Rethinking School Governance

Peter Cole
Director, PTR Consulting
2010

Rethinking School Governance

Contents

Forward

This paper comments on governance arrangements in Victorian government schools (which are summarised in Appendix 1) and draws on research into the effectiveness of school governance in other jurisdictions to propose possible alternatives to the governance arrangements that are typically evident in government schools.

In particular, the paper highlights the dilemmas often faced by government (and other) schools in lower-socio economic areas when school governance is based on a participative democracy model and advocates that there should be greater flexibility available to schools with regards to their governance arrangements.

Although the paper has been generated from a concern about governance in Victorian government schools, some of the suggestions for school governance reform would also resonate with schools in the Catholic and private sectors. The key take away messages of the paper are that:

- more opportunities should be provided for highly effective schools to adopt models of governance that strengthen their council's strategic review and accountability functions; and
- the governance of poorly performing schools needs to be subjected to much closer scrutiny and where governance is found to be inadequate education authorities should intervene to redress this situation.

The tenor of the quotes below provides an indication of the issues that are canvassed in this paper.

> *School governors are the largest volunteer force in the England.[1]*

> *The 'ideal' size of a board 'is the smallest number that allows (the) board to be effective'.[2]*

> *In all they do, governing bodies need to focus on their strategic role and on how they can support the school to raise standards.[3]*

> *'If, as governments insist, schooling is the key to the life chances of individuals and the economic development of the country as a whole, then the quality of governance is crucial.'[4]*

> *'If we know that good governance contributes to excellence, we must ensure that schools in disadvantaged areas have excellent governing bodies if we are to achieve our aim of a school system characterised by high equity where high standards are not reserved for those from advantaged backgrounds.'[5]*

> *'The sense of community ownership of local schools is incredibly strong, and activities associated with "doing" are often more easily equated to "supporting" or "running" the school, than concepts of governance and strategic leadership, which are about setting the vision, the policy direction, and clearly identifying the targets for improvements in student achievement, the monitoring of progress, the reporting, and of course the audit processes.'[6]*

> *'It may be possible to have a successful or effective school with an ineffective governing body but how much more successful might that school be with an effective governing body, working in close partnership with the school and the community?'[7]*

---

[1] Institute for Volunteering Research (2003)

[2] http://www.nais.org/

[3] Department for Education and Skills (2005)

[4] Dean et al (2007)

[5] Department for Education and Skills (2005)

[6] New Zealand School Trustees Association (2005)

[7] Earley and Creese (2003)

Section 1: School governance arrangements in other jurisdictions

New Zealand

In New Zealand the control of the management of each state primary, intermediate, secondary and composite school is the responsibility of a locally elected board of trustees. A report by the Education Review Office (NZ) (2007) summarises the ERO's findings about governance in the education review reports of 673 schools (545 primary and 128 secondary schools) completed between January 2005 and March 2007.

School trustees, with the principal and teaching staff, are required to:

- develop a strategic plan which documents how they are giving effect to the National Education Guidelines through their policies, plans and programmes, including those for curriculum, assessment and staff professional development;
- maintain an ongoing programme of self review in relation to the above policies, plans and programmes, including evaluation of information on student achievement; and
- report to students and their parents on the achievement of individual students, and to the school's community on the achievement of students as a whole and of groups of students[8].

The report observed that over time greater emphasis has been placed on trustee's responsibilities in relation to 'student achievement and better community engagement to determine priorities and targets to improve student achievement'. It also observed that:

'well-managed and well-led schools will have a clear purpose, use analysed student achievement information to underpin planning and self-review processes, and direct resources towards the desired goals of improving student achievement. The relationship between the indicators of good governance and student achievement is complex and indirect. Good performance against such indicators does not in itself lead to high levels of student achievement. However, poor governance is more likely to correlate with lower than expected levels of achievement'.

This report found that of the board's it reviewed 60 percent of schools were well governed, 33 percent had 'positive aspects of governance' but also aspects that needed improvement and 7 percent of schools were governed in ways that 'needed significant improvement'. The report also advised that 'for a few schools, targeted interventions were recommended to bring about improvements to the quality of governance practice'.

The report highlighted that in well-governed schools:

- governance centred on students with trustees committed to improving student learning and achievement.

---

[8] The groups of students to be reported on include students who are not achieving; who are at risk of not achieving; and who have special needs (which includes gifted and talented learners).

- the principal and teachers gave trustees analysed student achievement information that was used to set realistic targets and underpin decision-making, especially in supporting professional development of staff;
- strategic and annual planning had a strong focus on improving student achievement; and
- the principal played a key role in working with trustees and providing strong professional leadership for the board, staff and students.

The report also noted that in well-governed schools trustees:
- have an explicit focus on student learning and achievement supported by strong professional leadership;
- bring experience and expertise to their roles and share an understanding of their roles and responsibilities;
- strengthen partnerships in the school community through respectful relationships;
- implement inclusive and responsive consultation processes that acknowledge diverse school communities;
- are involved in strategic and annual planning that focuses on improving student achievement;
- use robust self-review processes to evaluate identified aspects of school performance and to contribute to ongoing improvement; and
- have sound financial, property and personnel policies and procedures to guide the management of these resources.

Review officers use evaluative questions as the basis for judgements about the quality of school governance. The framework for evaluating good governance adopted by the Education Review Office is as follows:

- How coherently does the school focus its efforts on student achievement (including the analysis and use of assessment data along with the alignment of resources, policies and practices) to ensure a high quality of teaching across the school?
- What is the quality of the governance and management relationship and how well are the respective roles of board members and principal understood and acted on?
- How effective is the school's use of financial, property and human resources to support and improve student achievement?
- How transparent to its community are the school's governance processes?
- How effectively does the school gain input from its community?
- How effective are school strategic planning and self-review processes in bringing about improvements likely to impact on student achievement?
- How effectively does the school monitor and evaluate its performance and take action to secure improvements?
- How well does the board meet its obligations for being a good employer?
- How well does the board support school management to create an environment where teachers can make their greatest impact on student achievement?

The key recommendations for improving school boards include:
- improving self-review practice
- developing, reviewing and strengthening strategic direction
- undertaking training to improve governance capability

- reviewing and more rigorously implementing performance management systems
- clarifying and reviewing trustee roles and responsibilities;
- receiving and/or seeking more timely and well-analysed student achievement information
- consulting groups of parents and extended family in the diverse school community;
- supporting targeted staff professional development through appropriate budgeting; and
- strengthening relationships among all members of the school community.

Another document[9] discussing school governance in New Zealand observes that 'the role of the board of trustees has sharpened considerably, moving away from viewing such things as property, finance, and human resources as a means to themselves, to a quite specific focus on the need to improve student achievement'.

In outlining the case for 'continuous improvement' in schools, this document also observes that:

'Shifting the board focus from the "doing" to a "strategic leadership" perspective has not necessarily come easily to all boards. The sense of community ownership of local schools is incredibly strong, and activities associated with "doing" are often more easily equated to "supporting" or "running" the school, than concepts of governance and strategic leadership, which are about setting the vision, the policy direction, and clearly identifying the targets for improvements in student achievement, the monitoring of progress, the reporting, and of course the audit processes.'

