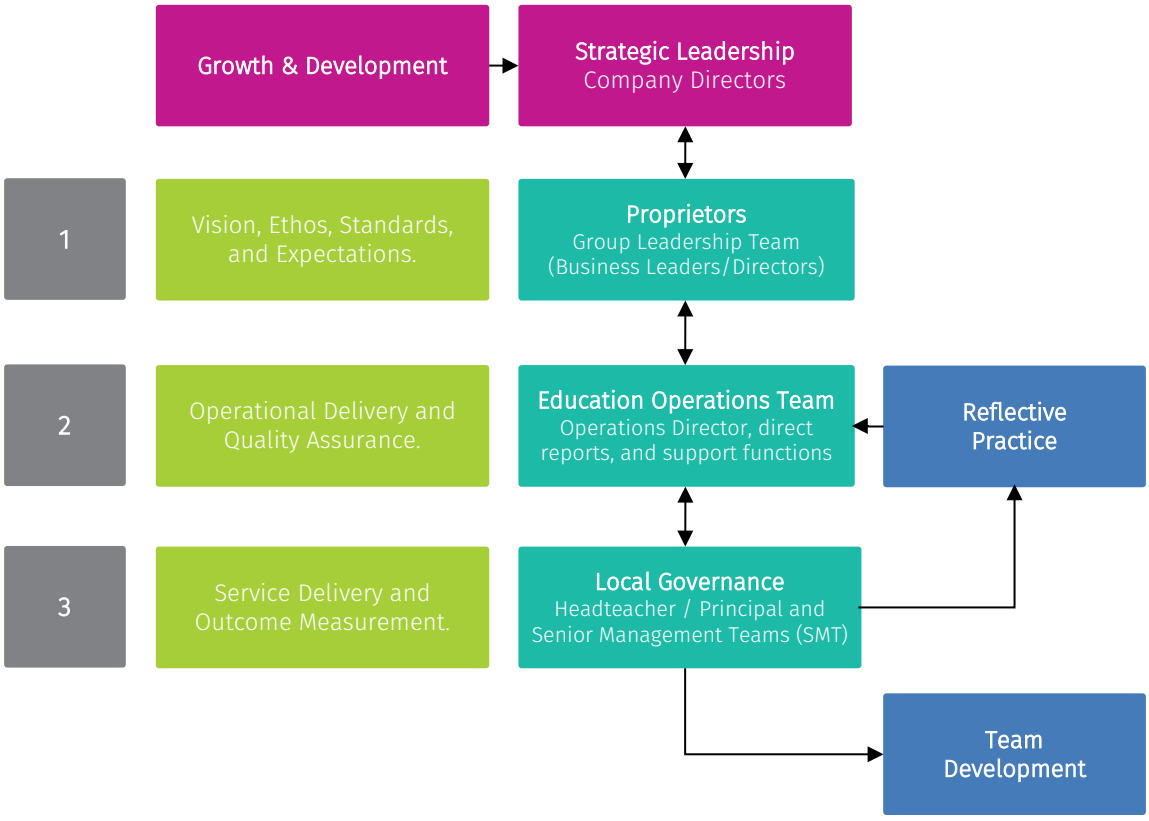
1.1.2 The Phoenix learning and Care Chief Executive acts as the Chair of Proprietors on behalf of the Board.

1.1.3 It is expected that Leaders and Employees will work together in a spirit of cooperation and collaboration for the good of the educational establishment and its Pupils within a framework that is transparent and open.

1.1.4 This policy covers all school settings within the Phoenix portfolio and the specific approaches of the regulators (Ofsted & Estyn). However, we recognise that there will be site specific differences/needs in regard to where a school is located and regulatory requirements or best practice within that area/country. These differences are acknowledged in consultation with the Head teacher and conditions of registration.

