

**ENSURING SERVICES TO SCHOOLS ARE PROVIDED APPROPRIATELY AND EFFECTIVELY**

No	Recommendations
1	The Council should reconfirm that <ul style="list-style-type: none"> <li>- School Governing Bodies are responsible for the direct governance of schools, and</li> <li>- the council provides advice, support, and challenge.</li> </ul>
2	The Council should reconfirm that it <ul style="list-style-type: none"> <li>- expects that School Governing Bodies will address any matters of public concern, and account for their actions, and</li> <li>- encourages them to seek appropriate professional advice</li> </ul> (being mindful of the Councils powers of intervention under Education Act 2006).]
3	All Councillors, and Council officers, should be reminded that they should not agree to investigation about things that have happened within a specific school, other than with the specific agreement of the scope and objectives with the Governing Body- who should be offered the opportunity to secure appropriate investigators who are demonstrably independent.
4A	The council should specifically reconfirm that it is not the employer of any person employed within a Trust school (or any other school which is not formally a voluntary controlled or community school) and should be clear in its dealings with employees at such schools that the Council is not their employer.
4B	Where the Council provides HR services to the school there should be a clear understanding of the employer relationships and contractual documentation issued by HR on behalf of the Governing Body should accurately reflect this. The council should ensure that HR /payroll process information (e.g. contracts of employment) correctly recognises the status of trust schools.
4C	The Council should create a record of School Status that can be used by all Council staff supporting schools, which indicates the nature of the school,(e.g. Community, Aided, Trust, Academy) its employees, premises etc, to enable them to provide appropriate , compliant advice.
5	Council officers should be reminded that they should be clear about the implications for schools that are not community schools, when giving legal advice to the school and its Governing Body (for example about the appropriateness of data sharing and dealing with complaints/ grievances).
6	The Councils HR services (and related services) should <ul style="list-style-type: none"> <li>(a) When acting as advisers to a Governing Body, act with diligence, and timeliness,</li> <li>(b) be clear to the Governing Body of the need for them to also act with diligence and timeliness</li> <li>(c) Establish clear lines of communication, responsibility, and accountability between the Council, and the Governing Body).</li> <li>(d) Ensure that all processes and procedures align with the appropriate (Council or school) employee conditions of employment.</li> </ul>

	(e) Ensure that at all times, all correspondence prepared by HR advisers is in accordance with the instructions of the Governing Body, and correspondence should be signed by a person authorised by the Governing Body, or issued (by the Council) making clear it is issued on behalf of, and under the instruction of the Governing Body.
7	The Council should continue to ensure that there is checking and quality control in respect of all its dealings with schools to ensure compliance with appropriate regulations, and procedures, carrying out enforcement where appropriate.
8A	The Council should ensure that all chairs of Governing Bodies are appropriately supported to achieve sound governance and constructive challenge in the operation of each school.
8B	Where a change in ethos or operational practice is agreed by Governors, the Council should ensure that this is subject to appropriate consultation and communication.
8C	The Council should ensure that appropriate reports and minutes evidence and justify any changes that are approved by the governing body.
8D	The Council should reemphasise through training the need for Clerks to School Governing Bodies to ensure appropriate reports are considered, and detailed minutes are prepared and affirmed by the next meeting of the Governing Body.
9A	The Director of Learning should reemphasise the need for each local authority-maintained school, (including Trust and VA schools) to set a balanced budget and take steps to ensure the sustainability of the schools finances. Corporate finance officers. <ul style="list-style-type: none"> <li>- Must make a legitimate assessment of the reasonableness of each schools budget proposals, and</li> <li>- If they believe that these are unsustainable, report this position to the Director for Learning.</li> </ul>
9B	Where schools have a deficit, the Corporate Finance Officers and the Director of Learning must oversee the implementation of a plan, in accordance with the rules set out in the section addressing treatment of balances in the Kirklees Scheme for Financing Schools.(which is a statutory document).
9C	The wording of the Financing Scheme should be revised to make clear without ambiguity the obligations in relation to schools budget recovery plans.
10	In accordance with council policies, where local authority officers are involved in meetings with colleagues, or other stakeholders, and behaviour of individuals has the potential to suggest bullying, harassment or any actions that are inappropriate, those present should challenge such behaviours,
11	There should be better recording of monitoring and performance of schools, reflecting national guidance School Improvement Reports should be prepared in an open, systematic and consistent way, with particular emphasis on the setting of targets and the follow up of their achievement and continuity of appropriateness of each recommendations or actions, with clear reporting to Governing Bodies.
12A	Where the council wishes to support schools by recommending specialist advisors or consultants (including acting head teachers and acting executive head teachers or head teacher advisors) it should; <ul style="list-style-type: none"> <li>- Have a clear and open way of selecting persons onto this approved or recommended list of suppliers,</li> <li>- Ensure credibility and competence for the task</li> <li>- Be clear what verification of the credentials of those included have been carried out by the council (e.g. references, DBS).</li> <li>- Be open about any issues or perception of conflict for any individuals</li> <li>- Discuss what other options for obtaining advisors may be appropriate</li> </ul>

