This article describes the administration and governance of the education system in Wales at local and institutional level.

Administration and governance of education in Wales in school, further [1] and higher education [2], is characterised by a high degree of autonomy exercised within the framework of Welsh Government policy (see the article on ‘Administration and Governance at Central and/or Regional Level [3]’).

Prior to reforms in the 1980s and 1990s, local authorities (LAs) [4] had a major role in publicly funded education outside of higher education. The reforms delegated many responsibilities to school governing bodies [5] and incorporated further education colleges [6] as self-governing bodies. However, LAs have retained some key responsibilities, including school improvement. Since 2012, LAs in Wales have also been working as four regional consortia to streamline their services and share best practice.

In Wales, there is a single-tier system of local government, with 22 local authorities (LAs) providing all public services, including education for the area. This system of local government is described in more detail in the article ‘Main Executive and Legislative Bodies [7]’. Local authorities’ key responsibilities for education are outlined below.

**Key duties for local authorities in education**

Through regulations made under the School Standards and Framework Act 1998 [8], local authorities (LAs) have a statutory duty to ensure the provision of free, part-time nursery education in their area to all children whose parent want it, starting the term after their third birthday. Under the Education Act 1996 [9], LAs are responsible for ensuring that there are sufficient schools providing primary and secondary education in their respective areas.

Under the School Standards and Framework Act 1998 and the School Funding (Wales) Regulations 2010 [10], individual LAs allocate grants they receive from the Welsh Government to the maintained schools [11] in their area according to a formula which is based, among other criteria, on pupil numbers, ages and needs.

The LA is the employer and admission authority [12] for maintained community schools [13], although not for other legal categories of school (see the subheading ‘Legal categories of school [14]’ below for further information).

LAs are required to promote high standards of education for all pupils of school age in their respective areas. Under the School Standards and Organisation (Wales) Act 2013 [15], they are responsible for monitoring and supporting the performance of the schools they maintain. They must identify schools which are low-attaining, underachieving or otherwise giving cause for concern and must play an active role in bringing about necessary improvements. LAs carry out these
responsibilities by analysing data on standards of student attainment and other aspects of school performance; examining school development plans and post-inspection action plans; and organising programmes of support and challenge.

Some aspects of responsibility for school performance in Wales lie with the four regional education consortia [16] (see the subheading below).

LAs also have certain responsibilities with regard to supporting children and young people with special educational needs (SEN) [17]. In accordance with the SEN Code of Practice for Wales [18] (2002), they must, for example, ensure that the needs of children and young people with SEN are identified and assessed quickly, and matched by appropriate and co-ordinated provision. They are also expected to ensure that high quality support is provided for schools and early years education settings. These responsibilities are being revised following the passing of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 [19], which aims to improve the planning and delivery of provision for children and young people with additional learning needs [20].

Under the Healthy Eating in Schools (Wales) Measure 2009 [21], the LA and governing body of a maintained school must take action to promote healthy eating and drinking among the school’s pupils. This includes encouraging the take-up of the meals provided by the school for its pupils, and taking reasonable steps to ensure that every pupil who is entitled to receive free school meals [22] and milk receives them. The LA must also ensure that drinking water is available, free of charge, on the premises of any maintained school.

In addition, the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 [23], which apply to the local authority or governing body of a maintained school which provides food or drink on school days to pupils on school premises or on a school trip, set out what foods local authorities or governing bodies of maintained schools can and cannot serve during the school day.

Local authorities and other public bodies (including schools, colleges and childcare providers) also have a responsibility to have due regard to the need to prevent children, young people and adults from being drawn into terrorism. Introduced under the Counter-Terrorism and Security Act 2015 [24], this is known as the ‘Prevent Duty’. Government guidance [25] details how local authorities are expected to work with Prevent coordinators, schools, colleges and a range of other public bodies to meet their duties under the legislation. These include producing a risk assessment for their area relating to the risk of individuals being drawn into terrorism and, where LAs identify that there is a risk, establishing an action plan to address this.

