

Maidensbridge Primary School

Circle Model

Governors' Terms of Reference and Standing Orders

Documents included:

- Terms of Reference - Governing Board
- Terms of Reference - Clerk to the Governing Board
- Terms of Reference – Delegation of Functions to Head Teacher
- Terms of Reference - Individuals or Monitoring Pairs
- Terms of Reference - Monitoring the School Budget
- Terms of Reference – Pay Committee & Head teacher Appraisal Group
- Standing Order - Governing Board Meetings
- Standing Order - Election of the Chair and Vice Chair
- Standing Order - Appointment of Co-opted Governors & Parent Governors
- Standing Order –Appointment of Associate member

Terms of Reference for the Clerk to the Governing Board

Guiding Principles:

The Clerk is accountable to the Governing Board

The main responsibilities of the Clerk are:

- To work effectively with the Chair of governors, the other governors and the Head teacher to support the Governing Board.
- To keep up to date and advise the Governing Board on constitutional and procedural matters, powers and duties as outlined within legislation, statutory guidance and the governance handbook.
- To convene meetings of the Governing Board ensuring they are quorate.
- To produce agendas for the meetings working with the Chair of governors
- To upload documents for a given meeting to Governor Hub 10 days in advance of the meeting
- To attend meetings of the Governing Board and ensure minutes are taken.
- To ensure the chair receives the draft minutes for approval within one school week
- To ensure the chair draft approved minutes are circulated within two school weeks to all governors
- To create an action list after each meeting and monitor progress to ensure that actions agreed are carried out before the next meeting.
- To maintain a register of Business Interests and ensure it is published on the website.

- To ensure the requirements for governors to publish information online is adhered to
- To collect the required details for the Governors National Database (GIAS) and ensure the relevant staff member for uploading to the database is informed of any changes
- To maintain a register of members of the Governing Board and report vacancies to the Governing Board.
- To keep Dudley Governor Services up to date with details of the members of the Governing board.
- To maintain a register of attendance to be published on the school website and report non-attendance to the Governing Board
- To give and receive notices in accordance with relevant regulations.
- To perform such other functions as may be determined by the Governing Board from time to time.
- To undertake appropriate professional development. If the Clerk is unable to attend the meeting, the governors present at the meeting may appoint a member of the Governing Board (but not the Head teacher) to act as Clerk for that meeting

Delegation of Functions to Headteacher

The delegation to the Head Teacher ensures a clear separation between strategic oversight and operational leadership.

The Head Teacher is expected to work within the following terms of reference, and to provide the Governing Board with such reports in connection with his/her functions as the Governing Board requires.

Curriculum:

- To ensure the National Curriculum is taught to all pupils and consider disapplication for pupils as appropriate.
- To establish and implement a Curriculum policy.
- To decide which subject options should be taught.
- To be responsible for standards of teaching.
- To be responsible for each individual child's education.
- To agree the content of any Relationships and Sex Education and to keep up to date a written policy for its delivery.
- To ensure the balanced treatment of political issues and to prohibit political indoctrination.
- To promote British values
- To provide Religious Education in line with school's basic curriculum

Staffing:

- To appoint teachers and non-teaching staff.
- To oversee the induction and CPD for staff
- To establish disciplinary, capability and grievance procedures.

- To suspend staff.
- To initially dismiss staff.
- To produce and maintain a central record of recruitment and vetting check
- To formulate and implement an Appraisal policy.
- To make pay decisions in line with the pay policy and legal requirements
- To carry out appraisal of other teachers (or delegate to line managers in the school)

Budget:

- To make miscellaneous financial decisions up to an agreed limit as set out in the Responsibilities and Signatories section of the schools' finance policy.
- To monitor monthly expenditure.
- To make payments.
- Hold monthly meetings with school accountant

School Organisation:

- To draft the content of the school behaviour policy and publicise it to staff, pupils and parents.
- To designate a qualified teacher to be responsible for co-ordinating SEN provision.
- To appoint a designated teacher for looked after children
- To ensure that Health & Safety regulations are followed
- Ensure there is a trained designated safeguarding lead
- Where determined by the Governing Board, to ensure that school lunch nutritional standards are met.
- To draft and implement a data protection policy which complies with GDPR and review it at least every two years and register with the Information Commissioner's Office
- Maintain a register of pupil attendance
- To publish on the website the drafted structure and remit of the Governing Board, including governor appointment details, term of office and attendance record
- To submit governor information to the DfE database of governors (GIAS)

Information for Parents:

- To ensure that the school keeps parents and prospective parents informed by preparing and publishing a school prospectus on their website
- To ensure that free school meals are provided to those pupils meeting the criteria.
- To ensure that parents are aware of their rights to withdraw their child from collective worship, RE and Sex and Relationship education.
- To ensure that a report on each child's educational achievement is forwarded to parents /guardians.

Terms of Reference for Individuals or Monitoring Pairs

Any individual to whom a governor monitoring responsibility has been delegated is expected to work within the following terms of reference in conjunction with the protocol and procedures set out in the Circle Monitoring Policy.

To monitor an identified area on the School Plan or a statutory function of the Governing Board and report to the Governing Board, ensuring the challenge and support of the committee the monitoring is replacing is captured.

It is expected that 3 monitoring visits will be made to the school during the year, unless school circumstances necessitate more. A visit does not necessarily have to take place during the time when students / pupils are in school and could be just as effective as a meeting between governor(s) and the lead professional at the end of the day as mutually agreed.

- To meet with the lead professional within the school to gain an understanding of the scope of the area / target and the activities the school is conducting to achieve success.
- To ensure holding to account by the questions which would have been asked as part of a committee meeting are undertaken within the visit with the answers documented.
- To undertake any necessary training (in or out of school) to enable effective monitoring of the areas / subject.
- To monitor the progress of school activities towards the priority milestone or duty.
- To evaluate the extent of success at the end of the set timescale.

All visits to the school will be arranged with reference to the Head teacher and in accordance with the Circle Model Governor Visits policy.

Reports will be submitted for approval by the Head teacher and the Chair within the school within one week of the visit, and then be lodged with the Clerk of governors for distribution as soon as possible, at least seven days before the next Governing board meeting.

The following designated statutory governor roles need to be appointed by the Governing board.

- Safeguarding
- SEND
- Health & Safety
- Finance

And to focus on the development needs of the Governing board

- Training and development

Before undertaking any monitoring, governors will read the Monitoring policy, Governing Board code of conduct and the school staff code of conduct

Having designated / delegated governors does not reduce the collective accountability of the board for all its functions. The board will need to ensure that its agenda and reporting mechanisms enables ALL board members to have strategic overview and responsibility to enable effective decision making

Terms of Reference for the monitoring of the School Budget/Finances

A pair of governors or an individual will be assigned to strategically monitor the financial management of the school on behalf of the Governing Board.

Three monitoring visits should be made each year, ensuring all financial questions and answers are captured within the subsequent report to enable collective decision making. The visits and reports should include monitoring of the following:

- To maintain an up-to-date 'balanced' three year budget plan, which clearly shows links to the 'School Improvement' and 'Staffing' plans.
- Liaise with the School Accountant.
- To report monitoring and rollover to the full Governing Board, highlighting any significant variances.
- To evaluate any environment recommendations and report to the Governing Board.
- Analyse and report on Tenders for Contract Services in accordance with board delegated limits.
- To keep in - school financial procedures under review.
- To benchmark school financial performance against similar schools and report to the Governing Board.
- To evaluate proposed expenditure as set out within the delegated limits following recommendations from the head teacher and present to the Governing Board.
- To review the **Schools Financial Value Standard**, following discussions with the school business manager, using the support tools, for Governing Board approval before 31st March
- To ensure that the school is working within the guidance of the **SFVS** recommendations.
- To ensure that all spending provides 'Value for money' in terms of raising standards in education and is wisely spent.
- To monitor benchmarking both locally and nationally and report to the Governing Board.
- To monitor and evaluate the management of the School Fund and to receive the audited accounts.
- To monitor the spend of extra funding such as Pupil premium, Sports premium, and numeracy catch up, ensuring its use has impact.
- Review the Finance policy; Lettings policy; Charging Policy; Whistle blowing policy making recommendations to the board
- Ensure annual Governor financial skills audit is undertaken and evaluated
- Review the business continuity plan making recommendations to the Governing Board
- Review compliance audit reports, ensuring the board follows recommendations and actions
- To make regular reports to the Governing Board and ensure that key financial decisions are recorded correctly in the minutes.