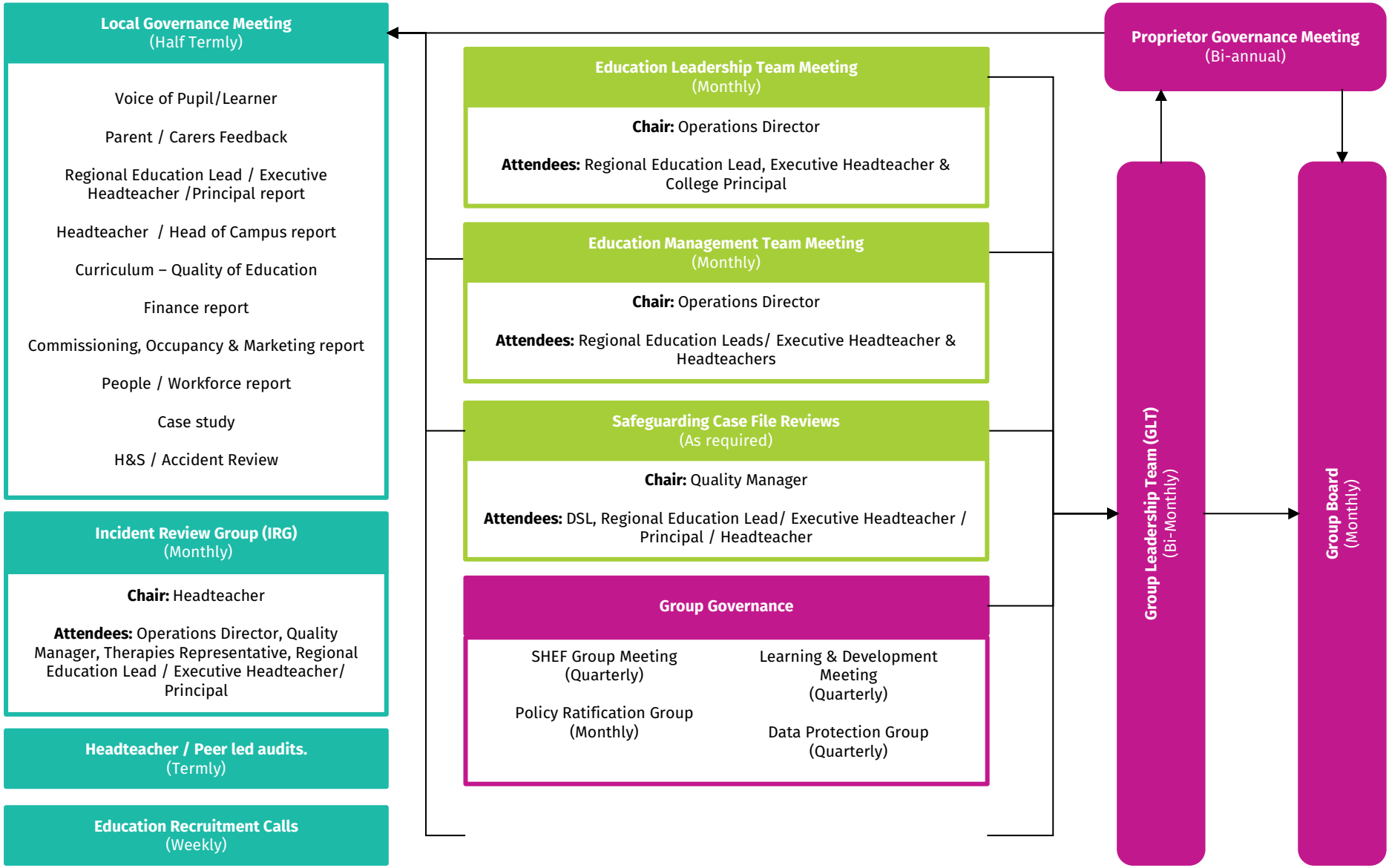
1.2 Governance & Oversight Structure

1.2.1 Our governance and oversight structure is similar to that of a Trust led by the Operations Director for Education (in lieu of Chair of Governors). Duties set out within the relevant regulator guidance and Independent School Standards (England/Wales) which sit within the senior management team are led by the Operations Director for Education.



