

## **PROTOCOL FOR MANDATORY TRAINING**

### **INTRODUCTION**

The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013, introduced a statutory requirement for Governors to attend mandatory training (Induction, Performance Data and Chair Training).

The protocol is intended to:-

- Outline who is required to attend which training sessions and within what timescales;
- Detail the responsibilities of LA's in providing training;
- Detail the responsibilities of governing bodies for suspending and possibly disqualifying governors who do not attend the mandatory training;
- Detail the actions the EAS (Governor Support Service) will take to support governing bodies in implementing the regulations;
- Establish a clear process, which includes model letters that can be followed by the Chair / Clerk to implement the requirements in a fair and consistent manner.

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Sent to all Chairs of governing bodies  
within the South East Wales Consortium

Dear Chair

## **PROTOCOL FOR MANDATORY TRAINING**

Under the **Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013** governing bodies are ultimately responsible for suspending and possibly disqualifying governors who do not attend the mandatory training.

The Chairs role is pivotal in ensuring the governing body meets the mandatory requirements. Please find attached the EAS Protocol Pack to facilitate the suspension and disqualification process.

The Pack includes:

- Summary Guidance Document
- Protocol for Mandatory Training – Chair of Governors
- Protocol for Mandatory Training – Governor Induction & Understanding Data
- Model letters for Suspension and Disqualification

The Governor Support Service will continue to work with Chairs to ensure that the governing Body training records are up to date and accurate and the mandatory training programme is published to all governors.

If you require any further advice or support in this process please do not hesitate to contact the team.

Yours sincerely



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# GUIDANCE ON MANDATORY TRAINING FOR GOVERNORS

## SUMMARY

This document explains provisions in the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013, and the Government of Maintained Schools (Clerk to a Governing Body) (Wales) Regulations 2013, relating to mandatory training for governors. The full document can be found on the Welsh Government Website: <http://wales.gov.uk/docs/dcells/publications/140919-training-for-gov-en.pdf>



All local authorities, governing bodies and clerks to a governing body should have regard to this guidance which explains the statutory requirements for attendance of the mandatory training and those who are exempt.



Local Authorities are responsible for providing training for governors and for ensuring that the training delivered covers all the topics set out in the relevant 'Content of Mandatory Training' documents. Within the South East Wales Consortium the Education Achievement Service provides the Governor Support Service on behalf of all 5 Local Authorities.

Governing bodies are ultimately responsible for suspending and possibly disqualifying governors who do not attend the mandatory training and will require an accurate, up to date record of attendance to facilitate this.

The EAS will continue to work with governing bodies to ensure their training records are up to date and accurate.

The guidance recommends that governor training is a regular agenda item for governing bodies meetings so that attendance at training can be monitored and recorded in the minutes by the Clerk.

## GOVERNOR INDUCTION

### Who has to attend the induction training?

- Any governor newly elected or appointed after the date the regulations come into force is required to attend the mandatory induction within one year of their appointment or election.
- Any existing governors who have been in post for two years or less when the regulations come into force (i.e. since September 2011) who have not attended local authority induction training, will also be required to attend the induction training within one year of the regulations coming into force. i.e. September 2014
- Any governors who have attended local authority induction training or the mandatory induction training and have subsequently had a break in service of at least five consecutive years ("relevant break in service") as a governor at any school in Wales will have to complete the induction training again within one year of their appointment or election.

## UNDERSTANDING DATA TRAINING

### Who has to attend the data training?

- All governors elected or appointed (including for a further term of office) after the date the 2013 governors training regulations come into force i.e. September 2013, must attend the data training within one year of that governors appointment or election.

Headteachers are exempt from completing the mandatory training.

### Q. What will happen to me if I do not complete the mandatory governor training?

A. If a governor has not completed the training within the required timescale, they will be suspended for 6 months and should undertake the training within that time. If a governor does not complete the mandatory training within the suspension period they will be disqualified from post.

### Q. What is the process for suspension/disqualification of governors who do not complete the mandatory training within the timescales prescribed?

**A.** The suspension for nonattendance at mandatory training will be automatic (Please see EAS Protocol for details). If the governor has not completed the training within the 6 month suspension period, the local authority will notify the Chair and Clerk that the governor is to be disqualified from post. The Chair/Clerk will write to the governor informing them of this and the governing body can seek a new governor.

## **CHAIRS TRAINING**

The following must attend the mandatory Chair training within six months of their election as Chair:

- All Chairs of governors elected for the first time after the regulations come into force in September 2013.
- Any Chair of governors elected after the regulations come into force and who has not attended the **mandatory training** within two years prior to their election.
- Any Chair of governors elected after the regulations come into force who has not attended **local authority Chair training** in the two years before the regulations come into force - September 2011 to 31 August 2013.
- Any Chair of governors who is elected following a relevant break in service as a Chair.