A recent report[10] into the effectiveness of New Zealand school councils made the following observations:

- 10-15% of boards have significant issues of capacity and capability
- Funding and financial management tend to dominate board business
- Most trustees and principals agreed their board lacked some expertise (71 percent of trustees and 79 percent of principals), with strategic planning and legal skills the biggest gap.
- Principals of high-decile (wealthier) schools are more likely to think their board is on top of the task than principals in low-decile (poorer) schools.
- Lower-decile schools have some problems with board membership capability but not with membership commitment.

The same evaluation report, which strongly supported the continuance of councils, suggested that:

- funding for the employment of administrative staff to service school management and boards is crucial
- measures are needed to make things easier for school, such as a helpdesk system schools can go to for expertise on legal, regulatory and policy changes
- as the analysis of student and school performance data is complex, material to support data analysis should be developed for councils
- experts should be available to assist councils with principal appointments and appraisals.

---

[9] New Zealand School Trustees Association (2005)
[10] Wylie (2007)

The National Association of Independent Schools (America)

The National Association of Independent Schools (NAIS) advises that the school board has the responsibility to ensure that the school's mission is relevant and vital to the community it serves and to monitor the success of the school in fulfilling its mission. NAIS has developed the following twelve principles of good school governance practice[11] and advises that the board and the principal work in partnership in fulfilling these principles'.

- The board adopts a clear statement of the school's mission, vision, and strategic goals and establishes policies and plans consistent with this statement.
- The board reviews and maintains appropriate bylaws that conform to legal requirements, including duties of loyalty, obedience, and care.
- The board assures that the school and the board operate in compliance with applicable laws and regulations, minimizing exposure to legal action. The board creates a conflict of interest policy that is reviewed with, and signed by, individual trustees annually.
- The board accepts accountability for both the financial stability and the financial future of the institution, engaging in strategic financial planning, assuming primary responsibility for the preservation of capital assets and endowments, overseeing operating budgets, and participating actively in fund raising.
- The board selects, supports, nurtures, evaluates, and sets appropriate compensation for the head of school.
- The board recognizes that its primary work and focus are long-range and strategic.
- The board undertakes formal strategic planning on a periodic basis, sets annual goals related to the plan, and conducts annual written evaluations for the school, the head of school, and the board itself.
- The board keeps full and accurate records of its meetings, committees, and policies and communicates its decisions widely, while keeping its deliberations confidential.
- Board composition reflects the strategic expertise, resources, and perspectives (past, present, future) needed to achieve the mission and strategic objectives of the school.
- The board works to ensure all its members are actively involved in the work of the board and its committees.
- As leader of the school community, the board engages proactively with the head of school in cultivating and maintaining good relations with school constituents as well as the broader community and exhibits best practices relevant to equity and justice.
- The board is committed to a program of professional development that includes annual new trustee orientation, ongoing trustee education and evaluation, and board leadership succession planning.

NAIS reinforces the key purpose of the board being long-term and strategic by advising that a good board meeting should
- inform, educate, and inspire trustees;
- make good use of the assembled expertise to benefit the school; and
- involve examining strategic directions through in-depth discussion.

---

[11] http://www.nais.org/

When providing advice on board size and composition the NAIS advises that the 'ideal' size of a board 'is the smallest number that allows (the) board to be effective'. When discussion membership composition, the NAIS makes the following observations about membership categories:

- Current parents bring a deep personal interest in the school, but can be focused on the present, generalise from their children's experiences, and have a desire to be involved in operational matters
- Past parents may constitute the best of all worlds as they're committed, knowledgeable, and distant from current school issues.
- Grandparents may offer similar perspectives to past parents, and have a close link to the school through their grandchild, without the immediacy of the current parent relationship.
- Staff membership is not recommended as this makes them their own bosses as the board oversees the head, who oversees the faculty. Staff should be included on committees and task forces where their expertise will be of value.
- Student membership is not recommended as they are not of age legally and their general maturity can make it difficult for them to move beyond their particular experiences as current students. Students could serve on committees, meet with trustees as student leaders, participate in surveys about their interests, and so on.
- Alumni bring a spirit of gratitude for their education but can be so enamoured of the past that they have difficulty adapting to and embracing change.
- Friends can bring the most objectivity as well as needed expertise not found within the immediate school community.

NAIS declares that 'it is the board, and only the board as a whole, that makes major policy decisions, but it accomplishes its work through committees and task forces. Committees and task forces can increase their own effectiveness by including non-board members from the school and beyond with needed expertise not found on the board'.

United Kingdom

Because of the diversity of school models in the UK, there is also a diversity of governance arrangements and requirements. The descriptions that follow[12] are a distillation of the school council requirements in government funded 'state' schools; that is, those schools that are most like 'typical' government schools in Victoria.

UK-Composition of councils and meeting frequency
Councils must have a minimum of 9 members and the maximum size is a membership of 20 people.

State schools councils have 4 compulsory membership groups.

- Parent members
  Parent members are elected by other parents or appointed if no election is needed. If insufficient parents stand for election the governing body can appoint a parent of a student or if that is not possible a parent of a former student of the school, or if that is not possible; a parent of a child of, or under, compulsory school age.

---

[12] A Guide to the Law for School Governors (UK)
http://www.governornet.co.uk/linkAttachments/Final.doc

- Staff members
  Teachers and support staff are eligible and are elected by staff. If there is an election 1 staff member must be a teacher but if no teacher stands the members can be from the school support staff. The Principal is an automatic member.
- Local Education Authority member (Region)
  This member is appointed by the LEA.
- Community members
  Community members are appointed by the council.

The table below shows the proportion of places that should be allocated to a governing body.

Type of school	Category of governor			
	Parent	**Staff**	**LEA**	**Community**
State school wholly owned and maintained by the Local Authority	At least one third	At least two staff, but no more than one third, including the principal	One fifth	At least one fifth

Associate members can be appointed to council committees. Students, school staff and people who want to contribute specifically on issues related to their area of expertise (for instance, finance) can be appointed as associate members.

The maximum term of office for all categories of governor is four years.
The governing body decides how often and for how long it needs to meet in order to perform its functions effectively. However, each governing body must hold at least three meetings per school year.

UK- General purpose and functions
The governing body has general responsibility for the conduct of the school with a view to promoting high standards of educational achievement.

The governing body is responsible for raising standards through its three key roles of setting strategic direction, ensuring accountability, and monitoring and evaluating school performance.

The governing body must exercise its functions with a view to fulfilling a largely strategic role in the running of the school. It should establish the strategic framework by:

- setting aims and objectives for the school
- adopting policies for achieving those aims and objectives
- setting targets for achieving those aims and objectives. - Governing bodies are required to set targets for pupils' performance, and should ensure that the school has effective systems in place for monitoring pupil progress and is using previous results supported by recent teacher assessment to set challenging targets.