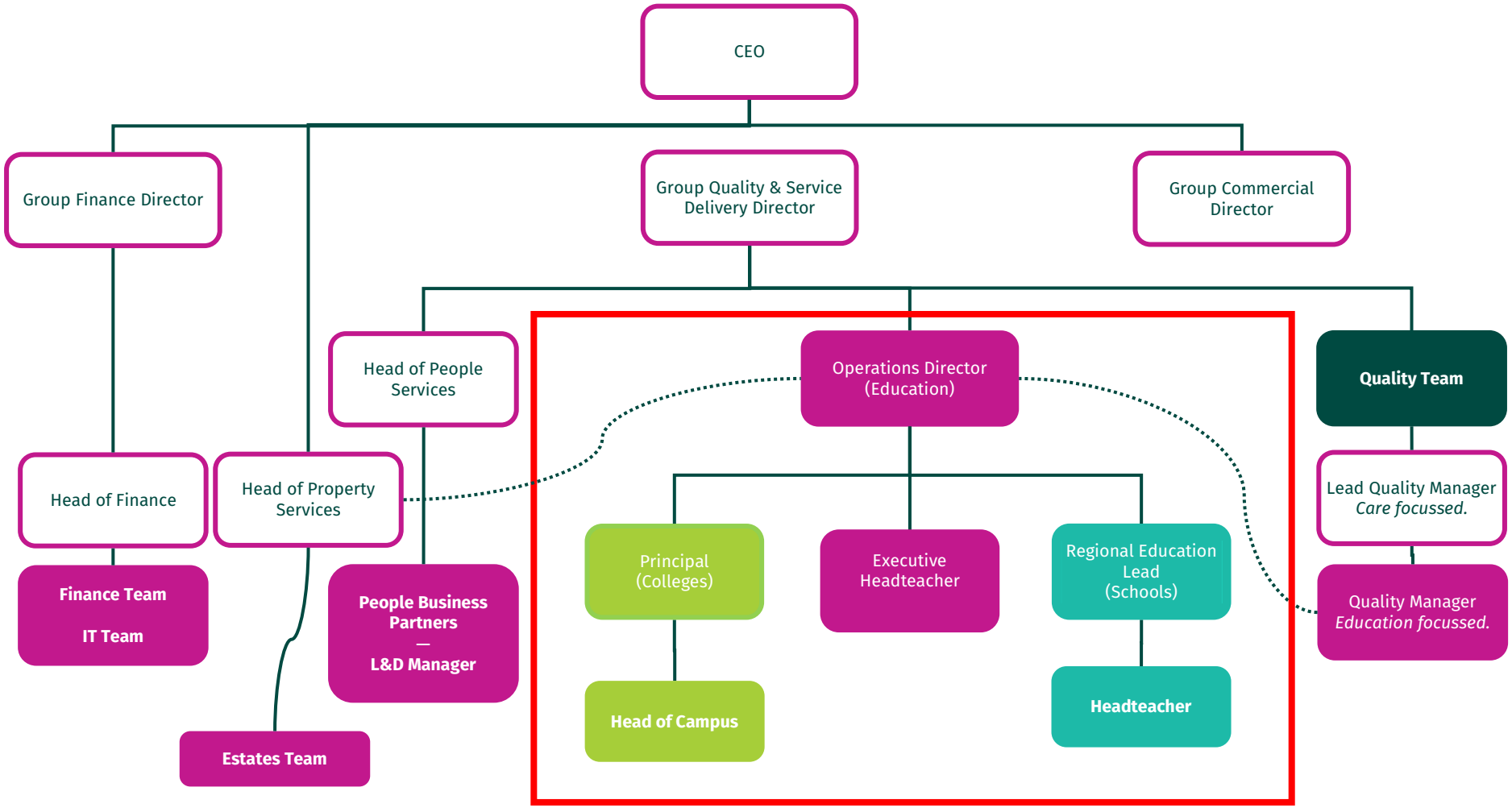
1.2.2 The diagram below sets out the Governing structure across our Education provisions.