Terms of Reference for Pay Committee

The Governing Board will delegate all pay decisions with the exception of decisions relating to the pay of the Leadership team to the Head teacher. All decisions relating to the pay for members of the Leadership team, including the Head teacher will be taken by a Committee of the Governing Board. Membership of the Pay Committee will not be open to anyone who could benefit financially, directly or indirectly from such membership or any of the decisions of the committee.

Terms

- To ensure the achievement of all the pay policy objectives and principles in a fair, reasonable and equitable manner
- To undertake an annual pay review for all staff and reach decisions through the application of any relevant criteria measured by the School's performance appraisal process
- To consider fully all recommendations for pay progression and any other relevant information made available
- To ensure all members of staff are informed individually of the outcome of the annual pay review in writing within ten working days of the decision being made
- To observe all statutory and contractual obligations
- written record of all meetings and, having due regard to confidentiality, to report its decisions to the Governing Board
- To recommend to the Governing Board the annual budget for pay and to ensure that sources of external funding for pay are accessed to maximum effect.

All decisions made by the Pay Committee will take due account of the appraisal statement and all relevant information available from an appraisal or other review of an employee's skills, abilities, performance and any other factors deemed to be relevant. This will include any recommendation made by an employee's appraiser. All decisions regarding pay progression for teachers, including the Leadership Group should be made without undue delay. These should be completed prior to or on 31st October for teaching staff.

Terms of Reference for the Head Teacher Appraisal Group

Governor membership to be 2-3 Governors

- To meet annually before the 31st December with an independent advisor to discuss and determine the Head teacher appraisal objectives for the coming year (the planning meeting).
- To review, with the support of the independent advisor, the performance of the head teacher against the agreed appraisal objectives and determine the recommendation on pay progression (the review meeting).
- To prepare and agree the Head teacher appraisal review statement, and report to the Governing Board.
- To monitor through the year, including a mid-year review meeting, the performance of the Head teacher against the agreed objectives and to ensure that appropriate support and development opportunities are provided.
- To make recommendations to the Governing Board in respect of pay progression.

Standing Order for Meeting of the Governing Board

Governors are expected to:

- Arrive in good time for the start of any meeting, having read all the paperwork uploaded to Governor Hub in connection with the agenda, and prepared with questions to ask or comments to make.
- Bring a copy of the School Plan and be familiar with its milestones and priorities.
- Limit discussion to policies and actions and not people, ensuring challenge, support and celebration is captured within the minutes.
- Participate in discussion and listen to the views and comments of others.
- Work collectively as a team acting with integrity, objectivity and honesty and in the best interests of the school.
- Be brief and adhere to any time limits placed against agenda items.
- Follow up on action points between meetings

The following persons have the right to attend all meetings of the Governing Board

- Head teacher
- Clerk
- Any governor
- Associate members (unless the Governing Board requires them to leave for items relating to individual members of staff or pupils).

The following persons will be invited to attend regular meetings of the Governing Board Associate Head teachers, members of the senior leadership team, subject leaders, bursar, etc. Full Governing Board meetings will be held at the school **6 times** each year, 1 meeting to be held in each half term. The clerk will prepare a suggested calendar of meeting dates for the following year for approval at the meeting held in term 6 of each year, following evaluation of impact of the structure.

The Clerk to the Governing Board will prepare a draft agenda, which will be finalised and approved by the chair. Governors wishing to place items on the agenda should give notice to the clerk, and provide a copy of any supporting papers.