12B	The Council/ local education authority should avoid recommending other consultants (other than from other approved list), and where it does so, it should be clear to Governing bodies that responsibility for selection, understanding the approved list rules, and checking appropriate references/DBS lies with the Governing Body.
12C	When the need for a consultant to aid a school is identified, the consultant should be given a clear written brief of the requirements, which should be formulated directly by the Governing Body, or (if the brief is prepared by the local education authority) agreed by the Governing Body and clear records of the approval process.
13A	<p>Officers should be reminded to avoid any situation where there may be a real or apparent conflict as regards their independence.</p> <p>All council officers should</p> <ul style="list-style-type: none"> <li>- be reminded of the need to be make up to date declarations of any interests they may have- which includes those that are commercial, financial, or based on relationships or friendship.</li> <li>- remind their own managers, and other parties such as Governing Bodies, if a conflict (or apparent conflict) may compromise their integrity.</li> </ul>
13B	Any officer with close professional operational links to schools, should not be a member of the Governing Body, in any capacity, of any school in the Kirklees area, other than with the approval of the Strategic Director of Childrens Services.
13C	In recruitment and selection, when participating in interview panels- as a panel member or as an adviser- where one or more of the candidates are personal friends, relatives, colleagues, their current superiors or have some other relating factor they must give due consideration to if their participation is appropriate. This may be mitigated by not participating in the process, or full openness and awareness amongst the rest of the interviewing panel, with a formal declarations of interests (as required by council and school governance rules), and the mitigations considered included in the recruitment records,
13D	In any disciplinary or grievance matters where their past decisions or actions may have influenced the situation that led to the investigation, or hearing, not being involved- as investigators or panel members.
14	No officer should commission, oversee, or carry out any “independent” investigation into matters that was or should have been under their own supervision. There needs to be senior management oversight- given through a person at least one level in the hierarchy higher- but detailed work in relation to the investigation should be carried out by a competent person with no previous involvement (who may be within the organisational service structure).
15	Where the persons whose role is subject to review by any investigation are so senior, or for another reason the independent investigation within the Service might be compromised, the investigation should be carried out independently. In some cases, oversight by Service Director of Legal, Governance & Commissioning, Head of Risk & Internal Audit, or Chief Executive will be appropriate.
16	<p>Where the council commissions an internal investigation, it should do so only with a written brief, setting out scope and anticipated outcomes/areas to be reviewed, and the methods of reporting.</p> <p>The reporting should always include a written report, even if this is not subject to publication.</p>
17	<p>Where the council choses to externalise the investigation, it should do only with</p> <p>(a) A clear route that shows the way in which the external investigator was chosen.</p> <p>(b) A written brief, setting out scope and areas to be reviewed, any restrictions or limitations to scope or context, and the methods of reporting</p> <p>There should be a written report, even if this is not subject to publication.</p>

18	Where a “complaint” is handled through the council’s normal complaints procedure, a restorative approach should be adopted. Each ascent up the complaint hierarchy should incorporate an assessment that information has been collected accurately and the judgements used have been made with justification
19	As a part of a restorative approach, it must be clear to complainants that their approach with the council must also be clear about their expectations and what they are seeking to achieve, realistic, pragmatic, and not be vexatious Before the council commits to significant work it should enter discussions and consultation if these issues are not clear from the initial complaint. The council also needs to be clear with complainants when it considers that a matter has been resolved or closed.
20	In determining whether to progress complaints upwards the council needs to take account of the significance of the complaint, and the potential value of the expenditure on the costs of investigation.
21A	The Council should engage with head teachers and school Governing Bodies on the nature of learning support and other services that the council will provide and be clear about the responsibilities of the council as provider and the school and governing body as consumer of those services.
21B	The council needs to remind chairs of Governing Bodies about their responsibilities for ensuring sound governance, including the production of written reports, the keeping of minutes and other records of meetings of governing bodies, and in relation to staff selection, management, and disciplinary matters.