1.3 Education Governance within Group Governance Structure



1.4 Local Governance Structure within Company Structure

NB: The red box shows local governance supported by those in solid mulberry outside the box providing support (People Services / Property) and oversight (Quality & Finance).



2. Responsibilities

2.1 The Proprietor

2.1.1 Phoenix are the Proprietors for all schools/college within our portfolio.

2.1.2 The Proprietor is the owner of the school/college premises and is responsible for the maintenance and upkeep and ensuring compliance with relevant regulations and any other statutory requirements.

2.1.3 Phoenix's Group Leadership Team (GLT), led by the Chief Executive, act as Proprietor for the organisation on behalf of the Board.

2.1.4 Responsibility for operational oversight of our schools/college is assigned to the Education Operations Team and managed through our governance structures (see diagram above).

2.1.5 Phoenix is the 'employer' of all the teaching and support team of the schools/college and has the ultimate responsibility for recruitment and termination of all Employees. It is the Phoenix's duty to ensure that the school/college is fully compliant with all employment law (including Equalities legislation, Health and Safety at Work, grievance, and disciplinary and employers' liability arrangements).

2.1.6 Phoenix ensures that appropriate pre-employment checks are completed and is responsible for ensuring that the Single Central Register of people working or regularly attending the school/college settings. These are site specific and maintained in accordance with the regulations.

2.1.7 Phoenix is responsible for the welfare of all Pupils/Learners in the schools/college and will ensure that all regulations relating to the safeguarding of children and young people are adhered to including reporting to the Disclosure & Barring Service (DBS) if necessary. Phoenix is responsible for representing the schools/college at complex strategy meetings which may be called to consider allegations against the Headteacher or Principal.

2.1.8 Phoenix is responsible for setting the admissions policy for the school/college and for securing the agreement of the Department of Education / Welsh Government for any 'material changes' to these. Phoenix is responsible for reviewing any permanent exclusions from the school and arranging for any appeal against the exclusion. The Proprietor's decision as to whether the exclusion should be upheld or not is final. The Proprietor has responsibilities under the DDA for ensuring that no aspect of the admissions or exclusions procedures unlawfully discriminate against Pupils/Learners or parents/carer who are covered under the Acts.

2.1.9 Health and Safety responsibilities of the Company include the following:

- The Regulatory Reform (Fire Safety) Order 2005 (RRFSO) (see www.opsi.gov.uk/si/si2005/20051541.htm) was introduced on 1 October 2006. The order places responsibility on the Company to carry out a fire risk assessment (formally recorded and regularly reviewed so as to keep it up to date);

- produce a fire risk policy which includes the elimination or reduction of risks from dangerous substances:

- develop fire procedures and provide employee training (repeated periodically where appropriate);
- ensure the safety of employees or anyone else legally on the school/college premises;
- carry out fire drills and contact emergency services when necessary;
- appoint one or more competent persons (with sufficient training, experience, and knowledge) to assist in taking preventive and protective measures (including firefighting and evacuation);
- have a suitable system for the maintenance of clear emergency routes and exits (with doors opening in the direction of escape), signs, notices, emergency lighting where required, fire detectors, alarms, and extinguishers (the maintenance should be by a 'competent person' (for example, ISO9001 certified or BAFE approved);
- provide employees and any others working on the school/college site with fire safety information;
- The Company is responsible for allocating the school/college budget, for income and expenditure (although some of these tasks are delegated to the Headteacher/Principal).

2.2 Education Operations Team

2.2.1 The Education Operations Team (EOT), led by the Operations Director for Education, provides operational direction, oversight, and support to Headteachers / Principal. The Company gives the responsibility for developing the educational character of the school/college and determining its strategic direction to the EOT and relies on the expertise vested in the EOT to both monitor and challenge the schools/college. The EOTs role is to hold the Headteacher/Principal to account for exercising their professional judgement in these matters and for the performance of all their other duties.