Regional education consortia

Since September 2012, local authorities (LAs) in Wales have been working in four regional education consortia, primarily to deliver school improvement services. The consortia also collaborate on a range of other functions including support for schools in areas such as human resources, ICT, literacy, and numeracy. The aim of the consortium approach is to streamline and reshape school improvement services, allowing LAs to share good practice, knowledge and skills, and to build capacity. The consortia were established against a background of concern that some LAs were too small to deliver the quality and range of functions required and that their performance was too variable. The four regional consortia are:

- Central South Consortium Joint Education Service [26]
- South East Wales Education Achievement Service [27]
- South West and Mid Wales/ERW [28]
The role of these consortia and the delivery of education services at school, LA, regional and national level in Wales were reviewed in 2013. The Hill Review [30] presented a range of options for ministerial consideration with regard to LAs, including longer term LA restructure. It recommended that the areas of responsibility belonging to the regional education consortia and LAs should be clarified to avoid duplication. Qualified for Life: an Education Improvement Plan [31] and the National Model for Regional Working [32], published in 2014 and 2015 respectively, outlined the Welsh Government’s plans in response to the Hill Review, and the National Model publication defined the core responsibilities of each LA as:

- school performance
- intervention powers
- school organisation
- supporting individuals with additional learning needs
- organisation of behaviour support and education welfare services
- youth engagement
- safeguarding arrangements for children and young people.

The Wales Audit Office, which audits the financial accounts of public bodies and assesses whether value for money is being achieved, published a progress report [33] on school improvement under the regional education consortia in 2016.

**Administration and governance of schools**

**Legal categories of school**

Publicly funded primary and secondary education is provided in maintained schools [11]. The governance arrangements for maintained schools vary depending on their legal category.

- **Community schools** are owned and run by local authorities (LAs) [4]. The school premises (land and buildings) are owned by the LA and the schools are fully funded by LAs for both revenue and capital expenditure. The LA employs the staff and is the admission authority [12].
- **Foundation schools** are owned either by the school governing body [5] or by trustees of the school, but are funded by LAs in a similar way to community schools. The governing body is the admission authority and employs the staff.
- **Voluntary controlled schools** and **voluntary aided schools** are owned either by school trustees or by the founding body of the school (such as the Church in Wales or the Roman Catholic Church). Both types of school receive full funding for revenue expenditure, but voluntary aided schools are generally expected to contribute a small proportion of capital costs (around 15%). In most voluntary controlled schools, the LA employs the staff and is the admissions authority, while in most voluntary aided schools it is the governing body which performs these functions.

Some schools may have additional characteristics. For example, they may be faith schools [34], single sex schools or Welsh-medium schools.

Most school administration and management functions are delegated to school governing bodies and headteachers.

**School governing bodies**

All maintained schools must have a school governing body. Governing bodies are set up by law as
corporate bodies, so that responsibility for their decisions lies with the whole governing body rather than individual members. Each school has an Instrument of Government which specifies the constitution of its governing body, in accordance with the Government of Maintained Schools (Wales) Regulations 2005 [35].

School governors undertake the role on a voluntary, unpaid basis and are supported by a clerk to the governors employed either by the school or the local authority.

**Functions of school governing bodies**

Governing bodies take on a broadly strategic role and are responsible and accountable for all major decisions about a school and its future. They are not, however, responsible for the day-to-day running of the school, which is the responsibility of the headteacher.

According to the *School Governors' guide to the law* [36] (updated November 2018), the main duties of governing bodies are:

- conducting the school with a view to promoting high standards of educational achievement and behaviour;
- setting appropriate school targets for pupil achievement at Key Stage [37] 2, 3 and 4;
- taking general responsibility for the conduct of the school;
- managing the school's budget, including determining the number of staff and making decisions on staff pay;
- making sure that the curriculum for the school is balanced and broadly based and, in particular, that the national curriculum [38] and religious education are taught;
- providing parents with a report every year which includes information about national curriculum assessments and examination results;
- appointing the head teacher and deputy head teacher and other staff, and regulating staff conduct and discipline;
- drawing up an action plan following an Estyn inspection.

(Chapter 2 pp 3-4)

**Constitution of school governing bodies**

Governing bodies choose a model of between 9 and 20 governors. The composition of governing bodies varies between the different legal categories of school. However, all models must be based on guiding principles which aim to ensure a balance between a range of different stakeholders.

