



Principles of Government
in
Maintained Secondary
Schools



BOARD OF EDUCATION

Principles of Government in Maintained Secondary Schools

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**PRINCIPLES OF GOVERNMENT IN MAINTAINED
SECONDARY SCHOOLS**

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PRINCIPLES OF GOVERNMENT IN MAINTAINED SECONDARY SCHOOLS

I. INTRODUCTION

1. Under Clause 16 of the Education Bill every county and auxiliary secondary school is to have an instrument of government providing for the constitution of a body of governors, and is to be conducted under articles of government, which shall in particular determine the functions to be exercised in relation to the school by the local education authority, the body of governors and the head teacher respectively. . . .

2. Hitherto in the sphere of the education of pupils over eleven years of age there has been a clear distinction between Secondary Schools falling within the field of Higher education and Senior or Central Schools falling within the field of Elementary education. So far as schools of Higher education are concerned there is no statutory provision in the Education Acts relating to the constitution and powers of governing bodies and head teachers. In a certain number of schools, however, the governance of the school is regulated by a Scheme made under the Endowed Schools or Charitable Trusts Acts, and all Secondary Schools are required as a condition of grant to "be governed and conducted under adequate and suitable rules." So far as Elementary Schools are concerned the constitution and powers of the body of managers are regulated by Sections 30-36 of the Education Act, 1921, and by rules made by the local education authority.

3. The recasting of the education system under the Education Bill extends the term "secondary" to include all schools for senior pupils. This will bring into the same administrative field a very large number of schools of a different character and different traditions from the present Secondary Schools. The development of a coherent and consistent way of life for this greatly increased number of schools of varying origins and conditions will not necessarily be on uniform lines. The Bill, indeed, recognises this fact by requiring the Minister, in exercising his functions under Clause 16, to have regard to all the circumstances of the school and the manner in which it has been conducted heretofore.

4. Another important change is the classification of schools into categories of County, Controlled, Special Agreement and Aided Schools. Hitherto schools have been divided into provided and non-provided schools, and one implication of the change is that the powers and duties of the local education authority and the governors need to be clearly defined in each case. To some extent this is done in the Bill itself; in other respects it is left to the articles of government. But it must be recognised that any division of functions laid down in the articles of government is subject to the overriding provisions of the Bill for each class of school.

5. Nevertheless it would be wrong to lay too much emphasis on the statutory difference between one school and another or one type of school and another. Every school of whatever type or category must have an individual life of its own as well as a place in the local system. The fact that aided schools are assured under the Bill of an independence hardly, if at all, less than that which they enjoy at present, makes it the more desirable to seek means to secure that reasonable autonomy is enjoyed also by county, controlled and special agreement schools. Independence implies, not freedom from proper control, but freedom to exercise legitimate and appropriate functions; and it is on this principle that Clause 16 of the Bill recognises for the first time the need for defining the functions which should be exercised by each of the parties concerned in the governance of schools of all kinds.

6. In fact there are certain general principles which might apply, subject to necessary variations of detail, to all secondary schools; and it was with the object of ascertaining how far such principles can be explicitly stated that the President of the Board of Education invited the various interests concerned to take part in conversations.* The results of these conversations, the general effect of which is stated in the following paragraphs, represent a broad measure of agreement, though they do not commit the bodies concerned. They are issued for general guidance when instruments and articles of government come to be prepared.

7. One important factor which must be borne in mind is the difference between rural and urban areas and, to some extent, between the larger and smaller urban areas. A procedure which is possible and desirable in one area may well be inappropriate or impracticable in another. The machinery laid down in the Bill provides, in the case of auxiliary schools, for consultation by the Minister with the local education authority and other persons concerned; moreover it would undoubtedly be wise for local education authorities to consult various interests in the area before the articles of government for county schools are framed. In this way an opportunity will be given for a necessary variation to meet the different circumstances of individual areas and schools.

8. It should be noted that under Schedule I of the Bill schemes of divisional administration are to be drawn up, which will be approved by the Minister. These schemes are to define the functions which the divisional executives are to exercise on behalf of the local education authority. The nature and extent of this delegation will naturally have reactions on the government of secondary schools; but it will not affect the determination of functions to be exercised by the governing body and the head teacher. Consequently, when in the following paragraphs, the term "local education authority" is used it includes divisional executives exercising delegated powers and duties on behalf of the authority.

9. The main issues which have been the subject of conversations can be grouped under the following five headings:—

Governing Bodies.

Finance.

Appointment and dismissal of teachers and other staff.