The senior management team should take the lead in carrying out self-evaluation and involve the governing body throughout the process. The school plan arising from the self-evaluation process should be agreed and signed off by the governors.

The governing body should monitor and evaluate progress of its strategy and regularly review the framework for the school in the light of that progress. When establishing the strategic framework and reviewing progress, the governing body should consider any advice given by the principal and the School Improvement Partner (SIP). The school improvement plan will generally provide the main mechanism for the strategic planning process.

(The principal has responsibility for the internal organisation, management and control of the school and for implementation of the strategic framework established by the governing body. Governors are not expected to be involved in the detail of the day-to-day management of the school.)

A governing body can delegate many of its statutory functions to a committee, a governor or the principal.

Any individual or committee to whom a decision has been delegated must report to the governing body in respect of any action taken or decision made. The governing body can still perform functions it has delegated: this enables the governing body to take decisions on matters that are discussed at meetings on functions that have been delegated

The governing body must determine the membership and proceedings of any committee. The governing body must also review the establishment, terms of reference, constitution and membership of any committee annually

Governing bodies and principals are required to produce a curriculum policy that sets out the principles underpinning the curriculum and reflect the school's commitment to developing all aspects of their pupils' lives.

The governing body:
- should decide, with the principal, the school's general policy and approach to meeting children's special educational needs (SEN)
- may appoint a committee to monitor the school's work for children with SEN
- report each year to parents on their policy for pupils with SEN

Governing bodies, to the extent that they control school premises, must take all reasonable measures to ensure that the premises and equipment on the premises are safe and do not put the health of pupils at risk while they are on the premises.

UK- Training
Although not compulsory, it is strongly recommended that all governors, however experienced, participate in training to improve their effectiveness and to keep abreast of developments that may affect their schools and roles as governors.

The Local Authority provides a portfolio of training courses that governors can access to help them carry out their duties effectively. The training must be provided free of charge to the individual governor.

UK- Federations and collaboration

Two or more schools are able to federate under one governing body. The criteria for election or appointment to the categories of governors on federated governing bodies are broadly the same as those for governing bodies.

Schools are able to have increased collaborative arrangements with other schools, including joint meetings of governing bodies and joint committees. Two or more governing bodies may arrange for any of their functions to be discharged jointly. They may also delegate any of their functions to a joint committee in the same way that they may delegate them to a committee of a single governing body. Similar arrangements can be made between a school and a Further Education College.

UK- Schools causing concern

The Local Authority (LA) may issue a warning notice to a school if the LA has sufficient evidence that:
- the standards of performance of pupils at the school are unacceptably low, and are likely to remain so unless the authority exercises its powers;
- there has been a serious breakdown in the way that the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance;
- the safety of pupils or staff at the school is threatened (by a breakdown of discipline or otherwise).

A warning notice is a written notice sent from an LA to a governing body. It must set out the reasons for issuing the notice, including the evidence on which the LA has based these conclusions. The notice must explain what action the governing body is required to take within the 15-day compliance period, and set out how the LA intends to respond if the governing body does not comply with this action.

If a school is found to be inadequate (inspection Grade 4) when it is inspected, the inspecting authority will decide whether the school requires significant improvement or special measures.

A school requires special measures where it is failing to give its pupils an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school.

A school requires significant improvement where it does not require special measures but nevertheless is performing significantly less well than might reasonably be expected.

At a school which is eligible for intervention because it is in special measures or requires significant improvement, or has failed to comply with a warning notice, LAs may require the school to:
- enter into a partnership arrangement with another school, an organisation or an individual;
- add additional governors to the governing body;
- return its delegated budget;
- apply to the Secretary of State for Children, Schools and Families to replace its governing body with an Interim Executive Board (IEB);
- publish proposals for closure.

An IEB is a governing body appointed for a temporary period in exceptional circumstances with the specific task of ensuring school improvement. There are also Regulations covering the transition back to normal governance with a Shadow Governing Body (SGB). The principal duties of an IEB are to:

- take on all the responsibilities of a governing body;
- conduct the school so as to secure a sound basis for improvement;
- promote high standards of education.

The principal duties of an SGB are to:

- work alongside an IEB before taking over responsibility as a governing body;
- act alone as a governing body until the date of constitution of a new normally constituted governing body.

The Secretary of State for Children, Schools and Families has powers to replace a governing body with an IEB where the LA has not already done so in respect of schools requiring special measures or significant improvement.

The IEB may recommend to the LA or to the Secretary of State for Children, Schools and Families that the school should be closed under the normal statutory procedures.

Observations on English governance arrangements

Research[13] into the composition and effectiveness of school governing bodies, and into ways in which they might be improved found inter alia that:

- there is a clear association between effective schools and effective governing bodies
- there are considerable benefits to be derived from having an effective governing body
- the factors preventing governing body effectiveness included time, the governors' lack of skills and knowledge, the volume and complexity of their work, and the lack of contact with the school 'in session'.

Suggestions for improving governing body effectiveness arising from this research included:

- the provision of additional training for governors
- payment for governors or paid time off work
- providing more opportunities for governors to visit their school
- better organisation of and communication with the governing body,
- finding and appointing governors with the necessary skills and expertise
- clarification of governors' role
- improving the support provided by the local education authority.

A 2002 study of English school governance[14] revealed that whilst only 8 percent of primary and 10 percent of secondary schools had unsatisfactory governance, this proportion increases in relation to school socioeconomic disadvantage. In those schools where the proportion of students receiving free school meals (lower socio-economic schools) was more than half the students, 17 percent of primary school councils and 24 percent of secondary school councils were evaluated as being unsatisfactory.

---

[13] Scanlon et al (1999)
[14] Ofsted (2002).

A study[15] into the main reasons for failing schools concluded that the five key and often interconnected reasons were ineffective leadership; weak governance; poor standards of teaching; lack of external support; and challenging circumstances. The study also observed that 'a school with a very good leadership team can still succeed in spite of a weak governing body'.

However, as other researchers[16] have commented:

> *'It may be possible to have a successful or effective school with an ineffective governing body but how much more successful might that school be with an effective governing body, working in close partnership with the school and the community?'*

A 2007 study[17] focused on school governance in disadvantaged areas revealed that assumptions about school governance models often do not hold up in schools in disadvantaged areas. It observed that in areas of socio-economic disadvantage 'where schools are under enormous pressure, both because their role in overcoming disadvantage is crucial and because the challenges they face are almost overwhelming', 'the model of volunteer citizens supporting and challenging the work of professionals seems most problematic'.

> *'Where are these volunteers to come from, given the pressures under which people in such areas find themselves? If they are to be found, how are they to acquire the expertise necessary to form an effective partnership with highly trained professionals? And, even if these conditions can somehow be met, what are they to do about the acute problems of schooling in such areas – problems that have frustrated the best efforts of local and central government for generations?'*

Dean et al[18] contend that in order for councils to become more strategic in focus the rationale for having school councils needs to be clarified. They observe that at present there is a lack of any clear and consensual rationale for the existence of councils.