2.2.2 The EOT, led by the Operations Director for Education, are responsible for:

- Working effectively with leaders to communicate the vision, ethos and strategic direction of the school/college and develop a culture of ambition.
- Provide a balance of challenge and support to leaders, understanding the strengths and area needing improvement at the school/college.
- Provide support for an effective Headteacher/Principal.
- Appoint the Headteacher/Principal and performance manage (where applicable and appropriate) the Headteacher's/Principal's performance.
- Understand the impact of teaching, learning and assessment on the progress of Pupils/Learners currently in the school/college.

- Ensure the assessment information from Leaders provides the EOT with sufficient and accurate information to ask probing question about outcomes for Pupils/Learners.
- Ensure that the school/college finances are properly managed and can evaluate how the school/college is using Pupil/Learner premium.
- Attendance at panels to hear for example (but not exhaustively) exclusion appeal by Pupils/Learners and their parents/carers, competency, disciplinary or grievance appeals by Employees, escalated complaints as requested by the Company or Headteacher/Principal.
- Receiving progress reports from the Headteacher/Principal concerning all aspects of the school/college including (but not limited to):
    - Admissions and exclusions
    - Attendance
    - Pupil/Learner progress
    - Health and safety and welfare issues
    - Policy Reviews
    - Employee issues including resignations and new appointments.
    - Curriculum
    - Complaints
- Having an onsite presence at the school/college to observe and report on aspects of it in action within the remit of the individual's EOT member's role.
- Representing the school/college as required (e.g., at Open Mornings/evenings, celebratory assemblies, meetings with the regulator, placing authorities etc).

2.2.3 The EOT will undertake monthly Service Review Meetings at which the operational aspects of the school/college will be reviewed, e.g., people related matters, day to day operational issues and finance.

3. Local Education Governance

3.1.1 Meetings are held as per the diagram set out within this document. Dates are agreed at the start of the school/college year.

3.2 Headteacher/Principal report

3.2.1 At each Local Level Education Governance meeting a Headteacher/Principal report is to be presented and a copy of the Headteacher/Principal report filed with the minutes.

3.2.2 The Operations Director for Education should determine the scope and format of the Headteacher/Principal report to facilitate information being presented in a format that enables the EOT to remain focussed on their core strategic functions.

3.3 Confidential items (Part two)

3.3.1 There may be items which, because of their nature, require confidential discussion and minutes. Therefore, certain attendees of the meeting maybe asked to leave whilst confidential business is being dealt with.

3.3.2 At the beginning of any confidential item the Operations Director for Education should resolve to move into "part two". Anything discussed in Part 2 must remain confidential to the governance and oversight group.

3.3.3 Typical Part 2 items can include a governance and oversight group or sub-committee matter which relates to:

- A named Teacher.
- Any other person employed or proposed to be employed at the school/college.
- A named Pupil/Learner or candidate for admission to the school/college of exclusion from it.
- Any matter by reason of its nature the governing and oversight team determines should be dealt with on a confidential basis (e.g., disciplinary matters involving Pupils/Learners or Employees).

3.4 Responsibilities of the Headteacher/Principal

3.4.1 The Headteacher/Principal responsibilities are detailed in the job description for the role. The Headteacher/Principal is responsible for the educational performance of the school/college and for the internal organisation, management, and control of the school/college to include employee performance and management thereof.

3.4.2 The Headteacher/Principal must comply with any reasonable direction given by it by the EOT or the Operations Director for Education directly.

3.4.3 The Headteacher/Principal role is as follows:

- Whole School/College organisation, strategy, and development

  - Provide overall strategic leadership and, with the EOT, lead, develop and support the strategic direction, vision, values, and priorities of the school/college.
  - Develop, implement, and evaluate the school/college's policies, practices, and procedures.
  - Monitor that the school/college is complaint with School/college Registration regulations/requirements and report to EOT if these are not met.

- Teaching
  - Lead and manage teaching and learning throughout the school/college. Including ensuring, save in exceptional circumstances, that a teacher is assigned in the school/college timetable to every class or group of Pupils/Learners.

- Health, safety, and discipline
  - good order and discipline amongst Pupils/Learners and Employees.
  - Management promote the safety and well-being of Pupils/Learners and Employees.