Internal organisation and curriculum.

Admission of pupils.

In the paragraphs which follow no attempt is made to deal with all the matters to be included in articles of government. Thus, under the first heading, there will necessarily be rules regarding the qualifications and terms of appointment of governors on which there is no disagreement and which would normally find a place in all articles of government. Similarly no reference is made to religious education, in regard to which explicit directions are included in the Bill. The matters dealt with in this memorandum are those which bulk most largely in the problem of school government and in regard to which the formulation of general principles is consequently most necessary.

II. GOVERNING BODIES

10. *Constitution.*—All secondary schools are to be governed by governing bodies specially constituted for the purpose. In the case of county schools

* Those consulted included representatives of the various associations of Local Education Authorities, the London County Council, the Association of Directors and Secretaries for Education, the National Union of Teachers, the Governing Bodies Associations, the London Aided Schools Association, the Aided Schools Committee and the Joint Four Secondary Associations.

the governing body is to consist of such number of persons appointed in such manner as the local education authority may determine; in the case of auxiliary schools the governing body is to consist of such number of persons as the Minister may determine, subject to compliance with the prescribed proportions of foundation governors and of governors appointed by the local education authority.

II. *Composition.*—In all schools it may be assumed that the governing body will include:—

- (i) Adequate representation of the local education authority;*
- (ii) Other persons whose qualifications are such as to enable them to play a useful part in the government of a secondary school.

The practice of allowing a limited number of co-opted members nominated by the governing body has proved of advantage and might be continued in appropriate cases.

In the case of girls' and mixed secondary schools a proportion of women should be included on the governing bodies.

* Among the persons referred to under (ii) above it would be appropriate to appoint a representative of a University or University College—particularly of the local University where one exists; and the inclusion of one or more persons associated with the commercial and industrial life of the district is desirable.

There is general agreement that the interests of the teaching staff of the school or schools, as well as of parents and old scholars, should be reflected in the composition of the governing body. The majority of bodies consulted hold that this can be secured without the staff or parents' and old scholars' associations having the right to nominate governors for the purpose.†

12. *Size.*—No precise guidance as to the size of the governing body can be given. In the past governing bodies have sometimes tended to be too large and in consequence their transactions have in some cases been formal and stereotyped. The governing body should be large enough to ensure that the various interests are adequately represented, but small enough for the effective conduct of business in such a way that all members can play an active part.

13. *Grouping.*—Clause 19 provides for the grouping of schools under a single governing body and there can be no doubt that, with the great increase in the number of secondary schools, such grouping will frequently be necessary. In some cases the schools of a particular foundation or of a particular denominational character will most conveniently be grouped together, and it should be noted that an auxiliary school cannot be grouped with another school without the consent of the governors. Usually, however, there will be solid advantages in grouping schools on a geographical or regional basis, schools of all types finding a place in an individual group. In this way experience will be brought to bear on the problems of self-government in the newer types of secondary schools, while community of interests, sharing of teaching staffs and transfer of pupils between the various types will be facilitated. Some fear has been expressed that under such an arrangement the individual character of each type of school might tend to be blurred, and the suggestion has been made that a nucleus of governors might be formed for the group with one or two additional members for each separate type of school, who would attend only when the affairs of their particular schools were being considered.

* The authority's representatives will not necessarily be in all cases members of the authority.

† One section holds that governors should be specially nominated by the teaching staff and by parents' and old scholars' associations.

III. FINANCE

14. The practice will no doubt generally obtain by which governors prepare estimates covering a suitable period and submit them to the local education authority. Within the broad headings of the approved estimate the governors should have latitude to exercise reasonable discretion. It may be desirable that a small margin for contingencies should be allowed, particularly under the heading of "Books, apparatus and stationery"; in any case the allowance under this heading, which is commonly calculated on a capitation basis, should not be too rigidly defined and a school should be entitled to present a case for a higher rate to meet special difficulties and developments. There is general agreement that the school library, the special needs of which have often been overlooked in the past, should be given a separate allowance.

IV. APPOINTMENT AND DISMISSAL OF STAFF

15. *Teaching Staff.*—Under the provisions of the Bill the appointment of teachers in county controlled or special agreement schools is, with certain reservations, placed under the control of the local education authority. In a controlled school the authority are obliged before making an appointment of head teacher, to inform the governors as to the person proposed to be appointed and to consider any representations made by them. The dismissal of teachers rests with the local education authority. In aided schools the functions of the authority and the governors in regard to the appointment and dismissal of teachers are to be regulated by the articles of government, subject to certain mandatory or discretionary rights reserved to the authority and governors.