> *'Different potential rationales can be identified in terms of the managerial, localising and democratising contribution that governors might make, but each of these assumes different characteristics on the part of governors, different forms of legitimacy and different definitions of service quality.'*

The following table developed by Dean et al (2007) sets out the implications of the different rationales for school councils operating in disadvantaged areas.

The rationales for governance

Rationale	Features	Realities in disadvantaged areas
Managerial	Governing bodies increase the managerial efficiency and effectiveness of the school by scrutinising,	Governors with the necessary time, commitment and expertise are difficult to find. Governors feel ill-equipped to challenge. Governors and heads are wary of conflict. Many governors find the role alien.

---

[15] English National Audit Office (2006)
[16] Earley and Creese (2003)
[17] Dean et al (2007)
[18] Dean et al (2007)

	challenging and supporting its professional staff.	
Localising	Governing bodies bring local knowledge to bear on external imperatives and implement them in the light of 'what works here'.	Governors feel relatively comfortable with this role. Governors are guided by notions of a 'common interest'. Governors operate under constraints that limit the scope for localisation. The legitimacy of governors as arbiters of the common interest is doubtful.
Democratising	Governors, as the representatives of local people, exercise a significant degree of control over the nature of the service on offer to them.	Governors are not representative of local people. Governing bodies are not well connected with other local decision-making processes. Governors shy away from conflict between sectional interests. Governors have limited freedom of action.

In addition to the confusion about the rationale, Dean et al (2007) also question whether council members in reality are formally representative of any group, particularly when many are appointed without contesting an election. And even when there are elections they observed that 'minority and marginalised groups in local communities may be under-represented and/or may play little part in the most influential aspects of the governing body's work'. That is, they contend that the degree to which formal council membership categories ensure balanced 'representation' diminishes as one moves from schools in higher socio-economic communities to those in lower socio-economic communities in line with the diminishing likelihood that parents in low socio-economic communities consider that they have the capacity and experience to be effective councillors.

Dean et al (2007) concluded that:

> *'Not only is each of the rationales for the existence of governing bodies flawed in practice, but those rationales effectively undermine one another. The better equipped governing bodies in disadvantaged areas are to fulfil the managerial rationale, the less appropriately constituted they are likely to be in terms of the localising and democratising rationales. By the same token, the more authentically governors represent diverse local interests, the less likely they are to generate the sorts of consensus needed either for the smooth managerial oversight of the school or the pursuit of a shared view of the common school interest. The more governors pursue this common interest, the less sympathy they are likely to have for external targets and imperatives.'*

When looking at possible solutions to the weakness in governance arrangements in disadvantaged areas, Dean et al (2007) argue that 'simply ploughing ahead with educational reform hoping that governing bodies will keep up does not seem like a realistic option' and that 'until questions about the sort of school governance we want and what we want governance for' are resolved 'it would be equally mistaken, either simply to shore up the current system or to plunge into radical reform'.

Whilst acknowledging that schools in disadvantaged areas tend to have the weakest governance arrangements, a paper prepared by the Department for Education and

Skills includes reference to the following strategies for improving the effectiveness of councils:

- Proving training courses for councillors, such as:
  - the *National Training Programme for New Governors*
  - *the National Training Programme for Clerks to School Governing Bodies*
  - *Taking the Chair* (a national skills based programme for governing body chairs, vice chairs and committee chairs) aimed at giving chairs the skills they need to operate effectively
  - *Leading Together* (a nine month school based joint development programme for governors, the head-teacher, and other members of the school leadership team, focused on a school improvement activity selected by the school itself)
- Providing advice on effective councillor recruitment techniques (e.g. sourcing new governors through the local press, websites, community and voluntary groups and existing governors)
- Establishing a School Governors' One-Stop Shop (SGOSS) to recruit school governor volunteers with transferable management skills (SGOSS has fostered links with a number of large companies and have used these links to successfully identify governor candidates by carrying out in-company recruitment events.)

Section 2: Victorian government school governance arrangements

The objectives, duties, functions and powers of school councils

The stated objectives of school councils in Government schools include that decisions need to be made in the best interests of the students and that the educational opportunities of students should be enhanced. The statement also refers to the need to be efficient and to comply with regulations but does not refer to the need to encourage the achievement of high student outcomes, be effective or be strategic.

In contrast the principles of good governance developed by the National Association of Independent Schools[19] include the statements that:

- the council's primary work and focus are long-range and strategic
- the council undertakes strategic planning and reviews/evaluates school performance
- council membership comprises people with strategic expertise.

Whilst in Victoria school councils are expected to be involved in the development of the school's Strategic Plan, the legislation does not emphasise the council's role in strategic planning and holding the school accountable for performance.

The functions of the school council are broadly described as being vision setting, advocacy, fundraising and operational oversight. Specific references to operational oversight functions include the requirement to:

- arrange for the supply of goods, services, facilities and other things that are required for the conduct of the school
- regulate and facilitate the after hours use of the school premises and grounds.

Observation:

The functions as described in the legislation do not explicitly stress the role of the school council as being strategic in nature and focused on school improvement. The 'operational oversight' functions appear to be ones that the school could and should manage. It is also questionable whether fundraising ought to be a key function of school governance. The fundraising function is also likely to be a distraction from strategic activity in a 'disadvantaged' school. Whilst the need for fundraising should not be ignored, responsibility for this activity should reside with a Parents Club or a school-managed Fundraising Working Party. There is no need for a council to be directly involved in fund-raising.

Issue for Consideration:

Should some 'operational' responsibilities be removed from the purview of school councils?

The duties of a school council are to:

- meet at least 8 times per year and at least once per school term
- prepare a school plan that sets out the school's goals and targets for the next four years and strategies for achieving those targets
- prepare an annual report

---

[19] http://www.nais.org/

- call a public meeting annually to report on the proceedings of the council since the last public meeting and present a copy of the annual report and audited accounts.

The Minister, by Order, can enable a school to meet less frequently than required by the Act.

Observation:
It is likely that a council that meets at least 8 meetings a year will stray into discussing and dealing with operational matters and matters that are not primarily strategic or improvement oriented. In addition, 8 meetings a year may serve as a disincentive for some valuable, but busy members of the community seeking to become members of the council or playing a role in the school.

Issues for Consideration:
Should the obligation for councils to meet at least 8 times a year be reduced to a requirement for councils to meet at least once a term?

Would it help if this reduction in meeting frequency was coupled with the proviso that in order to reduce the meeting requirements the council has to have a strategic meeting regime that demonstrates the council's focus on performance review, accountability and school improvement and have established processes for parent and community consultations?

The role of the school council in preparing a school plan that sets out the school's goals and targets for the next four years and strategies for achieving those targets is at best problematic. School self evaluations and school review reports currently guide the establishment of the school's future strategic directions. The future directions, as indicated by the school's goals, improvement areas, and targets, are enshrined in the school's Strategic Plan.

Two possible directions in response to the council's role in school planning are (1) to redesign the school self evaluation and school review processes so that council input to the self evaluation report and the review is a key element of the process and (2) to acknowledge that council members are not in a position to be able to significantly contribute to the establishment of the schools strategic directions – this is a task that requires significant operational knowledge – but are in a position to offer broad guidance about future directions and to use the strategic plan to monitor the performance of the school.