Governing bodies can include the following categories of governor, the first four of which are compulsory:

- parent governors, elected by parents of registered pupils at the school or appointed by the governing body to represent the interests of parents
- teacher governors, elected by fellow teaching staff of the school
- staff governors, elected by the non-teaching staff of the school
- local authority-appointed governors
- community governors (known as representative governors in community [13] or foundation [39] special schools [40]), who are appointed by the governing body to represent the wider community interests of the school
- foundation governors, who exist in foundation, voluntary controlled [41] and voluntary aided [42] schools only. They are appointed by the people or organisation named in the school’s Instrument of Government for the purpose of ensuring compliance with the school’s trust deed
and, in the case of a school with a religious character, of preserving and developing this character. In schools without a foundation, these governors are known as partnership governors
• sponsor governors, who are appointed by the governing body and have given the school substantial assistance financially or in kind
• associate pupil governors, nominated in maintained secondary schools by their school council. Governing bodies must accept any pupil nominated, although pupil governors are not able to vote at full governing body meetings.

The headteacher of a school is a member of the governing body unless he or she chooses not to be.

Governing bodies may also appoint non-governing members, who attend governing body meetings or serve on governing body committees, contributing to these on specific issues related to their area of expertise. They are not able to vote at full governing body meetings. Further information is available in Chapter 3 of The School Governors’ Guide to the Law (updated 2018).

**Federations**

A school governing body may join with another school governing body, or with the governing body of a further education college, and operate as a single governing body. This process of ‘federation’ aims to promote collaboration between different parts of the education system and enhance education provision.

The possibility to federate was introduced in 2010, in line with the Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010, which have since been revoked and replaced by the Federation of Maintained Schools (Wales) Regulations 2014. The 2014 regulations set out the process for two to six governing bodies to federate, and also provide local authorities with a mechanism to federate schools.

**Training and resources/support for school governing bodies**

Since September 2013, all new school governors, chairs of governors and clerks have had to undertake mandatory training within one year of their appointment. This requirement was introduced as part of the overall drive to raise standards in Welsh schools. In addition, all governors are expected to undertake mandatory training in using and interpreting data. This is to assist them in their role of holding schools to account, and in identifying action that needs to be taken to improve the school’s performance. Further information is available in the ‘Roles and responsibilities for school governors’ section of the Welsh Government School governance website.

In April 2019, the Minister for Education published a Written Statement in which she outlined plans to provide further support for governors, particularly in the context of reforms to the curriculum. The plans include:

• enhancing the National Approach to Professional Learning to include resources aimed at school governors, including digital resources;
• the Welsh Government complementing local authorities’ own statutory requirements to support governors to carry out their roles, by providing information on the reforms to the curriculum and by producing a termly bulletin for governing bodies on progress in delivering the action plan to improve education (Education in Wales: Our National Mission);
• the Open University in Wales working with partners, including local authorities, to create a programme of learning relevant to the needs of school governors in Wales.
Headteachers

Every school has a headteacher who is responsible for the internal organisation, management and control of the school. With regard to the development of the school, headteachers operate within the framework set by the school governing body [5], or determined by any other relevant authority, such as any foundation trust deed which may exist in relation to the school. They must, of course, abide by education legislation and the terms of their appointment.

In carrying out their duties, headteachers must also consult, as appropriate, with the local authority (LA), the school governing body, the staff of the school and the parents of its pupils. The headteacher usually delegates the management of specific aspects of curriculum organisation, teaching methods or pastoral care to members of the leadership group (deputy heads, assistant heads) or other senior staff. See the article on ‘Management Staff for Early Childhood and School Education [49]’.

Higher education institutions

Higher education institutions (HEIs) [50] are autonomous, independent organisations with their own legal identities and powers, both academic and managerial. They are not owned by the state, although the great majority of them are dependent to a greater or lesser degree on state funding. They can therefore be classified as government-dependent private institutions.

Although HEIs have diverse backgrounds and traditions, which are reflected in their varying constitutional arrangements, institutions in Wales can be divided into two broad groups.

1. Pre-1992 universities, which had university status before the Further and Higher Education Act 1992 [51] came into force. Pre-1992 universities in Wales are Aberystwyth University, Bangor University, Cardiff University (first founded as the University College of South Wales and Monmouthshire), Swansea University, and the University of Wales Trinity Saint David.
2. Post-1992 (or ‘new’) universities. Post-1992 universities in Wales are Cardiff Metropolitan University, the University of South Wales, the University of Wales, and Wrexham Glyndŵr University.

See the article on ‘Types of Higher Education Institutions [52]’ for further information.

