



Clerking Service - Guidance on Conducting Governing Body Business during COVID-19

In the March 2020 Governance Update, the DfE advised against governing bodies meeting in person, and to instead adopt alternative arrangements. There will be decisions that the governing body will still need to make during this time, so there will need to be consideration of how the decisions are made in the most effective, transparent and pragmatic way.

Does the decision need to be made now or can it be deferred?

The DfE advises that governing bodies focus on urgent, time-bound decisions. Please see the list of suggested essential business items, which provides guidance on which types of decisions need to be made now and which can be made at a later date. This will be an evolving situation and items may become urgent depending on how long the current guidance on social distancing/lockdown continues.

Alternative Arrangements

Virtual Meetings

The NGA recommends that governing bodies use tele/video conferencing to conduct governing body business. The DfE has advised that boards can agree to hold meetings via telephone or videoconferencing without having to meet first, as would normally be the case. The Chair or Clerk can contact governors directly via email to agree to alternative meeting arrangements during this lockdown period.

The Chair and Headteacher should consider whether a meeting is needed by reviewing the decisions that need to be made alongside the suggested essential business.

What you need to do:

- Ensure that all governors are able to access the technology for the meeting. There are a number of video conferencing platforms – Zoom, Teams, Skype. If governors do not have access to a laptop, these can also be used through apps on mobile phones.
- As usual with an FGB meeting, the Clerk will draft an agenda with the Headteacher and Chair, which will then be circulated to the governing body with any papers via email.
- The meeting will still need to be quorate - one half (rounded up to a whole number) of the membership of the governing body (maintained schools) or the number stipulated in the Articles of Association or Scheme of Delegation (academies) must be participating.

- As with a normal governing body meeting, the Clerk will take minutes of the meeting recording any decisions and actions. The minutes may be more succinct than for face-to-face meetings as lengthy virtual meetings are harder to manage and minute and it is recommended that the meeting is kept as short as possible, without curtailing the opportunity for governors to ask appropriate questions.

Key Points

- Ensure governors are still able to fully participate using the new arrangements.
- Consider the wellbeing of the Headteacher and SLT when deciding whether to have a meeting

The NGA recommends that governing bodies arrange virtual meetings via tele or video conferencing rather than agreeing business via email due to the lack of immediacy of email and the inability to have real-time discussions. However, there may be a case where agreement by email is the most effective way to make a decision – particularly if there is a narrative included and discussion is not needed, for example:

- Co-option or appointment of a governor if this is deemed to be urgent
- Agreement of the school's budget

Decisions Via Email

What you need to do:

- Clerk, Headteacher or Chair send an email to **all** governors clearly outlining the decision that needs to be made with options
- Provide a deadline for the reply
- Governors 'reply all' to the message
- The majority of governors must reply
- If governors do not respond, the Clerk should send a chasing email to those governors, copying in the Chair.
- Once all replies have been received, the clerk should retain a copy of the email train in the official minute file

Key Points

- Keep the Clerk in the loop, particularly if decisions are being made via email. There needs to be a record of these decisions held in the minute file.

Other Key Documents:

- NGA guidance – includes a section on 'Making virtual meetings work'
- Governance Updates (DfE)
- LA model Remote attendance policy

Virtual Meeting Platforms

- **Skype**
- **Microsoft Teams**
- **Zoom** - Schools are able to remove the meeting time restriction for a basic free account
https://zoom.us/docs/ent/school-verification.html?zcid=1231&_ga=2.23371006.551525991.1583696790-827731685.1566335579