

## **Pupil Participation In Wales.**

Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) sets out the right of children and young people to express an opinion and to have that opinion taken into account on any matter that affects them. The Welsh Assembly Government (WAG) is committed to enabling all children and young people, to be able to take part in decision-making at local, regional and national levels in Wales. Opportunities are provided through school councils and wider decision-making processes in schools, youth forums, and Funky Dragon (the Children and Young People's Assembly for Wales).

## **School Councils**

All schools in Wales are required to have a school council (The School Council (Wales) Regulations 2005), so that the voice of the pupil is represented in the development and implementation of school policies and procedures. School councils provide pupils with the opportunity to discuss matters relating to their school, and to make representations to the governing body and the head teacher. Research has shown that involving children and young people in decision-making has benefits for individuals, organisations and the wider community. Estyn is increasingly concerned with listening to learners, and pupil participation is an important thread running through the Welsh Assembly Government's School Effectiveness Framework.

## **Associate Pupil Governors and School Council Links with the Governing Body**

The school council must be given the opportunity to nominate one or two of its members, from years 11-13, to be associate pupil governors. Unless there are reasons to disqualify them under Schedule 5 of The Government of Maintained Schools (Wales) Regulations 2005, the governing body must accept the nomination and appoint associate pupil governors. The purpose of associate pupil governors is to provide the voice of the school council at governing body meetings and in turn to communicate



## **FACT FILE 02/08**

# **PUPIL PARTICIPATION, ASSOCIATE PUPIL GOVERNORS AND SCHOOL COUNCILS**

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matters from the governing body to the school council. They are the link between pupils and the governing body. The governing body must consider any matter raised by the school council and provide a response. If the matter raised by the school council is in writing the governing body is also expected to reply in writing.

## **Benefits of Associate Pupil Governors**

Associate pupil governors are well placed to contribute to governing body consideration of matters such as:

- ◆ the formulation and review of policies that affect pupils such as school uniform, anti-bullying policies, sex education, pupil-teacher relations, behaviour and attendance;
- ◆ the development of whole school initiatives and change such as programmes for global citizenship, healthy schools and eco-schools;
- ◆ the development and provision of school facilities;
- ◆ formulation and review of the school Development/improvement plan;
- ◆ input to any post-inspection plan;
- ◆ review of the curriculum and how to improve teaching and learning; and
- ◆ links with the local community and local projects.

## **A number of restrictions apply to associate pupil governors:**

- ◆ associate pupil governors are in addition to other members of the governing body;
- ◆ associate pupil governors do not count towards the quorum of governing body or governing body committee meetings;
- ◆ associate pupil governors are not permitted to be a clerk to the governing body or a governing body committee;
- ◆ associate pupil governors may not vote at full governing body meetings;
- ◆ associate pupil governors may hold office for one year after which they may be re-appointed if they are still school council members;

- ◆ associate pupil governors may be removed by the governing body in the same way that appointed parent governors and partnership governors can be removed from the governing body.

### **Membership of Committees**

Associate pupil governors may be members of non-statutory governing body committees and may vote at those committees if the governing body grants them voting rights.

Associate pupil governors may not be members of the following statutory governing body committees:

- ◆ staff disciplinary/dismissal committee
- ◆ Staff disciplinary/dismissal appeal committee
- ◆ pupil discipline and exclusions committee
- ◆ admissions committee

### **Sensitive and Confidential Matters**

It may not be appropriate for associate pupil governors to be party to information or discussion about certain sensitive matters. For this reason, the governing body may exclude associate pupil governors from any discussion which is about:

- ◆ staffing matters such as pay, discipline, performance management, grievance and dismissal;
- ◆ admissions;
- ◆ individual pupil discipline;
- ◆ election, appointment and removal of governors;
- ◆ the budget and financial commitments of the governing body; and
- ◆ in the case of a voluntary aided school, the Trust Deed.

The governing body also has discretion to exclude associate pupil governors from any discussion which, because of its nature, is considered to be and should remain confidential.

**This discretionary power is not intended to provide the governing body with a pretext to exclude associate pupil governors from discussions without good reason. There should be a presumption that associate pupil governors are party to a significant proportion of governing body business. It is important that associate pupil governors understand the scope and limits of their role before taking it on.**

### **Working together**

In addition to associate pupil members, governing bodies are encouraged to agree with the school council ways of working together.

These are likely to include:

- ◆ the school council inviting governors to attend council meetings and/or asking for meetings with governing body representatives on a regular basis to consider specific issues;
- ◆ school council members other than the associate pupil members attending governing body meetings as observers;
- ◆ the governing body reporting on the school council and its activities and achievements in its annual report to parents;
- ◆ the minutes of the school council meetings are included on the governing body agenda and the governing body formally responds to the issues raised by the school council.

### **Support for Associate Pupil Governors**

There should be some consideration of the nature and timings of governors meetings so that they are accessible to associate pupil governors. Many governing body meetings are held after school hours and the school needs to ensure that associate pupil governors are able to travel home safely.

The governing body should make allowance in the school budget for any costs that result from such arrangements. The level of language and jargon used in meetings can be another barrier to participation. It is important that associate pupil governors receive any papers in advance of meetings and in an accessible form. The appointment of a link governor should be considered to support associate pupil governors, and to act as an active link between the governing body and the school council.

Governing bodies need also to ensure that meetings are managed efficiently and that associate pupil governors have adequate opportunity to participate effectively. In view of the fact that associate pupil governors may be excluded from participating in some areas of business, it is recommended that agendas are arranged so that items are grouped. Sensitive business could be considered in the initial or later part of a meeting with associate pupil governor attending accordingly. A report from the associate pupil governors could be a set item on the agenda, thus raising their status.

Further information can be found on the School Councils website - [www.schoolcouncilswales.org.uk](http://www.schoolcouncilswales.org.uk) and also in the following documents:

- ◆ The School Councils (Wales) Regulations 2005 (National Assembly for Wales Statutory Instrument 2005 No 3200 (W. 326))
- ◆ NAFW Circular 42/2006 -Guidance for Governing Bodies on the Establishment and Operation of School Councils, available on: [www.new.wales.gov.uk](http://www.new.wales.gov.uk).

**N.B.:** This Fact file should be read in conjunction with the legislation and guidance listed above and information produced by your LEA and diocesan authority where appropriate.