Observation:
School councils are not well placed to prepare a school plan that sets out the school's goals and targets for the next four years and strategies for achieving those targets and to prepare an annual report on the progress the school has made towards achieving the targets within the school Strategic Plan. They are, however, in a position to judge community reaction to the draft strategic plan the school principal and staff have developed and then validate it as reflecting community aspirations and needs.

Issues for Consideration:
Should the obligation for councils to develop the school Strategic Plan and Annual Report be replaced by the requirement that councils must endorse the Strategic Plan and the Annual Report?

> Should school councils be required to use the school's Strategic Plan to monitor the effectiveness of the school and adopt processes that obligate schools to fully account for their performance?

If the desire is for school councils to be more strategic and school improvement focused in their operations, then a more apt description of the functions of a school council would be for them to:

- contribute to the establishment of the school's vision and longer term directions
- monitor school performance and partnership arrangements
- undertake scrutiny of school expenditure and its effectiveness
- encourage and promote school improvement
- exercise a general oversight of the school buildings and grounds and ensure that they are kept in good order and condition.

An illustration of how a 'Strategic Governance Committee' and a 'School Support Group' either operating at a single school or at a precinct level might function is provided in the description that follows:

A Strategic Governance Committee (SGC) would seek to attract locals who could provide significant 'value add' to the work of the college. Its membership could be characterised as being high powered, heavily influential and expert. Rather than the usual monthly meeting dealing with day to day matters, the SGC would work in a different way and only on tasks critical to the success of the school / precinct. Its meetings would be limited and be improvement focused.

For example, the SGC would have a whole day meeting to review school / precinct performance and to establish priorities for improvement across the precinct. It would commission the development of a strategic plan and conduct a follow up half day meeting to discuss and refine the school's / precinct's Annual/Strategic Plan. The identification of improvement needs and the development of a plan to address improvement priorities could be its first task. Its next task may not eventuate until mid year when it would hold a whole day meeting to receive a report of progress in relation to the Annual Plan's milestones and targets, and conduct interviews with key personnel responsible for implementing aspects of the plan. This questioning could be based on the Parliamentary Estimates Committee model that makes those with responsibilities account for their actions in delivering the plan. Questions could include: How have things gone? What needs to be done now/next? The outcome of this session would be a recommitment to or an adjustment of the plan. Its final responsibility for the year would be to conduct an end of year whole day meeting to review data, strategy implementation and establish revised priorities for improvement. At the start of the next year the process would repeat the cycle of a few intensive, focused and strategically directed meetings.

A School Support Group (SSG) with a focus on site specific matters would be established on each of the precinct sites and would meet twice a term to provide advice to the site Principal. Working Parties of the SSGs could be established as needed.

Public accountability would be provided through a public meeting run by the Principal and the Strategic Governance Committee. Mid year and end of year surveys and focus groups would be used to tap stakeholder views and concerns. The school budget would provide for governance and communication/consultation activities. SGC members would join members of the SSG on Principal-class selection panels, but other than that, have no obligation to be involved in any other 'site specific and non-strategic' matters.

Members of the SGC would have a commitment of approximately 3 days a year. Members of the site SSGs would attend a minimum of 8 meetings but could be required to make a bigger commitment if they chose to chair or participate in SSG Working Parties.

Another alternative governance model that is sometimes adopted in an International School splits responsibilities for governance between a Board, a College of Educators and Community Councils. In this model, the role of the Board is limited to finances, facilities, legal matters, strategic planning and quality assurance. It is not involved in curriculum, welfare or teaching and learning policy issues. These issues are the responsibility of the College of Educators which mainly consists of the school leaders and teachers. The College of Educators reports to the Board and ensures that the Board is kept abreast of policy development and school performance. A Community Council provides the opportunity for parents and benefactors to support the school through fundraising and other activities.

The above examples offer possible alternative models of governance that could be trialled in Victorian schools.

Observation:
The description of school council objectives, functions and duties is the weakest part of the legislation. There is no emphasis on the strategic function of a council and on its role in making the school accountable for its performance to its parents and the local community.

Issues for Consideration:
Should further guidance and training be provided to Principals and councils on how to keep council meetings focused on a strategic agenda; how to increase council members' understanding of the strategic intentions and actions of the school and its staff; how to use council meetings for monitoring school performance; and how to interpret and draw implications from school performance data?

Should alternative models of governance that place greater emphasis on strategy, accountability and quality assurance functions be investigated, documented and trialled in Victorian schools?

The powers of a school council enable it to undertake a range of activities designed to assist it to meet its objectives, functions or duties.

However, there are a few specific restrictions on the powers of school councils. For example:
- members of councils are not to receive any payment for their services to the council
- councils can't employ teachers for more than a year

- councils can't purchase land or buildings, a motor vehicle, boat or plane.

It should be noted that whilst council members are not to receive any payment for their services to the council, the council can make payments to others who provide services to the council and assist it in the performance of its duties and functions.

Observation:
These restrictions on the powers of a school council do not appear to unduly impede the flexibility of councils or to be an impediment to effective school governance.

Characteristics of effective school councils

A reflection on the desired characteristics of school governance leads to the suggestion that an effective school council would embody the following characteristics. It would be ethical, representative, consultative, transparent, accountable, improvement –oriented, and strategic. Clearly this is not a definitive list, but one that roughly portrays some of the most important characteristics that a school council should reflect. Although it is difficult to prioritise these desired characteristics, doing so is an exercise worth attempting as it can help to identify why school councils function as they reportedly do in most of our schools.

It would appear from the Victorian legislation, support documents and practices in schools that the rank ordering of these characteristics is as illustrated in the left-hand cell of the table below. The overarching purpose of councils in this instance appears to be the promotion of participative democracy. In contrast, the rank ordering in the right hand cell is derived from the overarching purpose of promoting strategic accountability.

Primary purpose derived from prioritising council characteristics

Participative democracy	Strategic accountability
1. Ethical	1. Ethical
2. Representative	2. Strategic
3. Consultative	3. Improvement –oriented
4. Transparent	4. Accountable
5. Strategic	5. Consultative
6. Accountable	6. Transparent
7. Improvement oriented	7. Representative

The characteristic of being ethical is a pre-requisite for becoming a member of a council as well as a fundamental expectation of the way the council functions. It is the ranking of the next three characteristics that are most telling. Regulations codify the representative requirements, and outline the functions of consultation and transparency which is to be promoted through open meetings and annual reporting.

Councils are expected to develop the school's strategic plan (including goals and targets) but system processes and in too many instances councillors' limited knowledge of school performance and what is needed to sustain improvement generally precludes them from being able to develop an informed strategic plan. Councils are not held accountable for their own or the school's performance.

If the desire is to make the work of school councils more strategic and more improvement oriented, one would expect the rank order of characteristics in the right hand cell to be a better representation of a 'desired' council model.