As autonomous institutions, HEIs arrange their own administration and recruit staff as they consider appropriate. They are responsible for their own internal organisation, although broadly similar patterns are followed by all, and all universities in Wales have degree awarding powers [53].

Governing body/Council

In pre-1992 universities, the governing body is usually known as the Council. Councils are diverse, and structures of governance, as laid down in the institution's Instruments of Incorporation (its Act or Charter and Statutes), vary. Typically, the Charter and Statutes define the objects of the institution; set out the role of the Council as the governing body; determine the role of the Court and the Senate (see below); determine provisions concerning property and financial matters; and, in many cases, establish the status of the institution as an exempt charity.

In post-1992 universities, the body ultimately responsible for the affairs of the institution is known as the governing body (or board of governors). The authority and powers of the governing body in these institutions are laid down in, and limited by, the Education Reform Act 1988 [54] (as amended by the Further and Higher Education Act 1992 [51]). They are also subject to the Instrument of Government and Articles of Government as made by each institution and approved by the Privy Council [55]. These articles state that the governing body is responsible for:
• determining the educational character and mission of the institution and for the oversight of its activities;
• the effective and efficient use of resources and safeguarding the institution’s assets;
• approving annual estimates of income and expenditure;
• the appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the chief executive, the clerk to the board of governors and other senior post-holders;
• setting a framework for the pay and conditions of service of all other staff;
• the appointment of external auditors.

In both pre-1992 and post-1992 institutions, the governing body normally has a majority of external members from whom the Chair is elected. Many of the external members will be selected by a nominations committee from business and industry. Others will have experience in higher education policy issues. There will also normally be a representative from the local authority [4] and representatives of staff and students, as well as senior academic staff, and the finance director. The overall size of the governing body varies and the maximum length of service for external members is normally nine years.

All governing bodies have a duty to ensure institutional compliance with relevant legislation, and the requirements of the funding bodies.

**Academic Board/Senate**

The Academic Board is the body with responsibility for general issues relating to research, scholarship, teaching and courses in post-1992 universities. Its responsibilities include:

• criteria for the admission of students;
• the content of the curriculum;
• academic standards and the validation of courses (subject to the requirements of validating and accrediting bodies);
• policies and procedures for assessment and examination of the academic performance of students;
• appointment and removal of internal and external examiners;
• procedures for the award of qualifications and honorary academic titles;
• procedures for the expulsion of students for academic reasons.

The Articles of Government require the governing body to approve the composition of the Academic Board and the selection arrangements and period of appointment of its members.

In pre-1992 universities, the Senate is the equivalent body to the Academic Board. It is responsible for the regulation, direction and oversight of the academic work of the university, and usually also for the awarding of degrees. The Senate's powers are usually laid down in the Statutes but, where this is not the case, the Senate is generally regarded as having supreme authority over academic matters. Formally, the Senate reports to the Council (the governing body - see above), and any decisions that it takes that have resource implications are subject to Council approval. The Senate is chaired by the Vice-Chancellor (see below), and usually comprises representatives of senior university officers and professors, together with elected staff and students. The size of Senates varies considerably.

Like the Academic Boards in post-1992 universities, the Senate's areas of responsibility include academic planning, academic standards and quality assurance; the promotion of research; the oversight of admissions and entrance criteria, assessment and examinations, the curriculum, and the awarding of degrees and other qualifications; and student discipline.
Pre-1992 universities also have a Court, formerly part of the structure of governance, but now more of a consultative and representative body, providing a public forum for the discussion of issues affecting the university. In some universities, the Court appoints the Chancellor (see below). Some post-1992 institutions have also established Courts. Courts are typically large, with a membership drawn from local government, local Members of Parliament, other universities in the region, further education colleges [6], schools, local industry and professional associations, staff, students and alumni of the university. The Court will usually meet once a year, as required by the Statutes.

Management structures

Management structures are a matter for the institution and arrangements vary widely.

The overall executive head of a university is usually known as the Vice-Chancellor and, in general, the head of the administrative section is called the Registrar. The Chancellor has a non-executive position as the titular and ceremonial head of the institution.

