

The Governance Professionals’ Competency Framework

**For those working in academies, maintained schools and multi-academy trusts**

December 2016

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# Summary

This publication provides non-statutory guidance from the Department for Education (DfE). It has been produced to assist the governance professional and those involved in governance with:

* clarity of the core competencies associated with effective clerking
* an understanding of how those competencies are translated into core skills, knowledge and practice.

## Expiry or review date

This guidance will be reviewed before December 2017.

## Who is this publication for?

This guidance is for:

* Clerks/governance professionals
* Local authority maintained schools and academy trusts
* School leaders and governing bodies in all maintained schools, academies trusts
* Local authorities
* training providers designing and delivering training and other learning and development activities for governance

### Terminology

Throughout the document references to:

* *the governance professional* should be taken to mean the clerk.
* *the board* should be taken to mean the accountable body for the school or group of schools in England. In local authority maintained schools, this will be the governing body; and in a single academy trust (SAT) or MAT, it will be the board of trustees
* *organisation* mean the school; SAT or MAT being governed as appropriate
* *executive leaders* should be taken to mean those held to account by the board for the performance of the organisation. This may be the CEO, executive headteacher, headteacher or principal, as well as other senior employees/staff, depending on the structure of the organisation.

## Main points

* The framework will enable governance professionals to examine their own practice, skills and knowledge and determine to what degree they demonstrate the competencies and identify where improvement may be needed.
* The framework can be used as an audit tool and can complement the clerks training development programme.
* New governance professionals may wish to use the framework as part of their self-review.

# Introduction

The DfE governance handbook states ‘*The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance. Boards must be ambitious for all children and young people and infused with a passion for education and a commitment to continuous school improvement that enables the best possible outcomes*.’

The DfE recognises that the quality of the governance professional is a crucial element in the effectiveness of a governing board in fulfilling its strategic function of:

1. **Ensuring clarity of vision, ethos and strategic direction;**
2. **Holding executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff; and**
3. **Overseeing the financial performance of the organisation and making sure its money is well spent.**

In ensuring that these functions are met the governance professional’s role to the board is key – responsible for providing:

* procedural and legislative advice
* administrative and organisational support
* guidance to ensure that the board works in accordance with the legal framework and is compliant with necessary regulations.

In many ways the competency framework is an audit tool. It enables individuals to examine their own practice, skills and knowledge base and determine to what degree they demonstrate these competencies and identify where improvement needs to be made.

Individuals can use this framework to focus their learning needs and to measure progress and improvements. New governance professionals, may find it useful to use the framework together with their self-review to discuss with a coach/mentor and/or the chair of a board to determine their personal development plan and or review their performance.

The DfE governance handbook (December 2016) provides boards and clerks with clarity on the essential information and required duties and responsibilities that are needed to ensure all organisations provide the best learning experience and opportunities for their pupils.

# The landscape of the governance professional/clerk

A competency framework the governance professional

National statutory and legislative framework

# A competency framework for the governance professional

The framework is made up of xx competencies underpinned by a foundation of important principles and personal attributes. The competencies are grouped according to the six features of effective governance as set out in the governance handbook: strategic leadership; accountability; people; structures; compliance and evaluation.

Governance professionals appointed to governing boards should fulfil their role and duties in line with the seven principles of public life ([Nolan principles](https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2)). They should also be mindful of their responsibilities under equality legislation, recognising and encouraging diversity and inclusion and should understand the importance and impact of effective governance on the quality of education and on outcomes for all children and young people.