Under the 'strategic accountability' model, strategic activity, improvement and accountability characteristics are reflected in council members' understanding of the role of council and their capacity to contribute to the council fulfilling its role, and in the process adopted by council. And whilst the council should seek to reflect the consultative, transparent and representative characteristics a drive for meeting these characteristics should not compromise the drive for attaining the main characteristics of 'strategic accountability' model. Indeed, it could be more through the committee structure of council than the composition and key work of the council that representation and consultation is primarily addressed.

Capacity for Sound Governance

Councils are required to 'ensure that an effective quality assurance regime is in place' in relation to their financial and operational activities.

Whist audit and other compliance regimes are in place to meet quality assurance requirements in relation to financial responsibilities; quality assurance regimes related to other responsibilities of councils generally are not evident.

New Zealand[20] has included school governance within its review framework. Victoria has not. New Zealand explicitly stresses the key roles of the trustees as being to monitor student outcomes and review the school's performance against strategic directions and that in performing these roles trustees must utilise high quality school and student performance data. Victoria does not emphasise the council's role in holding the school accountable for performance.

In considering the long term future of a school, there is a need to reflect on the role of the council and its capacity to effectively discharge its functions in the overall scheme of responsibilities.

- How strong is the council?
- Are there positions that are contested? Is there a strong subcommittee structure that involves a broad spectrum of views?
- Does the subcommittee structure enable a canvassing of opinions on key issues for parents or is it essentially a passive engagement with the community?
- Is there a capacity for the council to reflect on long term issues that will shape the direction of the school in a 5 year plan?
- To what extent is the council, particularly the parent component able to effectively draw on a wide range of sources to sit alongside the views put by the professional staff?
- To what extent does the load fall to a small committed group of parents and to what extent can that be sustained?
- Is the council confident enough in itself and in its relationship with the school community to consider significant new directions or partnerships or is it primarily inward looking and focussed on keeping the school in existence?

Questions like those above are not canvassed in any of the school review and accountability processes.

---

[20] Education Review Office (2007)

> **Observation:**
> Whilst some councils may conduct an annual self-reflection activity, there currently is no public process for monitoring the contribution and effectiveness of school councils.
>
> **Issues for Consideration:**
> Should reflection and performance evaluation tools be developed to assist councils to conduct an annual self-evaluation of their effectiveness?
>
> Should a process be developed for conducting an external evaluation of the effectiveness of the school council when it appears that the school has not performed up to expectations for three or more years?

Specific governance roles in underperforming schools

Research into targeted interventions in under performing schools[21] demonstrates that schools performing below expectations tend to embody the following characteristics:

- ineffective leadership and lack of decisiveness in tackling weaknesses in teaching
- poor relationships between staff and leadership, between leadership and the council and between the school and parents;
- an unwillingness to accept evidence of underperformance and a tendency to blame others, generally students and parents, for underperformance
- a resistance to change and a lack of capacity to manage change
- a history of uncoordinated adoption, and partial implementation, of numerous innocuous and inappropriate 'quick fix' solutions (which has generated change fatigue, frustration and cynicism)
- a lack of a whole-school focus for improvement plans
- ill-conceived plans for improvement action (e.g. avoidance of redressing personnel dysfunctions, inappropriate and non-strategic goals and targets)
- a lack of ideas about how to redress ongoing concerns such as poor behaviour and high incidences of student absence
- inconsistency in the application of policies and procedures (e.g. inconsistent approaches towards addressing student absence and unsatisfactory student behaviour concerns, inconsistent approaches to pedagogy)
- low expectations of staff and students and low levels of teacher-student interaction about work
- inadequate curriculum management and processes for student assessment
- poor processes for promoting staff accountability and teacher professional learning
- poor student discipline
- high levels of student absenteeism.

> **Observations:**
> Many of these characteristics are clearly management issues that 'the system' needs to support the school leadership team to address.
>
> However, some of the characteristics are cultural and change could be supported by school councillors being briefed and/or enhanced by the appointment of councillors

---

[21] Laulon Research Consortium (2006)

with specific skills, to understand the school culture problems and strategies to address them, and then encouraged to influence their stakeholder group (parents, teachers).

This approach would require significant training, support and expert guidance for school councillors in underperforming schools but could result in additional pressure on the school leadership team to achieve change, and improved parent, teacher and student expectations and improved student attendance and work ethic for students.

Issues for Consideration:
Should school councillors in underperforming schools be trained and/or supported by the appointment of councillors with specific skills, so that they are better able to understand school culture problems and have a greater awareness of strategies to address them?

Should councillors be trained in how to communicate effectively with and influence their stakeholder group (parents, teachers)?

Formulation and composition of councils

There is substantial flexibility within the current government school governance arrangements in relation to the formulation and composition of councils.

The formulation and composition of council arrangements make provision for:
- single and group school arrangements
- large and small schools (e.g. by allowing between 6 and 15 members on council)
- senior school arrangements (for membership continuity purposes, senior schools can extend the membership of a parent member of its council for one year after that member's child has left the school)
- the establishment of sub-committees and short-term working parties
- the establishment of committees to manage joint facilities
- the delegation of any powers, duties or functions (except for approval of the annual report and school budget) to another person or body
- the co-option of members
- schools in special settings that have no permanent student enrolment (e.g. a language centre), the Victorian School of Languages and the Victorian P-12 College of Koorie Education.

In addition, the Minister, by Order, has wide-ranging powers. The Minister can:
- make provision for the membership of the council
- confer additional powers, duties or functions to the council or members of the council
- make any provision in relation to the constitution, powers, duties and functions of the council
- dissolve and merge councils and change the name of a council
- authorise councils to meet less regularly than required by council regulations (i.e. regulations require councils to meet at least 8 times in a year and at least once in a school term)

There is no expressed restriction on:
- the nature of sub-committees other than they must consist of at least one council member and two other persons

- the nature and duration of working parties.

Observations:
School Councils tend to adopt a fairly common sub-committee structure. They usually establish finance, facilities and curriculum sub-committees. Sub-committees are usually 'internally focused', that is, they are exclusively focused on issues that are of importance to the school. In adopting an exclusively internally-focused sub-committee structure, schools are missing the opportunity to develop sub-committees that address issues of importance both to the school and to groups within their local community.

Possible outwardly-focused sub-committees could be Arts and Entertainment, Health and Wellbeing, Environment, Community Service, Sport and Recreation, and Transitions. The terms of reference for these sub-committees would include the objective of optimising opportunities for the school and community groups to work together to enable students to benefit from the combined enthusiasm, expertise and networks of sub-committee members.

For example, representatives of any local community drama group, dance school, community choir, art gallery, entertainment venue, art class and art society could be invited to join the Arts and Entertainment sub-community and they would be supported by teachers in the school with a similar interest or responsibility (e.g. the music teacher, the art coordinator, the producer of the school play, and a student studying art or interested in drama).

Externally-focused sub-committees would support schools to strengthen their engagement with the broader community. These mutually beneficial sub-committee arrangements are not prevented by current school council arrangements.

