

Subject: Guidance for Parochial Church Councils with responsibilities for appointing or nominating foundation governors

Date: March 2022 – Interim update March 2026

For: Incumbents, PCC Secretaries & Rural Deans,
Chairs of Governors, Clerks and Headteachers

Reference: GOV 1/21-22 v.2

GUIDANCE FOR PAROCHIAL CHURCH COUNCILS WITH RESPONSIBILITIES FOR APPOINTING OR NOMINATING FOUNDATION GOVERNORS.

We recommend that you read this guidance alongside the Diocesan Board of Education (DBE)'s briefing paper on the overall practicalities of the appointments process ([Diocese of St Albans Foundation Governor Appointments Process](https://www.stalbansdiocese.org/schools/school-governance/)). Parochial Church Council (PCC) foundation governor appointments/nominations require an application form which is available on our website: <https://www.stalbansdiocese.org/schools/school-governance/>

Role of foundation governors:

Foundation governors share the collective responsibilities of all governors to set the school's strategic direction, ensure financial accountability, and provide support and challenge to the Headteacher. Additionally, they have a special role in promoting the school's Christian ethos and preserving the Christian character of the school.

Governance in church schools should ensure that the secular and statutory demands of governance are fulfilled, alongside promoting the school's distinctive Christian ethos and articulating its vision as a Church of England school. Regular attendance at governor meetings, and commitment to the life of the school, are essential.

PCC appointing or nominating rights:

Where there is a Church of England school in a parish, the PCC usually has appointing or nominating rights for some of the foundation governors. A small number of PCCs have such rights for a church school in a neighbouring parish.

- *An appointing right* is where the PCC makes the appointment themselves.
- *A nominating right* is where the PCC nominates a candidate to the appointing body (usually the Diocesan Board of Education) who then appoints.

Details of PCC appointing or nominating rights are set out in the school's legal governing document. For maintained schools this is the Instrument of Government. For academies it is the Academy Articles of Association, where specified (there are some academies where the PCC does not have foundation governor appointing rights but may give informal input). The Schools Team can advise on any appointing or nominating rights for a particular PCC.

PCC responsibilities for an appointment or nomination:

The Parochial Church Council (PCC), after consultation with the incumbent and the governing board, will appoint or nominate an appropriate person.

In seeking appointments or nominations it is good practice for PCCs to:

- **Review:** Actively review appointments or nominations ahead of the term of office expiring (The DBE recommends 3- 6 months ahead, to allow time for the practicalities of new appointments).
- **Liase:** Engage in an active working relationship with the governing board over foundation governor recruitment, so that governance priorities and needs for particular areas of expertise can be taken into account. The governing board and especially the Chair of Governors should be consulted about potential appointments or nominations. Occasionally they may be aware of reasons why a particular appointment should not proceed.
- **Publicise effectively:** Bring the vacancy to the attention of the parish community. Make sure publicity uses all appropriate communication channels. Church notices during a Sunday service are unlikely to be enough on their own; include church bulletins, notice boards, website, etc. Consider how publicity will reach those connected with the church who are not necessarily present for a Sunday church service every week, for instance younger families, those working shift patterns, those attending midweek activities. Ensure that publicity is transparent about the time commitment involved, and any skills that are particularly needed.
- **Preserve the foundation:** Ensure that the Anglican nature of the school's foundation is represented on its governing board. Traditionally most foundation governors have been churchgoers/communicant Anglicans from within the parish community, but nowadays this is not always possible in every situation.

Sometimes it may be appropriate to appoint a foundation governor from another local Christian church, or from the wider local community, or occasionally on a 'remote governance' basis. All foundation candidates must, as a minimum, be prepared to sign a declaration that they will uphold the school's Christian ethos. The Schools Team is happy to advise on individual situations.

- **Support the clergy and the governing board:** Have regard for the experience of the 'ex-officio' clergy governor (usually the parish priest) and their knowledge of the skills needed on the governing board.

Clergy sometimes find they are given default responsibility for recruiting foundation governors – this can sometimes be a significant pressure. The task of foundation governor recruitment should be regarded as a collective responsibility between the PCC, the clergy, and the governing board. We encourage PCCs to take an active part in this process.

Some FAQs:

- **Who presents a name to the PCC for an appointment or nomination?**

This is normally the incumbent. In a parish vacancy, or where the incumbent is unavailable through long term illness, sabbatical etc, another suitable local person could put names forward to the PCC. This could be another licensed minister in the parish, a Church Warden or other church officer, the PCC secretary, or the interim PCC Chair. (For those foundation places where the PCC nominates and the DBE makes the appointment, the DBE reserves the right to nominate its own candidate should it wish, though in practice this does not happen often). While the PCC should be made aware of the candidate's skills and

motivation for applying to become a foundation governor, personal details should not be shared with the PCC without the candidate's consent.

- **What happens if a PCC governor wants to serve a further term of office?**

There is no 'automatic renewal' – the process starts again from scratch and requires a fresh application and appointment/nomination. The PCC may choose to appoint the same person for a further term but should also be mindful of any other likely candidates.

- **What if the PCC is not unanimous about an appointment or nomination?**

PCC foundation appointments/nominations (as with any PCC decisions) are decided collectively by the PCC. Individual PCC members may of course wish to express their views on a candidate; but an individual PCC member cannot personally veto or block a nomination. In most cases a PCC will be unanimous on an appointment/ nomination. However, if this is not the case, they should take a vote, with the results recorded in the minutes to show any dissent (for instance, 'appointment agreed with 8 for and 1 against').

- **What if the PCC wants to appoint or nominate a candidate who is not known to the governing board?**

If the PCC suggests a suitable candidate who is unknown to the governors or the school, the candidate should endeavour to visit the school and meet with the Headteacher and/or Chair of Governors before completing the application form.

- **What if the governors ask the PCC to appoint or nominate a candidate who is not known to the PCC?**

This may happen particularly in local situations where it has proved difficult to recruit all foundation governors from within the parish community. If the Headteacher or Chair of Governors suggests a suitable candidate who is unknown to the PCC, the PCC should be given an opportunity to meet that candidate in order to satisfy themselves as to whether they are prepared to nominate them.

- **What if significant problems arise with a PCC-appointed foundation governor?**

In exceptional circumstances it is occasionally necessary to ask an individual to step down as a foundation governor. Such instances are rare, but where they arise, a PCC would be asked to remove any foundation governor it appoints. This might include situations where a foundation governor does not fulfil the role in keeping with the Christian character of the school, or with the governor code of conduct. There is a formal legal process for governor removal, and in any such situations, the governors and/or the PCC should contact the Schools Team at an early stage for advice on how to proceed.

For further advice on anything relating to PCC responsibilities for appointing or nominating foundation governors, please contact the Schools Team:

Dawn Brown: dawn.brown@stalbandsdiocese.org; 01727 818176 (Monday to Wednesday)

Vicki Barrière: vicki.barriere@stalbandsdiocese.org; 01727 818174 (Monday to Friday)