

Frequently Asked Questions for Governors

Appointment of Headteacher

This guidance is for all governors involved in the process of appointing a new head teacher.

1. Our headteacher has resigned, what do we do now?

Once you have received the written resignation of the existing headteacher the school must notify the Local Authority and where applicable the Diocese/trust/foundation etc.

The governing body will need to meet and begin the appointment process.

- The chair must contact the clerk and convene a meeting.
- The school EDA must be invited to the meeting to offer advice and support.
- The chair should contact the school HR adviser and seek advice. HR can provide HT salary benchmarking/comparison for the purpose of determining an appropriate Headteacher Pay Range (HPR). They can be emailed at schoolshradvisory@northyorks.gov.uk
- The clerk or school administrator should access the “Headteacher Recruitment and Selection Guidance” (available from the School Staff Intranet site). The chair may need to clarify who is responsible for the clerking of the meetings as it may not always be clear if the school uses an LA clerk.

2. What is our strategic view of the future of the school?

- If you have not already done so, the governing body should discuss the strategic future of the school at the FGB, this will include partnership work with other schools, collaboration, federation or any other issues which may improve the quality of educational provision in the school.
- Take time to discuss the wider issues with the EDA or Lead Adviser including finance, pupil numbers, staffing issues, existing partnerships and possible future partnerships before starting the recruitment process of the new headteacher.

3. Do we have to take advice from the LA?

- Maintained schools have a statutory duty to notify the authority in writing of any vacancy for a headteacher (and deputy headteacher if they are to be replaced). The selection panel must also notify, in writing, the names of the applicants shortlisted. The LA has the right to make representations to the

panel that any applicant is not a suitable person for the post. In these circumstances the selection panel must –

- consider the representations; and
- where it decides to recommend for appointment any person about whom representations have been made, notify the governing body and authority in writing of its reasons.*

4. Who else should we inform?

- If you are a governor of a VA or VC school you must contact the diocese.
- If you are a governor of a foundation or partnership school the relevant body must be informed.

5. Why do we have to form a selection panel to do the appointment?

- Under The School Staffing (England) Regulations 2009 you have a statutory duty to set up a selection panel to carry out the appointment procedure. All members of this panel must be present throughout the process from shortlisting to appointment so please ensure that those governors appointed are available for the whole procedure.
- Associate members cannot be a member of the selection panel.
- Any potential conflicts of interest that are either declared by a governor, or come to light through other means, should be discussed with HR, before deciding the make-up of the selection panel. Any potential accusation of an unfair process should be avoided.
- Once a selection panel has been decided, any progress reports back to the FGB will consist of the stage reached/key dates only. There will be no discussion with those outside the selection panel with regards to applicant progress.

6. Why do we have to hold a full governing body meeting to ratify the decision of the panel?

- Under The School Staffing (England) Regulations 2009, the statutory requirement is for the FGB to ratify the recommendation of the selection panel. It is recommended that you set a date for a one item agenda FGB on the date the final decision will be made. This should be done at the beginning of the process when all other dates are set.

7. Do we need to have all of meetings minuted?

- Yes, all of the meetings must be minuted by an independent clerk to the governing body or other competent person i.e. not a governor. This could be your existing clerk or a school administrator with the relevant experience and knowledge.

8. Does everyone on the governing body have to be involved in the appointment?

- All governors must be invited to the meeting to form the selection panel and initiate the appointment process. Only a small number of governors will serve on the selection panel – see the full guidelines.
- The FGB will meet at the end of the process to receive the recommendation of appointment from the panel. This is not intended to overturn the decision but governors have the right to check that all procedures were carried out correctly and the relevant advice from the diocese (or trust etc. where applicable) and local authority has been taken into account. The FGB will then ratify the decision of the panel having assured themselves that the decision is the best one for the future of the pupils and school.

9. Can the existing headteacher be involved in the process?

- The existing headteacher should not take part in the process in the appointment of the new headteacher; however, they may have a useful role in providing information about the school to the panel and prospective candidates. The headteacher may, for example, escort prospective candidates around the school prior to the interview date or talk to them prior to making an application. Any involvement should be discussed within the FGB at the beginning of the process and a clear resolution should be sought. Any intervention by the Headteacher must not provide opportunity to any individual applicant that is not available to others e.g. the chance to speak the Headteacher before applying.
- It is helpful for the Chair and EDA to discuss with the existing HT any issues which may be important when appointing a new HT. This discussion could also include life after school especially where a long term HT is retiring and having some difficulty withdrawing from school life. The whole process should be handled with sensitivity to the departing Headteacher.

10. Can staff governors or pupils be involved in the selection process?

- As is stated in the guidelines staff governors cannot be appointed to the selection panel.
- Members of staff and pupils may be involved in supporting activities e.g. escorting candidates between activities, and may participate in a selection activity that is observed and evaluated by the selection panel. Any decisions determining the successful candidates are only to be made by the selection panel.

11. Can parents who are not governors be involved in the process?

- This is not recommended. It opens up too many risks that cannot be controlled. If there is an intention to involve parents in any activities, then advice should be sought from your HR adviser.

12. At what point should the successful candidate be offered the post?

- The successful candidate should be offered the post AFTER ratification by the FGB. To do so earlier could present difficulties if the FGB do not approve the recommended candidate.

*The School Staffing (England) Regulations 2009, (15)