

Conversation guide

Meeting with a proposed Foundation Governor in a Church of England School



Context

The suggested questions and information below to share and discuss are in no particular order, they act as a guide for Chairs of Governors in leading a discussion with a potential new foundation governor. These areas for discussion are in addition to the information given and shared with all governors who join a Church of England governing body.

Following the conversation, all parties should have an opportunity to reflect on whether the role of foundation governor is suitable and appropriate. The Chair of Governors, in consultation with the Headteacher should then decide whether to support their application for this role.

Suggested questions to ask:

- Tell us about yourself, what made you consider becoming a governor? A foundation governor?
- What skills, knowledge and experience do you feel you could bring and contribute to our governing body?
- Tell us about your involvement in the life of the Church?
- Tell us about your involvement and connections to the local community or businesses.
- Foundation representatives are charged with ensuring that the Christian character of the school is preserved and developed; with this in mind, please reflect on how you will do this.
- Are you happy for us to share your personal email address and name with the Diocese of Canterbury so they can begin the process of appointing you?

Information to share:

- The distinctive Christian vision of the school and how this underpins every policy, practice and decision in school. Discuss what this looks like in everyday school life.
- Key information about the school, including the journey the school has been on over the past couple of years.
- The core strategic functions of a governor, and the specific role of a foundation governor.
- If you are a VA school - the specific responsibilities governors hold.

Suggested Areas to discuss:

- Which criteria do you feel you fulfil for being a foundation governor? (*criteria a, b or c – see page 3*)
- Is there anything that worries or concerns you about role?
- Are you willing to attend relevant training, including annual safeguarding training?
- Do you have any further questions?
- Having heard and reflected on all we have shared with you; do you feel you would like to become a foundation governor at our school? Do you need some more time to reflect on this before making a decision? (*You may wish to show the proposed governor the declaration they will be asked to sign before they respond. See page 4*)

Additional information to support the conversation:

Why do we have Foundation Governors?

In short, it is a requirement of the Trust under which Church of England Schools were established, when local churches or patrons undertook to build schools for the education of the children of their local communities and endowed them with a Church of England Foundation.

They have a special responsibility:

- To ensure that the guiding principles of the founding church are incorporated into all aspects of the governance of the school.
- That the terms of the trust deed governing the school are adhered to.

Foundation Governors must bear in mind the principles of the Church of England, of the Trust Deed and of the Distinctive Christian vision Statement of the school in relation to all three core elements of governance, which are:

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

Ultimately, all governors are here to ensure that the school is able to provide the best education and school experience possible for every single one of its pupils.

Criteria for Appointment

Foundation Governors are appointed in accordance with the school's Instrument of Government or the Academy Trust's Articles of Association. In making an appointment, due regard will be taken of the following criteria:

- a. An individual who is a practising Christian and who is usually a communicant member of the Church of England or another Church in communion with the See of Canterbury.
- b. An individual who is a member of another Church which is itself a full member of Churches Together in England and Wales.
- c. A person who is not a member of any church but is sympathetic to the Church of England and can in the opinion of the Governing Body and after consulting the Diocesan Board of Education Officers;
 - i. demonstrate an understanding of the importance of upholding the Christian character of the school demonstrate the skills needed to understand and develop distinctive vision,
 - ii. monitor their effectiveness in the school's individual context,
 - iii. know how the performance of the school's approach to its distinctiveness will be assessed by external bodies,
 - iv. and contribute actively to the Section 48 (SIAMS) inspection process.

Please note that members of staff cannot be a Foundation Governor at the school in which they work. They are however very welcome to support a different school as a foundation governor.

Foundation Governor declaration

This is a copy of the declaration foundation governors will be asked to sign before they can be appointed to the governing body. This is just for the proposed governor to read and not for signing within the meeting.

Responsibilities

- a As with all Governors, a Foundation Governor must be committed to upholding the long term interests of the school they are appointed to serve, demonstrating a practical concern for the wellbeing of all staff and children and a commitment to working in partnership with parents.
- b A Foundation Governor must be willing to exercise the following particular responsibilities of Foundation Governors:
 - i. To uphold the distinctive Christian foundation of the school, in particular ensuring that the worship offered is in accordance with the beliefs and practices of the Church of England, that RE in Aided Schools is also consistent with those beliefs and practices, and that denominational education is provided for those children in Controlled Schools who were formerly controlled whose parents request it.
 - ii. To ensure that the denominational education is provided in accordance with the trust deed of the school, and the school is inspected in accordance with the requirements of the Education (Inspection of Schools) Act 1996.
 - iii. To champion, support and monitor the development and outworking of the school's Christian vision, ensuring that it drives, shapes and informs every policy, practice and procedure.
 - iv. To safeguard the interests of the Site Trustees with regard to the property and its use.
 - v. A Foundation Governor nominated by a Parochial Church Council is responsible for reporting regularly to the relevant PCC on the activities of the school.
 - vi. A Foundation Governor must ensure that the Diocesan Board of Education is consulted in such matters as are required by law.