Related departments in universities may be grouped into faculties or ‘schools’ (for example, Faculty of Arts, Faculty of Science, School of Social Sciences, and so on) for administrative purposes. The head of a faculty is usually known as the Dean, and this post sometimes rotates among senior teaching members of the departments within the faculty, the term of office lasting for one, two or possibly three years. In some universities, the Dean devotes his/her whole time to faculty business and does not teach whilst in office; in others, a Dean may have a reduced teaching commitment. All members of teaching staff are members of the appropriate faculty, and the faculty is required to take certain actions and decisions, such as approving new courses and formally awarding degrees. The precise function of the faculty varies between universities. There may also be administrative groupings within a faculty, such as a School of Modern Languages within a Faculty of Arts.

Resources/support for governance

The Committee of University Chairs (CUC) [56] – a representative body – has developed the Higher Education Code of Governance [57] (revised 2018). This voluntary code aims to promote high standards of governance across the sector. In addition, the CUC publication Governing Body Responsibility for Academic Governance [58] (2017) provides detailed guidance on higher education governance structures, the way they relate to each other, and governing body responsibilities.

Advance HE [59] supports strategic change and continuous improvement in higher education through the development of both individuals and higher education institutions. It provides support and advice on leadership, governance and management for all the UK’s universities on the website of the Leadership Foundation for Higher Education [60]. This is one of the three organisations that merged together to form Advance HE in March 2018; the other two are the Equality Challenge Unit (ECU) and the Higher Education Academy (HEA).

Further education colleges

A further education (FE) college is an institution legally constituted as a further education corporation, established or designated under the Further and Higher Education Act 1992 [61].

Traditionally, further education (FE) colleges offered technical and vocational courses, but many have since broadened their role to also offer more general education programmes. These include basic skills courses and qualifications; GCSEs [62] and A Levels [63] for adults; and access to higher education courses [64]. In many cases, they also offer higher education programmes, particularly short-cycle vocational programmes such as foundation degrees [65]. They may also provide informal community
learning. For young people, colleges are now major providers of full-time courses for 16- to 19-year-olds leading to general education qualifications such as GCSEs and A Levels. There are 14 further education colleges in Wales.

In March 2019, an Independent Commission on the College of the Future was set up, chaired by Sir Ian Diamond. The Commission is expected to report its recommendations on the future role of colleges, across the UK, in spring 2020.

**Governing bodies**

In 2014, the Welsh Assembly passed the Further and Higher Education (Governance and Information) (Wales) Act to enhance the autonomy and decision making abilities of further education colleges. The Act removed some of the 'top down' Welsh Government controls over colleges, reducing restrictions on their governing bodies, and at the same time strengthening their accountability to the students and wider communities they serve.

Governing bodies, or corporations, of institutions in the further education sector usually consist of between 10 and 20 members. These include:

- the principal
- members drawn from local business, industry or professions relevant to the activities of the institution
- invited (co-opted) members
- staff members
- student members
- parent members
- local authority members
- local community members.

The members have a four-year term of office and are expected to meet at least once a term. The governing body may set up committees and delegate functions to committees or to the chairman or the principal. Committees may advise on matters such as finance or employment policy.

The main business of governing bodies (or corporations) in the further education sector is to set the strategic direction, mission and educational character of the institution; ensure accountability; and monitor and evaluate performance. More specifically, the governing body:

- approves the annual college budget;
- appoints the institution's senior management team and oversees its work;
- sets a framework for the pay and conditions of service of all other staff;
- ensures that public money is spent appropriately and that the institution continues to be financially solvent.

Day-to-day management, organisation and direction are the responsibilities of the principal and the management team, working within the broad framework of policies and priorities determined by the governing body.

The principal (also known as the chief executive) is directly accountable to the governing body / corporation for the performance of the institution, in respect of both academic and financial matters.

An academic board must be created to advise the principal on the standards, planning, coordination, development and oversight of the academic work of the institution. This includes the arrangements for the admission, assessment and examination of students, and the procedures for the expulsion of
students on academic grounds.

In recent years, as further education colleges have been increasingly freed from central government control, the important role played by college governors in setting the strategic direction of their institutions has been reinforced.

**Management structures**

There is no nationally recommended organisational structure for further education colleges, which are free to adapt their structures to meet changing circumstances. Institutions may be organised into departments by area of study, or several departments may be grouped into faculties or schools.

**Resources/support for governance**

In 2016, [CollegesWales](#) [68], the national organisation representing further education (FE) institutions in Wales, published the [Code of Good Governance for Colleges in Wales](#) [69] to aid colleges to work successfully towards meeting their mission and strategy.

Article last reviewed August 2019.

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n(GCSE)

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