# Knowledge and skills

## Strategic leadership

**Why it’s important:** High quality professional support and advice is crucial to the effective functioning of the board. It is about providing support to the chair in helping the board to understand its role, functions and legal duties and is crucial in helping the board exercise its functions expediently and confidently, so that it can stay focused on its core functions.

|  |
| --- |
| ***Knowledge & understanding*** |
| * the key themes of national education policy and the local education context
 |
| * the key features of effective governance and the governance competency framework
 |
| * the strategic priorities (and where appropriate, charitable objects) for their board(s) [organisation]
 |
| * tools and techniques for strategic planning
 |
| * principles of effective change management
 |
| * the difference between strategic and operational decisions
 |
| ***Skills and effective behaviours*** |
| * demonstrates sound judgement based on legal compliance and a clear set of educational and personal values
 |
| * able to advise the board on governance, legislation and procedural matters where necessary, before, during and after the meeting
 |
| * assist the board/committee(s) to understand their role, function and legal duties
 |
| * provide support to boards and committees to ensure they function effectively
 |
| * is able, and has the knowledge and confidence, to challenge and intervene in discussions
 |
| * is able to exercise tact and discretion in the best interest of the whole board
 |
| * demonstrates patience and tenacity when dealing with challenge
 |
| * is able to present communication and/or advice that is logical, organised, clear and succinct
 |
| * is thought-provoking, where appropriate
 |
| * seeks and assimilates different types of information including facts, different opinions, conflicting views and underlying trends and is able to present objectively
 |
| * thinks beyond the immediate situations and anticipates on behalf of the board
 |
| * takes an overview of situations, seeing both the bigger picture and the necessary detail.
 |
| * ensures the boards decisions are captured, conveyed and acted upon
 |
| * advocates the principle of sound planning and service delivery
 |
| * is able to deal with complex issues and sees their potential impact
 |
| * shares good practice with the board
 |
| * Is well prepared for meetings and presentations
 |

## Accountability

**Why it’s important:** to ensure and keep the board on track to deliver its core function of holding executive leaders to account for the educational and financial performance of the organisation.

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| ***Knowledge & understanding*** |
| * the importance of ensuring that the board receives documentation in a timely manner
 |
| * the purpose, nature and processes of formal accountability and scrutiny (e.g. DfE, Ofsted, EFA etc.) and what they are required to submit as evidence.
 |
| ***Skills and effective behaviours***  |
| * Is able to identify and manage when individuals have a vested or personal interests in decision making and ensures that all decisions are in the best interests of all pupils/students [conflict of interest]
 |
| * acts with honesty, frankness and objectivity clarifying decisions impartially and ensuring that they are fair.
 |
| * maintains a high standard of work even when under pressure
 |
| * effective at managing documentation and processes for retention of information
 |
| * able to plan and manage workload to meet objectives
 |
| * able to implement systems for quality control of board documentation
 |
| * is able to source and assimilate different types of information including facts, different opinions, conflicting views and underlying trends and is able to present objectively
 |
| * recognises their limitations and will seek assistance when appropriate
 |
| * able to capture discussion points including challenge of senior leaders and produce a meaningful minute of the meeting and actions arising
 |
| * demonstrates sound judgement based on legal compliance and a clear set of educational and personal values
 |
| * applies principles of confidentiality both wing and outside the organisation.
 |

## People

**Why it’s important:** to build positive and trusted working relationships with those the board, especially the Chair, and that they are respected for their advice, which is of use to the board.

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| ***Knowledge & understanding*** |
| * the importance of succession planning and its impact on the effectiveness of the board
 |
| * how to identify priorities and critical activities
 |
| ***Skills and effective behaviours***  |
| * is able to report to, and speak openly with, the chair on all board matters
 |
| * builds relationships of mutual trust with, and maintains the confidence of the chair and the board
 |
| * has high quality interpersonal and relational management skills
 |
| * is able to work effectively with the chair and senior leaders to prepare meeting agendas and papers
 |
| * has excellent time management to support the board and their meetings *or* Able to manage their time effectively
 |
| * ensures those involved in governance understand and carry out their responsibilities
 |
| * work with internal and external stakeholders
 |
| * is able to establish and maintain good communication systems
 |
| * advocates positive working and team relationships
 |
| * apply methods for encouraging, motivating and supporting the board and individuals
 |

## Structures

**Why it’s important:** Understanding and providing advice on the appropriate structures for the organisation through which governance takes place is vital to avoid unclear and duplication of responsibilities that could lead to dysfunctional or ineffective governance arrangements.

