

Good Governance & Decision-Making in Lockdown

Make sure you:

- Know your powers.
- Make informed decisions.
- Have an up-to-date conflicts register.
- Keep accurate minutes.

Regarding meetings held online etc:

- Must still be quorate.
- Notice periods must be adhered to.
- Conflicts of interest must still be recorded / avoided.
- Those asked to make decisions must have sufficient information and time to consider it.
- Make sure you have authority / power to hold meetings remotely (see below).

Regarding minutes:

- If you don't have stated power to hold meetings remotely, your minutes must record the fact that you are doing so and the reasons why.
- Minutes must record:
 - Those present
 - Whether the meeting is quorate
 - Declared interests
 - Votes taken on decisions – numbers for, against and abstaining
 - A summary of the matter discussed, with key points
 - A list of the factors taken into account and those not taken into account (and why)
- Minutes do not have to be verbatim – in fact that can be unhelpful since they may record a spontaneous comment that the speaker does not want to stand by on reflection.
- Minutes are your record that you acted lawfully and in keeping with your powers.

Powers and authority:

- Be clear from your governing documents:
 - What you are required to do
 - What you are authorized to do
 - How you can fulfil your responsibilities in the current context

Making decisions:

- Decisions can be:
 - Yes
 - No
 - Interim pending further information
 - Delayed
 - Delegated

- Time limited and subject to review
- You may say no to or defer a decision if you feel ill informed, rushed or railroaded.
- Make sure meetings allow and record debate.
- Make sure comments are minuted where this is requested.
- Check major decisions with your insurers, where there is any question.
- Importantly and reassuringly, decisions do not have to be 'right'. Your responsibility is to make the **best decisions** you can in the circumstances – to make '**reasonable decisions**' – and to record the reasons for them.
- Make sure your decisions are in the best interests of your school / organization.
- Under employment law, you have a responsibility to consider the safety of your staff – and they have the right to refuse to work in circumstances that are unsafe.

Complaints and interventions are often the result of:

- Poor decision-making.
- Poor record keeping.

The current situation:

- The current debate around the 're-opening' of schools is controversial, therefore this advice is important.
- Decisions based on suitable risk assessments are crucial.
- Consider the unique context of the school.
- Don't just 'sign up' to the Govt's guidance without the above – remember the Govt's guidance is just that, not statutory.
- Consider making interim decisions for now, pending further information and developments.
- You can also decide to re-open in theory, dependent on staffing capacity etc.
- Check that your insurers are happy with your decisions.
- Remember there are no perfect decisions here; just the best decisions that can be made.
- Headteachers need to work with governors and have their support – although a headteacher can make recommendations to the governors and some tasks can of course be delegated to the headteacher.
- One possibility is to have an advisory group of governor reps and SLT.