Declaration

I am committed to:

- carrying out the responsibilities of being a Foundation Governor as set out within this document and undertake the Diocese of Canterbury Training course; 'New to Foundation Governance'.
- attending further training and development where necessary to enable me to govern effectively.
- upholding the work of the schools founding body and the principles of its Instrument of Government.
- upholding the Christian foundation of the school as outlined by its Trust Deed and founding documents in accordance with the tenets and practices of the Church of England. I acknowledge the responsibility to represent the concerns and direction of the Diocese of Canterbury, the Bishop of Dover and the Archbishop of Canterbury in all matters relating to church school education.

I confirm that:

- a) I understand the role of a Foundation Governor and its importance within the life of a Church of England School. I will attend meetings regularly and support the life of the school.
- b) I understand that attending training by diocesan officers is a condition of my appointment and subsequent re-appointment.
- c) I have no criminal convictions and have not been involved in bankruptcy proceedings that would render me liable for disqualification as a Governor under The School Governance (Constitution) (England) Regulations 2012 (schedule 4)
- d) I understand that this appointment is made subject to completion of a Disclosure and Barring Service (DBS) check and that my appointment is for a fixed period which may finish earlier at the discretion of the appointing body.

e) I consent to the information provided on this form being retained and processed by the Canterbury Diocesan Board of Education, The school and others involved in the appointment process, for the purposes of determining the suitability of my application, for subsequent quality assurance and monitoring purposes and for all other purposes reasonably associated with my role as Foundation Governor.	
Name:	
Signature:	
Date:	

Your School's Trust Deed and Trustees

Every Church of England school must have a Trust Deed which stipulates the principles and legal conditions under which the institution was established and should be run. It is advisable for schools to have a copy of their trust deed.

If you think that your school doesn't have a copy, please contact [Andrew Collie](#) (Schools Officer, Organisation and Estates) who can advise you how to obtain it.

In the majority of Church of England schools, the Trust Deed will dictate that the buildings are used for educational purposes only (there are many exceptions and anomalies, so it is always best to seek professional advice on this), with a clause specifying use by the local Church on particular days or occasions.

There are specific situations and occasions when the Trust Deed becomes particularly important. These are:

- If the school is considering conversion to academy status.
- For VA schools in relation to their admissions policy. Conditions stipulated in the Trust Deed are legally binding and supersede all other legislation in terms of oversubscription criteria priorities.
- When considering extended school activities – specifically if the school is proposing to bring third parties onto the school site to deliver extended school services. This relates back to the terms of the Trust Deed in relation to the use of the school buildings and any agreement made which breaches the terms of the Trust Deed would be invalid. It is essential therefore to consult the Diocese at the earliest opportunity when considering such a move. There are ways of overcoming issues, but is best to leave sufficient time in case the Charity Commission has to be consulted.
- The building of, for example, a children's centre or pre-school would need to have regard for the same considerations as the previous point.
- When reconstituting the Governing Body.
- If considering collaboration, federation or amalgamation as part of school reorganisation and the pressures of falling numbers on roll.
- If the school is to be transferred to a new site.

The Trust Deed is a critical document setting out the details of the foundation of the school and the basis on which the buildings and land were originally granted. It appoints the trustees of the school and sets out what activities are permitted on the premises. This is not a dull and dusty old piece of parchment; this is a living document than can have a real impact on anything from your admissions policy to the extended services that you wish to provide on your site.