Items of 'Any Other Business' will be taken at the beginning of the meeting and either added to the agenda, delegated to a pair, or placed on the agenda of the next meeting.

Voting, where necessary, will normally be taken by a show of hands; however, the Chair may determine a secret ballot where this has been requested by two or more governors. Where there is an equal division of votes the Chair will have a second or casting vote

All meetings will be convened by the Clerk. Any 3 members of the Governing Board may request a meeting by giving written notice to the Clerk, which includes a summary of the business to be transacted. The Clerk will then prepare an agenda to call a meeting. Each meeting will commence at 18.30 hrs. and will be limited to 2 hours in duration. Where business has not been completed within the agreed time, those governors present may resolve to continue the meeting in order to complete the agenda. Any business not completed will form part of the agenda for the next meeting.

Draft minutes will be approved for email circulation by the Chair within 2 weeks of the meeting, before being formally approved by the Governing Board at the next meeting

Standing Order for the Election of Chair & Vice Chair

Guiding Principles

- The Governing Board MUST elect a Chair and a Vice chair.
- When the office of Chair or Vice Chair becomes vacant, the Governing Board must elect a new Chair or Vice Chair at their next meeting.
- There are no regulations covering the process of election with the exception of the need for the candidate(s) to withdraw from the meeting when a vote is taken.
- Governing Boards are free to, and should, agree an election process.
- Governors who are paid to work at the school, for instance the Head teacher and the staff governors cannot be elected as Chair or Vice Chair.
- The process must be fair, open and transparent.

Factors the Governing Board should consider in agreeing their election process are:

- How long the Chair and Vice Chair will serve.
- Whether a Governor can be re - elected and whether there should be a limit to the number of terms a Governor could serve in the position of Chair or Vice Chair
- Whether a governor can stand for office if they are unable to be present at the meeting.
- How nominations will be made (in writing in advance of the meeting via the agenda or verbally at the meeting, with or without a supporting written or verbal statement.)
- Whether a candidate will self - nominate or be proposed (and seconded if wished) by Governors.
- Whether there will be a secret ballot or show of hands (and whether this would vary depending on the circumstances i.e. in all cases or only where there is more than one candidate.)
- How the Governing Board would treat a tie in votes (would candidates have the opportunity to speak to the Governing Board about why they want to be the Chair or Vice Chair followed by another vote, would it be by another method?)

The Role of the Chair of the Governing Board

- To ensure the business of the Governing Board is conducted properly in accordance with legal delegation requirements.
- To ensure that meetings are run effectively, act as a role model, focusing on the priorities and making best use of the time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making
- To establish and foster an effective relationship with the Head teacher based on trust and mutual respect for each other's roles.
- To establish and foster a good relationship with the Clerk based on professional respect for each role.

GOOD PRACTICE EXAMPLE

- The Governing Board resolves that the following process will apply to the election of Chair (and Vice chair) of the Governing Board (provide a brief outline of the role see overleaf):
- The Chair and Vice Chair will serve for a period of between 1 and 4 years.
- The Clerk will take the Chair to conduct the election of the Chair and the newly elected Chair will conduct the election for the Vice Chair using the same procedure.

Either a) The Clerk will invite Governors to self-nominate by a closing date no later than 2 weeks before the date of the meeting at which the election is to be held.

or

- b) Governors will be asked to propose nominations to the Clerk by a closing date no later than two weeks before the date of the first Governing Board meeting of the academic year. The Clerk will

provide a form for this purpose, which will allow for nominations to be seconded before submission (if required).

- The Clerk will include the names of all candidates for election on the agenda for the meeting at which the election is to be held and send it to governors at least 7 days in advance of the meeting.
- The candidates will be asked to leave the room, having outlined the skills they have for the role, whilst the election takes place and the outcome discussed.
- Governors will discuss the skillset of nominees for the role prior to taking a vote by secret ballot conducted and counted by the Clerk.
- Candidates will be allowed to vote (including for themselves) before leaving the room.
- In the event of a tie, each candidate will be given the opportunity to address the Governing Board before a further vote is taken. (If a candidate cannot attend the meeting, a supporting statement may be requested in advance of the meeting.)
- If no advance nominations have been received for the office of Chair, the Clerk may seek nominations at the meeting.