16. The appointment and dismissal of teachers, other than reserved teachers, may be conveniently considered separately for head masters or head mistresses and assistants:—

(a) *Appointment of head master or head mistress.*—In schools provided by local education authorities the practice has in the past varied very considerably. In some areas the appointment has been made by the governing body subject to confirmation by the authority; in others the authority has appointed in consultation with the governors. It is desirable that, so far as possible, some uniform practice should obtain and there is a wide measure of agreement in favour of associating the governors and the authority both at the stage of drawing up the short list and also of making the final appointment. The following two alternative methods appear to command acceptance:—

(i) Under the first method the governors consider the applications, a representative of the authority being present, and submit three names to the authority. The appropriate committee of the authority then makes the final appointment, a member of the governing body being present;

(ii) Under the second method, the merits of which are being increasingly recognised, a joint committee is set up of an equal number of members of the governing body and the authority, under the chairmanship of a person nominated by the authority, to draw up the short list and, at a second meeting, to make the appointment.

One or other of these two methods would be suitable for county, controlled or special agreement schools and, with modifications, might be appropriate also in the case of aided schools. In the case of aided schools the proportions of members on a joint committee would no doubt be varied and the nomination of chairman be given to the governors at one or both stages of the appointment.

(b) *Dismissal of head master or head mistress.*—The normal procedure in the case of dismissal would be as follows:—

(i) The resolution would be taken by the governing body who would also have power to suspend in the case of misconduct or for other urgent cause;

(ii) The resolution would be passed at two meetings, held at an interval of not less than fourteen days, by not less than two-thirds of the governing body present and voting;

(iii) The resolution could not take effect (except as otherwise provided in the Bill), until it had been accepted by the local education authority in the case of county, controlled or special agreement schools, or the consent of the authority had been obtained in the case of aided schools. It would be usual to provide that the head master or head mistress should have the right of appeal to the local education authority in cases where the authority's approval or consent was required;

(iv) The local education authority should have the power of dismissal on their own motion (except as otherwise provided in the Bill) in county, controlled and special agreement schools, and to require dismissal in aided schools;

(v) It would be usual to provide that the head master or head mistress should be entitled to appear accompanied by a friend at any meeting of the governing body or the local education authority, at which his or her dismissal was to be considered, and should be given full notice of such meetings;

(vi) Except in cases of misconduct or other urgent cause dismissal would be subject to notice under the terms of appointment.

(c) *Appointment of assistant masters or mistresses.*—The appointment of assistant masters and mistresses in county, controlled or special agreement schools is to be under the control of the local education authority; in aided schools it is to be made by the governors, with the consent of the authority where so provided. The usual practice will be for appointments to be made, within the financial limits of the approved estimates, by the governors in full consultation with the head master or head mistress subject to confirmation by the local education authority. Vacancies should generally be notified in the first instance to the local education authority, in order that a multiplicity of advertisements may be avoided. The local education authority should be in a position to secure interchangeability of staff and appointment from a pool, particularly in the case of junior posts.

(d) *Dismissal of assistant masters or mistresses.*—The procedure would be generally similar to that in the case of the head master or head mistress. It need not, however, necessarily be so elaborate, provided that opportunity is given for the assistant to appear before a meeting of the governors accompanied by a friend and to appeal to the local education authority.

17. *Non-teaching staff.*—The appointment and dismissal of staff other than teachers fall under two headings—(a) Caretakers and maintenance staff and (b) Clerks to governing bodies.

(a) *Caretakers and maintenance staff.*—In county, controlled or special agreement schools appointments and dismissals are to be made by the local education authority; in the case of aided schools the authority may give directions to the governors. In practice the actual selection of

persons to be appointed would, no doubt rest with the governors on the advice of the head master or head mistress, subject to the approved estimates not being exceeded and the conditions of appointment being in accordance with the usual conditions for the area as regards wages and other matters. The authority should be in a position to require, at any rate in the case of county, controlled or special agreement schools, that the appointment be made from a pool.

(b) *Clerks.*—In county, controlled or special agreement schools it would be usual for the chief education officer or his representative to be the clerk to the governing body, and, in view of the growing complexity of school business and the need for close co-operation with the authority, there are advantages in following the same practice in aided schools, particularly where the circumstances do not justify the appointment of a full-time clerk. The governors would, however, appoint their own clerk for foundation work and in some cases it may be found desirable; as at present, for the foundation and school work to be entrusted to the same person.