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| ***Knowledge & understanding*** |
| * the strategic nature of the board’s role, responsibilities and accountabilities of the board, and its three core functions
 |
| * the governance structure of the organisation and particularly how governance functions are organised and delegated, including where decisions are made and accountability sits.
 |
| * how the board and any committees (including local governing bodies in a MAT) are constituted
 |
| * the technology to enhance the boards effectiveness
 |
| ***Skills and effective behaviours*** |
| * provides support, advice and guidance on the work of the board and/or committees within the framework in which it/they operate
 |
| * able to contribute and advise on the design of governance and committee structures that are fit for purpose and appropriate to the scale and complexity of the organisation
 |
| * support the board in ensuring the strategic leadership approach and its operation are continually assessed and improved
 |
| * is focused on board effectiveness/independence
 |
| * collects and sources information to support board discussions.
 |
| * is able to review and evaluate the effectiveness of systems and procedures so as to continually improve procedures
 |

## Compliance

**Why it’s important:** to ensure that the governance professional understands the legal frameworks and the context in which organisations operate and all the requirements with which they must comply which will inform the advice they provide to the board.

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| ***Knowledge & understanding*** |
| * the legal, regulatory and financial requirements placed on the board
 |
| * the duties placed upon boards under education and employment legislation, and, where applicable, the Academies Financial Handbook, and/or funding agreements
 |
| * the articles of association or instrument of government and where applicable, the Trust Deeds
 |
| * understands the need for the board to have regard to any statutory guidance and government advice including the Governance Handbook
 |
| * the Ofsted inspection/regulatory framework
 |
| * where applicable[[1]](#footnote-1), the inspection of religious education under s.48 of the Education Act 2005
 |
| * the board’s responsibilities in regard to Equalities and Health and Safety legislation
 |
| * the boards duties relating to:
	+ safeguarding, including the Prevent Duty;
	+ duties related to special education needs and disabilities (SEND); and
	+ duties related to information, including in the Data Protection Act 1998 and the Freedom of Information Act 2000
 |
| * the school’s whistleblowing policy and procedures and any responsibilities of the board within it
 |
| * the importance of the board adhering to organisation policies
 |
| ***Skills and effective behaviours***  |
| * is able to access appropriate legal advice and knows on behalf of the board
 |
| * acts to ensure that changes in specific legislation are effectively communicated to the board and that the potential impacts for the board and/or its work are understood
 |
| * is able to intervene when concerned about non-compliance where it has not been picked-up by the board or where they feel it is not being taken seriously
 |
| * explain the board’s legal responsibilities and accountabilities
 |
| * is able to assist in sign-posting when the board has identified when specialist third party advice or guidance may be required
 |
| * use appropriate methods to understand legal and regulatory compliance requirements to ensure governance requirements are effectively communicated to others.
 |

## Evaluation

**Why it’s important:** monitoring and capturing the boards effectiveness is a key element of good governance. The governance professional needs to support the board in assessing its effectiveness and efficiency ensuring that it is compliant with its statutory and legal duties. At a personal level, evaluation will allow individuals to reflect on their contribution to effective governance and whether they are meeting the standards expected of them.

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| ***Knowledge & understanding*** |
| * keeps up to date with the latest developments in education
 |
| * recognises their own strengths and areas for development
 |
| ***Skills and effective behaviours***  |
| * contributes to the coordination of effective learning and development opportunities of those involved in governance including induction.
 |

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| * is able to work with the chair to resolve issues of board performance
 |

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| * is willing to undertake performance review
 |
| * is able to reflect on their own performance and identify appropriate professional development opportunities
 |
| * is outward facing and focused on learning from others to improve practice
 |
| * is able to add value in assisting the chair with governors’ induction and ongoing training and development
 |
| * Is open to continually develop existing knowledge
 |
| * demonstrates a willingness to attend appropriate training and development
 |



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1. This is relevant to governing body of any voluntary or foundation school in England designated under s.69(3) of School Standards and Framework Act 1998 [↑](#footnote-ref-1)