If no Chair is duly elected, a Governor **MUST** be appointed to Chair the remainder of the meeting. The Board **MUST** then elect a Chair at its next meeting. If no Chair is duly elected at its next meeting, concerns will be raised on the capacity of Leadership and Governance. Following the election of the Chair, the new Chair will conduct the election of a Vice Chair using the same procedure

Standing Order for the Appointment of Co-opted Governors

The Governing Board may decide the process for the appointment of Co-opted governors. Factors the Governing Board should consider in agreeing their appointment process are:

- What skills are required to support the Governing Board at the time of the vacancy.
- How and where vacancies should be advertised.
- Whether a candidate will self-nominate or be proposed (and seconded if wished] by governors.
- What information the Governing Board needs from each candidate to support their nomination i.e. a statement of so many words, interview with, or presentation to the Governing Board or alternatives as appropriate.
- Whether there will be a secret ballot or show of hands (and whether this would vary depending on the circumstances i.e. in all circumstances or only where there is more than one candidate).

1. The Co-opted governors are appointed by the Governing Board. They are people who in the opinion of the Governing Board have the skills required to contribute to the effective governance and success of the school.

2. The Governing Board may choose to advertise the vacancy broadly to reach as wide an area as possible. Priority may be given to candidates with particular skills if this expertise would enable the Governing Board to work more effectively. In these cases this would be clearly stated when notifying the vacancy.

3. Where two or more names are put forward, prospective Co-opted governors will be asked to prepare a brief statement of no more than 100 words, explaining their background and why they wish to be appointed. Where possible these statements will be circulated to all members of the Governing Board prior to the meeting at which any appointment will be considered.

4. At the next meeting of the Governing Board, governors will be invited to vote by show of hands if there is a sole candidate. Where there are multiple nominations, governors will take a vote by secret ballot, managed by the Clerk.

5. In the event of a tie, the governors will again discuss the nominations and take a further vote.

6. The Clerk will announce the result, with the candidate polling the most votes being duly appointed.

Standing Order for the Appointment of a Parent Governor

The Governing Board may decide the process for the appointment of Co-opted governors. Factors the Governing Board should consider in agreeing their appointment process are:

- What skills are required to support the Governing Board at the time of the vacancy
- The governors will issue an invite to all parents to consider joining the Governing Board for a term of 4 years
- What information the Governing Board needs from each candidate to support their nomination i.e. a statement of so many words, interview with, or presentation to the Governing Board or alternatives as appropriate.
- Where two or more names are put forward, prospective parent governors will be asked to prepare a brief statement of no more than 100 words, explaining their background and why they wish to be appointed.
- These statements will be circulated to all parents to enable a vote to take place and the parent with the most votes will join the Governing Board.

Standing Order for the Appointment of an Associate Member

Governing boards can benefit from being able to draw on particular skills or experience from outside their formal governor membership. The definition of associate member is wide and can include pupils, school staff and persons who want to contribute specifically on issues related to their particular area of expertise, for instance finance.

Associate Members are

- Appointed for a period between one and four years and can be reappointed at the end of their term of office. They can be removed from office by the Governing board at any time. They are not governors and are not recorded on the Instrument of Government
- Associate members cannot be given voting rights at Governing Board meetings.
- Associate members may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff or other confidential items.

Factors the Governing Board should consider in agreeing their appointment process are:

- What the purpose of the appointment will be (i.e. addition of skills etc.)
- What information the Governing Board needs to support the proposal i.e. a statement of so many words, interview with, or presentation to the Governing Board or alternatives as appropriate
- Whether there will be a secret ballot or show of hands
- What the term of office for the membership shall be
- Whether the associate member will be included in all distributions of documents and meeting (or whether for instance confidential minutes will not be available)
- The expectation of the associate member to sign the Governing boards' Code of Conduct
- The expectation of the associate member to have their name and business interests published on the school website.