V. INTERNAL ORGANISATION AND CURRICULUM

18. *Division of functions.*—The local education authority would have the right, in framing the development plan for the area and subsequently, to settle the general educational character of the school and its place in the local system. Subject to this general responsibility the governors would have general direction of the conduct and curriculum of the school. The head master or head mistress would control the internal organisation, management and discipline of the school, and would also have the power of suspending pupils subject to a report being made forthwith to the governors and the local education authority.

19. *Relations of governing body, head master or head mistress and chief education officer.*—A particular aspect of this problem concerns the relations which are to exist between the head master or head mistress, the governing body and the chief education officer. The general lines should be as follows:—

- (i) There should be free consultation at all times between the head master or head mistress and the chairman of the governing body;
- (ii) All proposals and reports affecting the conduct and curriculum of the school should be submitted formally to the governing body, which should meet at reasonably frequent intervals. The chief education officer or his representative should be informed as long as possible beforehand and furnished with a copy of the proposals or report;
- (iii) Decisions by the chairman of the governing body should be limited to urgent matters and should be reported without delay to the governing body;
- (iv) The head master or head mistress should be entitled to attend throughout all meetings of the governing body, except on such occasions and for such times as the governing body might for good cause decide otherwise;
- (v) Free consultation and co-operation should exist between the head master or head mistress and the chief education officer on matters affecting the welfare of the school;
- (vi) Suitable arrangements should be made for enabling the teaching staff to submit their views or proposals to the governing body through the head master or head mistress.

20. *School holidays.*—The fixing of school holidays is a matter of some importance, particularly in view of the provision that pupils who attain any age during the term of the school are deemed not to have attained that age until the end of term. In order to secure the necessary uniformity it will no doubt be necessary that the local education authority should fix the school terms, but the governors should be empowered to grant a limited number of occasional holidays at their discretion.

VI. ADMISSION OF PUPILS

21. *Procedure.*—The abolition of tuition fees in all maintained schools will call for a re-examination of the method adopted for deciding the type of secondary education which individual pupils are to receive. It is important that the wishes of parents should continue to be taken into account and effect given to them, in so far as is compatible with the attainments and promise of their children and with the claims of other children. The local education authority alone will have all the data on which to reach a decision on these matters and the ultimate responsibility for deciding which type of secondary education an individual pupil should follow must therefore rest with them. It is, however, generally agreed that the governors and the head master or head mistress should play an essential part in the selection of all pupils for their particular school. While it is not possible at present to dogmatise on methods of procedure, in regard to which a variety of views have been expressed, it is possible to indicate two solutions upon one or other of two lines according to the nature of the area concerned.

In the more compact type of area the local education authority might undertake centrally the task of deciding the broad type of education for which individual children are suited. Account would have to be taken of school records, teachers' reports, and parents' expressed wishes. When a decision on this question had been reached, parents should be free within reasonable limits to choose the particular school of the appropriate type, which they desire their children to attend, and governors should be given an opportunity of expressing any views they might have as to the admission of pupils desiring to enter their schools.

Alternatively, in the more scattered areas the local education authority might refer pupils on leaving the primary schools to a district board consisting of the heads of primary and secondary schools of the various types, assisted by one or more representatives of the local education authority. This board, on the basis of school records and other available information (including the parents' wishes), would advise the authority both on the general type of education most suitable for the child and on the particular school to which, subject to any views expressed by the governors, he or she should be admitted.

22. *Extra-district pupils.*—Special arrangements may well be necessary to meet the case of pupils who may desire admission to a school within the area of another authority. There are within the county and municipal systems certain schools which have built up a tradition of boarding education for pupils drawn from a wide area of the country. In view of the importance of meeting the reasonable wishes of parents and of preserving so far as possible the traditions of particular schools, local education authorities will no doubt be ready to co-operate in facilitating the admission of extra-district pupils, whether as day pupils or boarders, and to make the necessary financial adjustments, for which provision is made in Clause 99 of the Bill.

VII. INTERPRETATION

23. The chief object of articles of government will be, as has already been stated, to determine the respective functions of the local education authority, the governing body and the head teacher in relation to the school. But however carefully the determination is made, disputes are liable to arise and this raises the question of interpretation. It has been customary in the past to include in articles of government a clause dealing with question arising under the articles. In view of the provisions of Clause 64 of the Bill relating to disputes between local education authorities and governors this clause will no longer be appropriate. It is, however, to be hoped that, given the co-operation which is essential to any successful scheme of school government, disputes on the determination of functions will be of rare occurrence.