Issue for Consideration:
Should community focused sub-committees be promoted so that schools are alert to their possibilities and benefits?

Observation:
It is not common practice for councils to establish working parties or reference groups. However, as working parties usually have a narrow focus and reference groups have an advisory role and both are usually established for a defined purpose and limited duration, they are a means for attracting very busy people with expertise who would not normally put themselves forward for a two-year council position.

Working groups and reference groups are not prevented by current school council arrangements.

Issue for Consideration:
Should the use of working parties and reference groups be promoted so that schools are alert to their possibilities and benefits?

However, there are a few constraints within the current school governance arrangements in relation to the formulation and composition of councils. For example:
- councils must be between 6 and 15 members in size

- councils must conform to a membership formula that requires parents to be more than one-third of total membership.

Nevertheless, the Minister, by Order, can remove any of these constraints. This Ministerial provision means that, should the need arise, special arrangements could be made in relation to the formulation and composition of councils both in regular and non-regular schools. However, politically this might prove to be difficult if it is seen as taking away or over-ruling a local entitlement to make a decision as is the case when following a merger, the interim council has the responsibility for determining the configuration of the merged school's new council.

Observation:
Schools are likely to experience significant and on-going challenges to the way they are configured, operate and relate to other sectors and support agencies over the coming years.

There will also be an increasing focus on district solutions to curriculum provision and this will generate the need for new multi-site cooperative governance arrangements such as the federated model of school governance. Given the tendency of many councils to be parochial in outlook, making an appointed interim school council responsible for determining the membership configuration for the elected (merged) school council may not be advisable.

Issue for Consideration:
When new school configurations are being established following a school merger or locality rejuvenation exercise, should the determination of the membership configuration of the new council remain a local decision?

In schools within low socio-economic neighbourhoods both parents often work, few parents have experience of and expertise in governance matters and so the 'more than one third parents' requirement may work against the council providing effective governance of the school.

Anecdotal evidence suggests that the high incidence of ineffective councils in schools in low socio-economic communities reported in the UK[22] also exists in Victoria. Under-performing schools are invariably schools with ineffective leadership and ineffectual governance.

If the definition of an effective council is one that acts strategically to improve its school, and its performance measures are the quality of the school's performance, then it needs to be recognised that in disadvantaged areas it is likely that current council membership requirements undermine the achievement of this 'service quality' intention.

The UK has broadened the 'parent' category to allow the possibility for a prospective parent and a past parent to become parent members of council. It would seem that the 'more than one third parents' requirement is stipulated to avoid school employee dominance of the council, which in effect could result in those being governed controlling the governing body.

---

[22] Dean et al (2007)

Observation:
These restrictions on the parental composition of a school council could in some circumstance be an impediment to effective school governance.

Greater flexibility would be gained, whilst protecting the council from 'school capture', if the membership formula was confined to the provision that 'no more than a third of council members should be employed at the school' and if the definition of 'parent' was broadened to include potential and past parents. Elections would sort out which parent nominee the parents wanted to represent them.

Issue for Consideration:
Should consideration be given to broadening the definition of 'parent' to include potential and past parents?

The National Association of Independent Schools in the US[23] has adopted a broader council membership category list than that adopted in Victoria and seeks to bring past, present and future perspectives to a council through its membership categories. The 'past' is represented by school alumni and past parents and the 'future' is represented by prospective parents. The NAIS council membership categories are broader than those that are mandated in Victoria. The NAIS categories do not include current teachers 'as this makes them (i.e. teachers) their own bosses as the board oversees the head, who oversees the faculty'.

Indeed, it is not unusual within private and international schools for the school (i.e. teachers) to have only one representative on the board or no representatives at all. Teacher representation is generally restricted to sub-committees. However, the goodwill that currently exists between teachers and other members on councils and between teachers and the school council could be jeopardised if teachers were excluded from council membership in Victorian government schools.

Observation:
Alumni membership is a common feature within the private sector, but rarely features in the government sector. Government schools should be encouraged to establish an alumni network as it broadens their support base and provides them with access to adults who are well disposed to the school and are likely to respond to requests for assistance. To strengthen the relationship between the alumni network and the school, an alumni member could be coopted to the council.

Issue for Consideration:
Should government schools be encouraged to include an alumni category in their council membership?

---

[23] http://www.nais.org/

Section 3: Moving from a participative to an expert model of governance

Business literature demonstrates the importance of transparent and expert governance and business performance. The features of the business governance model are:
- Board members are appointed for their expertise
- The primary role of the Board is to act in the interests of the shareholders (stakeholders) by:
    - setting the strategic direction for the business and monitoring progress against the strategic plan
    - appointing the CEO to implement the strategic plan
    - monitoring the performance of the business (financial, environmental, social)

In contrast, the School Council governance model is a representative model with the following features:
- Board members are appointed as representatives of stakeholder groups
- The primary role of the Board is to engage and garner support of the community (stakeholders) in the operation of the school by:
    - endorsing the strategic direction for the school and monitoring progress against the strategic plan
    - appointing the Principal to manage the operation of the school
    - monitoring the performance of the school (student performance, financial, environmental, social)

Some Government schools are well established institutions within their community with developed traditions and history. Other schools struggle to be recognised as Government school communities differ markedly in terms of cultures, traditions of being actively involved in their school, expertise of parents in education matters, beliefs and understandings of the importance of education. Therefore, the backgrounds, beliefs and capacity of school councillors vary widely across schools.

Many well established Independent schools use a business orientated governance model where Board members are appointed for their expertise and the Board actually frames the strategic direction for the school. In some cases, parent members of the Board are not allowed to have children currently enrolled at the school to ensure their focus is on the long term strategic direction of the school rather than immediate matters that could affect current students.

Applying a business governance model to schools would change the power structure in the school. The Governance group would exert more pressure on the Principal and Leadership Team in relation to the development of the school's strategic directions and the school's performance against Strategic and Implementation Plans. It would 'professionalise' the council by changing the criteria for and composition of the council membership and insisting that all council members were properly trained and effectively briefed on emerging issues and new policies. To balance this change that in some communities could result in mainly 'outsiders' governing the school, some concessions for local representation may need to be introduced.

Finally, as it is a model that may not suit all schools, it could be offered as an alternative that could be adopted if certain circumstances.

The current representative governance model could be adapted to incorporate features of the business governance model over time by differentiating governance rules and procedures so that governance is treated differently depending on the performance of the school.

Within this differential framework a high performing school, delivering significant value add, would be given the greatest flexibility in selecting the way it was governed. It could opt for the current representative model or adopt features of the business governance model that allows for fewer meeting and different membership (representative and expert), but increases the strategic planning and accountability function of the council.

A school that that is performing well, but should be challenged to significantly improve in some areas and a school that has some identified performance challenges and needs support to improve would be required to adhere to the current arrangements and have the performance of the council reviewed every four years.

A school that needs intensive support and targeted investment to improve would have little local flexibility in relation to school governance. Decisions about the school's governance arrangements including membership would be determined by the regional office and the performance of the council would be reviewed annually.

The outcomes of such a change should be a more effective system of school governance across all Victorian government schools.