### **Responsibility of the Chair**

When Chairs of governors are elected they should immediately contact the EAS so that they can be informed of the dates of the mandatory Chair training. Chairs must also inform the Clerk to governors and the Headteacher when they have completed the Chair training, so that they can continue in office.

### **Who is exempt from Chairs Training?**

Any governor who has completed the mandatory Chair training or the local Authority Chair training and who has been elected to serve a further term of office as Chair after the regulations come into force - September 2013, and has not had a relevant break in service as a Chair, will not be required to complete the mandatory Chair training.

### **What happens if a Chair of governors does not complete the training?**

Any Chair of governors who is required to complete the mandatory training and does not do so within the prescribed period will immediately cease to hold office as a Chair. (Please see the Protocol for details). If that governor wishes to stand again for election as Chair of governors they will be required to complete the Chair training before they are eligible to be elected as Chair. This includes Chairs of shadow governing bodies.

## **EXTENUATING CIRCUMSTANCES**

### **Q. What happens if a governor is ill and does not complete the mandatory training within the prescribed timescale, can an extension be applied in special circumstances?**

**A.** The regulations will not prescribe for exemptions if a governor is ill, the same process of suspension/disqualification will apply. It may be that a governor is ill for a long period of time and not only have they been unable to complete the mandatory training but have also been unable to attend governing body meetings. Whilst we accept that this could be a sensitive matter, implementing the suspension process means it will become a formal process which allows the governing body to record in the minutes the reasons for the suspension in the event of any challenge.

The guidance document does not allow the governing body, Local Authority or EAS discretion on this matter. However, if you are unable to attend training due to personal circumstances or a medical condition (e.g. reduced mobility) please contact your Chair of Governors or Clerk to discuss the matter.

The EAS will continue to work with governors to maximise the opportunities to access training throughout South East Wales.

## Protocol for Mandatory Training Chairs Training



Under the **Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013** all Chairs elected after the 20 September 2013 and who have not attended chairs training in the last two years i.e. prior to 20 September 2011 are required to attend Chairs training.

Before the election for Chair takes place at a governing body meeting the Clerk should inform the governors standing for election as Chair that they will be required to attend the mandatory training within six months of the election (if they have not previously done so) or they will be unable to continue as Chair of governors.

The following protocol has been developed ensuring Governing Body meets Welsh Government Guidance:

1. Clerk will formally write to the newly elected Chair outlining the requirement to attend the mandatory Role of the Chair Training session, include dates of sessions available.
2. 3 months after the election, a **reminder email** will be sent including a list of courses available.
3. If the required mandatory training course has not been completed by the 6 months anniversary of the election, a **letter** to be sent to notify the governor that they cease to hold office as a Chair. A copy of the letter should be sent to the Headteacher.

*If that governor wishes to stand again for election as Chair of governors they will be required to complete the Chair training before they are eligible to be elected as Chair.*

The EAS will continue to work with governing bodies to ensure accessibility to training and that training records are up to date and accurate.

Any governor experiencing specific difficulties in attending training should be encouraged to speak to the EAS Senior Governor Training & Development Officer.

## Protocol for Mandatory Training Governor Induction & Understanding Data



Under the **Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013** governing bodies are ultimately responsible for suspending and possibly disqualifying governors who do not attend the mandatory training and will require an accurate, up to date record of attendance to facilitate this. The EAS will continue to work with governing bodies to ensure their training records are up to date and accurate.

To support governing bodies through the process the following protocol has been developed:

1. Appointment/welcome letters inform new governors of the requirement to attend Governor Induction training (new appointments) and Data Training (appointments and reappointments).
2. 6 months after appointment/reappointment, if any mandatory training remains outstanding, a **reminder letter/email** is sent including a list of available courses.
3. If a required mandatory training course has not been completed by the 12 months anniversary of appointment or reappointment, a **suspension letter** is to be sent. *However if a place has been booked on a course due to take place within 2 weeks following the anniversary date, the suspension letter can be withheld and only sent if the governor fails to attend the course.*
4. If the outstanding course(s) are completed within the 6 month suspension period, a **reinstatement letter** will be sent following the training course.
5. If the outstanding course(s) are not completed within the 6 months suspension period, a **disqualification letter** will be sent.

Governor Training should be a standard item on the agenda. The Chair and the Clerk to Governing Body will work together to ensure governors are fully aware of the regulations and the training available.

The Termly EAS Mandatory Governor Training & Strategic Development programme is published on the EAS website, sent to all governors via email and is attached to every agenda.