- Ensure of employees and resources
  - Lead, manage and develop the school/college workforce, including assessing and managing performance.
  - Organise and deploy resources within the school/college.
  - Promote harmonious working relationships within the school/college.
  - Maintain relationships with organisations representing teachers and other members of the school/college's workforce.
  - Lead and manage the school/college's workforce with a proper regard for their well-being and legitimate expectations, including the expectation of a healthy balance between work and other commitments.

- Professional development
  - Promote the participation of Employees in relevant continuing professional development.
  - Participate in arrangements for the appraisal and review of their own performance, and, where appropriate, that of other teachers and support team members.

- Participate in arrangements for their own further training and professional development and, where appropriate, that of other teachers and support team members including induction.

- Communication
    - Consult and communicate with the EOT, placing authorities, Employees, Pupils/Learners, parents, and carers.
    - Work with colleagues and other relevant professionals
    - Collaborate and work with colleagues and other relevant professionals within and beyond the school/college including relevant external partners.

3.5 Meeting Agenda

3.5.1 Pupil/Pupil Voice:

- Pupils/Learner views (Learner Voice) on provision success and ideas for improvement to service.
- Delivered by any means of communication including survey, presentation, video etc. Item may have a theme.
- Group agree actions to be included in relevant section of governance action tracker.

3.5.2 Views of Parents/Carers:

- Parent/carers views on provision success and improvement to service.
- Delivered by any means of communication including survey, themes of testimony and complaints, presentation, video etc.
- Group agree actions to be included in relevant section of governance action tracker.

3.5.3 Regional Education Lead / Executive Headteacher / Principal Report:

- Provision success and required improvement to service via summary of most recent audit(s) and support provided. Themes noted and areas of risk (inc. evaluated regulatory grading).

3.5.4 Headteacher / Head of Campus Report:

- Views on provision success and required improvement to service. To include:
    - most significant achievements of month,
    - self-assessment of current regulatory grading
    - progress against School/College Quality Improvement Plan,

  - Safeguarding notifications (open and closed),
  - therapeutic support strategies in reduction (number and severity) of incidents /behaviours and actions taken,
  - progress since last audit,
  - review of team morale,
  - update on integrating education/care/therapy,
  - significant risks and challenges,
  - update on stakeholder relationships,
  - review of complaints,
  - testimony.

- Education/Curriculum to include progress against full list of requirements & recommendations, developments identified by Regional Education Lead / Executive Headteacher / Principal (number or % not achieving / exceeding expected progress), educational attendance against annual target, summary of lesson observations YTD and areas for improvement, RAG-rated progress against full list of requirements / recommendations from last inspection, supporting evidence of quality of education (T&L) from internal Quality Assurance cycles, RAG-rated view of each subject in terms of quality of teaching / Progress of pupils/Pupils.
- Workforce performance management; whistleblowing, internal and external Complaints, and people/ER processes (with an overview of themes and actions arising), view of Team Member wellbeing and morale including results of surveys and recommendations. Absence and Long-Term Sick overview, supervision frequency and quality of supervisions.
- Finance:
  - Commercial performance against budget. (Review of previous months finance report)
  - YTD performance and full year forecast against budget for Occupancy,
  - Revenue, Team Member costs, Agency spend and overtime (month by month).
- Commissioning, Occupancy & Marketing:
  - Referral, Assessment & Placement (RAP) activity.
  - Key themes and actions regarding constraints to managing occupancy.
  - Look ahead forecast; leavers / starters / placement stability plans / funding gaps and any actions required.

- Confirm profile of 'target' Pupil/Learner, key marketing actions for next period – success stories,
- LA visits etc

3.5.5 Therapies:

- Provision success and required improvement to service.
- Key achievements/challenges, requirements & recommendations, and summary of universal, indirect / direct support.

3.5.6 Case Study 1:

- Life before placement, specific targeted interventions, outcome, and future.