Differences between types of Church Schools

	Voluntary Aided (VA)	Voluntary Controlled (VC)	Foundation Schools	Academies
Buildings	Owned by site trustees: The trust deed determines the basis on which the school is run. New building and repairs are the responsibility of the governors (supported by DfE grant up to 90% of approved expenditure). Playing fields are usually provided by the LA.	Owned by site trustees. The trust deed determines how the school shall be run where the law does not make this clear. All replacement, repairs and other building costs fall on the LA. Playing fields are usually provided by the LA.	Owned by site trustees. The trust deed determines the basis on which the school shall be run where the law is silent. Playing fields are usually owned by the Governing Body. All building works funded from LA.	Owned by the site trustees. All building costs and repairs are the responsibility of the Academy Trust. Playing fields are in long-leasehold arrangement, usually between LA and Academy Trust.
Staff: Teaching and support	Employed by the Governing Body, usually paid by the LA. Governors may seek evidence of Christian commitment from applications for teaching posts.	Appointed by the Governing Body, employed and usually paid by the LA. Governors are bound by LA appointing policies.	Employed by the Governing Body, usually paid by the LA. Governors will be able to select teachers within the LA policy. Governors are bound by LA appointing policies.	The Academy Trust is the employer of all staff and paid by payroll provider which may be the LA. Governors may seek evidence of Christian commitment from applications for teaching posts, depending on previous category.
Collective worship	Distinctively Christian; reflects the Anglican tradition and can include worship in the parish church. Worship is Inclusive, invitational and inspiring and meets the statutory requirements.	Distinctively Christian; reflects the Anglican tradition and can include worship in the parish church. Worship is Inclusive, invitational and inspiring and meets the statutory requirements.	Distinctively Christian; reflects the Anglican tradition and can include worship in the parish church. Worship is Inclusive, invitational and inspiring and meets the statutory requirements.	Distinctively Christian; reflects the Anglican tradition and can include worship in the parish church. Worship is Inclusive, invitational and inspiring and meets the statutory requirements.
Religious Education	RE is the responsibility of the governing body. Provision of RE must be in accordance with the Trust Deed of the School. The Diocesan	School must follow the Kent Agreed syllabus, using Diocesan guidance to ensure it reflects the expectations of the Church of England	School must follow the Kent Agreed syllabus, using Diocesan guidance to ensure it reflects the expectations of the Church of England	School must follow a Locally Agreed syllabus. The Diocesan Board of Education recommends using the Kent Agreed

	Board of Education recommends that governors, in consultation with the Head teacher, adopt the Locally Agreed Syllabus and supplement this with material from the Diocese to ensure that two thirds of the curriculum time is spent on Christianity. Governors must ensure statutory requirements are met.	Statement of Entitlement. Governors must ensure statutory requirements are met. Denominational RE must be provided if a parent requests it.	Statement of Entitlement. Governors must ensure statutory requirements are met. Denominational RE must be provided if a parent requests it.	Syllabus and Diocesan guidance to ensure it reflects the expectations of the Church of England Statement of Entitlement. Governors must ensure statutory requirements are met.
Funding	National formula funding	National formula funding	National formula funding	National formula funding
Admissions	The Governing Body determines the policy and make the decisions in accordance with the requirements of the Admissions Code. They must consult the LA, the Diocese and all other admission authorities in the area each year.	The LA is responsible for admissions, but must consult the Governing Body each year.	The Governing Body determines the policy and make the decisions in accordance with the requirements of the Admissions Code. They must consult the LA, the Diocese and all other admission authorities in the area each year.	The Academy Trust is the admission authority. The policy is determined according to Trust Scheme of Delegation and implemented by local governors. Admission policies do not change on conversion; if no previous faith criteria existed, they cannot be introduced post conversion
Membership of the Governing Body	Foundation governors must have a majority of two over the total of all other governors. Parish priest is usually ex officio a member of the governing body. All governors combine to elect the Chair. A proportion of foundation governors must also be parents.	Foundation governors are in a minority. The parish priest is usually ex officio a member of the governing body. All governors combine to elect the Chair. There must be at least 2 foundation governors.	The number of foundation governors and identity of the body/bodies appointing them will be set out in the instrument of government.	Local governance arrangements must be in place at each school, reflecting the constitution of the body pre-conversation. The principal officiating minister of the parish in which the academy is situation is ex-officio, a member of the local governing body.
Inspection	Ofsted Inspectors cannot carry out a deep dive in RE or	Ofsted inspectors can carry out a deep dive in RE. They can	Ofsted inspectors can carry out a deep dive in RE. They can	

	comment on the RE curriculum. They can observe RE as part of the Quality of Education judgement and join for worship as part of the personal development judgement.	comment on the intent, implementation and impact of the RE curriculum within the school. They may join for worship as part of the personal development judgement.	comment on the intent, implementation and impact of the RE curriculum within the school. They may join for worship as part of the personal development judgement.	
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Signposting to Diocesan Training

All Governor training can be booked via our training platform Thinkific

<https://canterburydiocese-training.thinkific.com/>

You school will give you a coupon code to access the training for free if your school pays their core service contribution payment (CSC).

Diocese Board of Education contact details

For all governance enquiries and notifications of new foundation governors please email Sarah Buchan governance@diocant.org

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