References

Australian Education Union (2005) *Response to the Review of School Governance in Victorian Government Schools*
http://www.aeuvic.asn.au/professional/papers//Governance.doc

Dean, C., Dyson, A., Gallannaugh, F., Howes, A. and Raffo, C. (2007) *Schools, governors and disadvantage*, John Rowntree Foundation
http://www.jrf.org.uk/sites/files/jrf/1994-schools-governors-disadvantage.pdf

Department of Education and Early Childhood Development School Council Website:
http://www.education.vic.gov.au/management/governance/schoolcouncils/default.htm

Department of Education and Training (July 2005) *Report of the Review of School Governance in Victorian Government Schools*, Office of Strategy and Review
www.det.vic.gov.au

Department of Education and Training (March 2006) *Response to the Review of School Governance in Victorian Government Schools* by Jacinta Allen MP, Minister for Education Services, Office of Strategy and Review
www.det.vic.gov.au

Department for Education and Skills (2004) *Five Year Strategy for Children and Learners*, presented to Parliament by the Secretary of State for Education and Skills. July. London.

Department for Education and Skills (2005) *Governing the School of the Future*

Earley, P. and Creese, M. (2003). Governors and school improvement, National School Improvement Network Research Matter # 20. London, Institute of Education, University of London. (Cited in Wylie 2007)

Education and Training Reform Regulations 2007
http://www.dms.dpc.vic.gov.au/Domino/Web_Notes/LDMS/PubLawToday.nsf/8d7b8
bff8129f677ca256da50082e1c7/9C8BF7F012668222CA257552007DAB5C/$FILE/0
7-61sr002.doc

Education Review Office (NZ) (2007) School governance: an overview
http://ero.govt.nz/Publications/pubs2007/schl-governance-sep07.doc

Guidelines for formation and composition of councils in non-regular schools
(undated)
http://www.eduweb.vic.gov.au/edulibrary/public/schadmin/governance/2-3.pdf

Guidelines for formation and composition of councils in non-regular schools
http://www.eduweb.vic.gov.au/edulibrary/public/schadmin/governance/2-3.pdf

Guidelines for membership of school councils (undated)
http://www.eduweb.vic.gov.au/edulibrary/public/schadmin/governance/2-2.pdf

Institute for Volunteering Research (2003) *Barriers to Participation for Under-Represented Groups in School Governance*, DfES Research Report 500, December 2003.
www.dcsf.gov.uk/research/data/uploadfiles/barrierstoparticipation.pdf

James, P., St. Leger, P. and Ward, K. (2001) *Making Connections: The evaluation of the Victorian Full Service Schools Program*, DEET, Victoria.

Laulon Research Consortium (2006) *Evaluation of the Targeted School Improvement Initiative- Final Report*, December 2006

Laulon Research Consortium (2008) *State wide mapping of all joint/shared facilities arrangements and collaborative curriculum delivery arrangements between government and non-government schools: Final Report,* August 2008

New Zealand School Trustees Association (2005*) Boards Leading Change: The Case for Continuous Improvement*
www.nzsta.org.nz

Ofsted. (2002). *The work of school governors*. HMI 707.
www.ofsted.gov.uk

Scanlon, M., Earley, P. and Evans, J. (1999) *Improving the Effectiveness of School Governing Bodies,* Research Brief No. 111, Institute of Education, University of London
http://www.dcsf.gov.uk/research/data/uploadfiles/RB111.pdf

School council proceedings
http://www.eduweb.vic.gov.au/edulibrary/public/schadmin/governance/2-5.pdf

Wylie, C (2007*) School governance in New Zealand: How is it working?*, New Zealand Council for Educational Research (NZCER)
http://www.nzcer.org.nz/default.php?products_id=1845

Appendix 1: School governance requirements in Victorian government schools

The Regulations accompanying the *Education and Training Reform Act 2006* require that the governance of a school must be structured to enable:
- the effective development of the strategic direction of the school
- the effective management of the finances of the school
- the school to fulfil its legal obligations.

The *Education and Training Reform* legislation also outlines the expected objectives, functions and powers of school councils and what school councils do not have responsibility for. The objectives of a school council (section 2.3.4) are to:
- assist in the efficient governance of the school;
- ensure that its decisions affecting students of the school are made having regard, as a primary consideration, to the best interest of the students;
- enhance the educational opportunities of students at the school;
- ensure the school and the council complies with requirements of and arising from the Reform Act.

The functions of a school council include the requirements to:
- establish the broad direction and vision of the school within the school's community
- arrange for the supply of goods, services, facilities and other things that are required for the conduct of the school
- raise funds for the school and ensure that all money coming into the hands of the council is expended for proper purposes
- regulate and facilitate the after hours use of the school premises and grounds, exercise a general oversight of the school buildings and grounds and ensure that they are kept in good order and condition;
- take into account the views of the school community when making decisions in regard to the school and its students;
- stimulate interest in the school in the wider community;
- undertake any other required functions, duties or powers.

A school council must prepare:
- a school plan that sets out the school's goals and targets for the next 4 years and the strategies for achieving those goals and targets (section 2.3.24)
- an annual report relating to financial activities, the school plan; and any other matters that are determined by the Minister (section 2.3.27).

The school council also must call a public meeting at least once in every year and at that meeting must:
- report the proceedings of the council for the period since the date of the previous public meeting
- present a copy of the annual report published by the council in accordance with section 2.3.27 of the *Education and Training Reform Act 2006*
- if the accounts of the school council have been audited, present a copy of the audited accounts (Regulation 28 of the *Education and Training Reform Regulations 2007*).

A school council's Constituting Order[24] specifies the total size of the council and the number of members in each category. Members are elected for two years. Initially half of the elected members to council are appointed for 1 year and half are appointed for 2 years, so that after a year half of the elected members become eligible for re-election. This arrangement provides for annual elections and avoids the total turn-over of a council every two years. Other members can be co-opted by the council within the limits of the constituting Order.

A school council must be between 6 and 15 members in total size and can have up to three categories of membership.

The three membership categories of a council are as follows:
- A mandated elected parent category. Parent members must comprise of more than one-third of council's total membership.
- A mandated elected DEECD employee category. Members of this category may make up no more than one third of the total membership of school council. As the Executive Officer, the principal of the school is automatically one of these members.
- An optional community member category. Its members are co-opted by the decision of the council because of their special skills, interests or experience (e.g. a parent club representative, student representative or an accountant). DEECD employees are not eligible to be community members.

A school council can change both the size and the configuration of its membership, providing the changes are within the guidelines provided by DEECD.

The *Education and Training Reform Regulations 2007* provide for the conduct of school councils in Government schools. These regulations prescribe that:
- school council must meet at least 8 times in each year, and at least once per school term, unless it is authorised by the Minister to meet less frequently (Regulation 17).

---

[24] A model school council Constituting Order can be viewed at:
http://www.eduweb.vic.gov.au/edulibrary/public/schacc/2008_Model_Constituting_Order_Treasury_School_-lgl-v0.01.pdf