4. Proprietor Oversight Meetings

4.1 Purpose

4.1.1 The Proprietor, through bi-annually Proprietor Oversight Meetings, shall:

- evaluate the effectiveness of the school/college;
- hold the Headteacher/Principal and Education Operations Team accountable for educational performance;
- oversee financial performance; and
- work with Education Leaders to plan the strategic direction of the setting.

4.2 Meeting Agenda

4.2.1 Register of interests

4.2.2 Headteacher's/Principal's Report

- Progress against Self-Evaluation targets
- Top 3 achievements / top 3 risks
- Areas for future development

4.2.3 Finance & Efficiencies

4.2.4 Commercial

4.2.5 Property

5. Appendix - Code of Conduct for Education Leaders

This code sets out the expectations on and commitment required from Education Leaders in order for the Education Operations Team, as delegated by the Company Board, to properly carry out its work within the school/college and the community.

The Education Operations Team has the following core strategic functions:

Establishing the strategic direction by:

- Working with the Headteacher / Heads of Campus / Principal to set the vision, values, and objectives for the school/college.
- Agreeing the school/college improvement strategy with priorities and targets.
- Meeting statutory duties.

Ensuring accountability by:

- Appointing the Headteacher/Heads of Campus / Principal
- Monitoring progress towards targets
- Performance managing the Headteacher/ Heads of Campus / Principal
- Engaging with stakeholders
- Contributing to school/college self-evaluation.

Ensuring financial probity by:

- Working with the Board to set the budget.
- Monitoring spending against the budget
- Ensuring value for money is obtained.
- Ensuring risks to the organisation are managed.

As individual members of the Governance and Oversight Group we agree to the following:

1. Role & Responsibilities
    - We understand the purpose of the governance and oversite group and the role of the Headteacher/Principal.
    - We accept that we have no legal authority to act individually, except when the governance and oversight group has given us delegated authority to do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.
    - We accept collective responsibility for all decisions made by the governance and oversight group or its delegated agents. This means that we will not speak against majority decisions outside the governance meeting.
    - We have a duty to act fairly and without prejudice, and in so far as we have responsibility for Team Members, we will fulfil all that is expected of a good employer.
    - We will encourage open governance and will act appropriately.
    - We will consider carefully how our decisions may affect the community and other school/colleges.
    - We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/college. Our actions within the school/college and the local community will reflect this.
    - In making or responding to criticism or complaints affecting the school/college we will follow the procedures established by the governing body.
    - We will actively support and challenge the Headteacher/Principal.

2. Commitment

- We acknowledge that accepting office as a member of the governance and oversight group involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the govern governance and oversight group, and accept our fair share of responsibilities, including service on committees, as lead governors or portfolio holders or on working groups, as appropriate.
- We will make every effort to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/college well and respond to opportunities to involve ourselves in school/college activities.
- We will visit the school/college, with all visits to school/college arranged in advance with the Team Members and undertaken within the framework established by the govern governance and oversight group and agreed with the Headteacher/Principal.
- We will seriously consider our individual and collective needs for training and development and will undertake relevant training.
- We accept that in the interests of open governance, our names, terms of office, roles on the govern governance and oversight group, category of governor and the body responsible for appointing us will be published on the school/college's website.

3. Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously, and respectfully in all our communications with other governors and the clerk.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We will provide reports on our work, as appropriate, to the clerk to disseminate to the governance and oversight group in a timely manner.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the Headteacher/principal, Team Members and parents, the local authority and other relevant agencies and the community.

4. Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governance and oversight group's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting, we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the school/college's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.

- We will act in the best interests of the school/college as a whole and not as a representative of any group, even if elected by that group to the governance and oversight group.

5. Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of Team Members or Pupils/Learners, both inside and outside school/college.
- We will exercise the greatest prudence at all times when discussions regarding school/college business arise outside a governance and oversight group meeting.
- We will not reveal the details of any governance and oversight group vote.

6. Breach of this code of conduct

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate: the governance and oversight group will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another member of the governance and oversight team will investigate.

7. The Seven Principles of Public Life

- (Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

- Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

- Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

- Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

- Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

- Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

- Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

- Leadership - Holders of public office should promote and support these principles by leadership and example.