Any governor experiencing specific difficulties in attending training should be encouraged to speak to the Chair of Governors or EAS Training Officer.

**Model reminder letter due to nonattendance at Chairs training**

Dear .....

**Governing Body of ..... School: Mandatory Chairs Training**

According to the Governing Body Training Records you have not attended the mandatory training. You will previously have been informed of the requirements imposed by Welsh Government regulations, a summary of the regulations is enclosed with this letter.

Please could you contact the EAS to book a place on one of the following sessions:

.....

.....

.....

I urge you to attend the training as soon as possible so that you can continue in the role of Chair of the Governing Body. Should you fail to attend a session by ..... (6month anniversary of election) in accordance with **Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013** you will automatically cease to hold office as Chair to the Governing Body.

If your reason for not being able to attend is due to exceptional circumstances (e.g. a medical condition or reduced mobility) please contact me so that we can discuss this confidentially.

I apologise for writing in such terms, however Welsh Government Regulations do not allow any discretion on this matter.

Yours sincerely,

Clerk to Governors -

***Model letter for Disqualification due to nonattendance at Chair training***

Dear

**THE GOVERNING BODY OF ..... SCHOOL**

Our records show that you have not completed the mandatory training courses that governors are required to attend.

**The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013** state that a Chair of governors is disqualified from holding office if they fail to complete the required training within Six months of their election.

Consequently, as you have not complied with the Welsh Government's mandatory training requirements for governors, I have to inform you that **you are no longer Chair the Governing Body**. If you wish to stand for election as Chair of governors in the future you will be required to complete the Chair training before being eligible for election.

I am sorry that this situation has arisen, but wish to thank you for your contribution to the governing body.

Yours sincerely

**Model 6 month reminder letter due to nonattendance at induction and/or data training**

**Dear .....**

**Mandatory Training to serve on the Governing Body of ..... School**

**According to the Governing Body Training Records you have not attended the mandatory training.**

**You will previously have been informed of the requirements imposed by Welsh Government regulations, a summary of the regulations is enclosed with this letter.**

**Please could you contact the EAS to book a place on one of the following sessions:**

**.....**

**.....**

**.....**

**I urge you to attend the training as soon as possible so that you can continue to serve on the governing body. Should you fail to attend a session by ..... (6month anniversary of appointment/reappointment) in accordance with Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 you will be suspended and you would not be able to attend future governing body meetings.**

**If your reason for not being able to attend is due to exceptional circumstances (e.g. a medical condition or reduced mobility) please contact me so that we can discuss this confidentially.**

**I apologise for writing in such terms, however Welsh Government Regulations do not allow any discretion on this matter.**

**Yours sincerely,**

**Clerk to Governors -**

***Model letter for Suspension due to nonattendance at induction and/or data training***

Dear.....

Governing Body of ..... School

According to the Governing Body Training Records you have not attended the mandatory training within the required time scale.

Therefore, in accordance with Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013, I am writing to inform you that **you have been suspended from serving as a governor for six months from the anniversary of your appointment/reappointment**. This means that you must not attend governing body meetings, including committee meetings, but you are still entitled to receive meeting papers during the period of your suspension.

You will previously have been informed of the requirements imposed by Welsh Government regulations, but you will find them at the end of this letter.

The suspension is for a period of six months during which time you should attend the necessary training. If you fail to do so, you will be automatically disqualified from the governing body and cannot be re-elected or re-appointed until you have attended the training.

I urge you to attend the training as soon as possible so that you can return to serve on the governing body. However, if you do not intend attending the training it would help the work of the governing body if you were to resign so that a replacement can be sought as soon as possible so that all sections of the school community can have the representation to which it is entitled.

If your reason for not being able to attend is due to exceptional circumstances (e.g. a medical condition or reduced mobility) please contact me so that we can discuss this confidentially.

I apologise for writing in such terms, however Welsh Government Regulations do not allow any discretion on this matter.

Yours sincerely,

Clerk to Governors -

***Model letter for Disqualification due to nonattendance at induction and/or data training***

Dear

**THE GOVERNING BODY OF ..... SCHOOL**

Our records show that you have not completed the mandatory training courses that governors are required to attend.

The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 state that a governor is disqualified from holding or continuing to hold office as a governor if they fail to complete the required training by the expiry of the six-month suspension period.

Consequently, as you have not complied with the Welsh Government's mandatory training requirements for governors, I have to inform you that **you are disqualified from serving on the governing body of the above school**. In accordance with the Regulations, you cannot be nominated, elected or appointed as a governor of any category at any school until such time as you complete the mandatory training.

I am sorry that this situation has arisen, but wish to thank you for your contribution in the past.

Yours sincerely