

Terms of Reference and Standing Orders

Meriden Church of England Primary School

The Governing Body will operate at all times in accordance with the requirements of the Education Act, the School Governance Regulations, the Local Authorities Scheme for Financing Schools and all other relevant legislation, and will review these Standing Orders at least annually.

In addition to the requirements set out in legislation, the following procedures will apply to the operation of the Governing Body.

Outline:

The Governing Body works as a 'whole team', meeting approximately monthly during term, without any separate committees.

An agenda for each meeting will include all the matters which the Governing Body is required to consider, and the Governing Body will 'commission' assignments or activities arising from the business of the meeting via Task and Finish Groups which will be recorded in the minutes.

In addition to 'commissioning' activities or actions on their behalf, the Governing Body may wish to delegate monitoring activities to individual or small groups of Governors. This could apply to statutory functions, and/or the priorities of the School Plan. In each case where a function has been delegated there is a statutory duty to report any action or decision to the Governing Body at the next meeting.

INDEX

- 1. Terms of Reference for the Governing Body**
- 2. Terms of Reference for the Clerk to the Governing Body**
- 3. Delegation of Functions to Headteacher**
- 4. Terms of Reference for Link Governors /Task and Finish Groups**
- 5. Terms of Reference for the Monitoring of the School Budget**
- 6. Terms of Reference for Panel Hearings**
- 7. Terms of Reference of the Headteacher’s Performance Management Group**
- 8. Standing Order for Meetings of the Governing Body**
- 9. Standing Order for the Election of Chair and Vice Chair
Guiding Principles**
- 10. Adoption of Good Practice Example Election of Chair and Vice Chair**

1. Terms of Reference for the Governing Body

The Governing Body has resolved to conduct all its business as a full Governing Body, and to work without committees.

Membership

As set out in Instrument of Government September 2021

10 members made up of:

- 2x Parent Governors
- 3x Co Opted Governors
- 2x Foundation Governors (including Ex Officio)
- 1x LA Governor
- 1x Staff Governor
- 1x Head Teacher (Ex Officio)

Quorum

One half of the number of Governors in post

Meetings

Will be held monthly (approximately) in term time

Delegation

Monitoring activities against the priorities of the School Plan will be 'commissioned' at meetings to be carried out by Link Governors and/or Task and Finish Groups in accordance with the terms of reference. The attached Standing Order 'Delegation of Functions to Head Teacher' outlines those responsibilities wholly delegated to the Head Teacher.

Operational

- To draw up the Instrument of Government and any amendments thereafter
- To appoint (or remove) the Chair and Vice Chair
- To appoint (or dismiss) the Clerk to the Governing Body
- To hold at least 7 Governing Body meetings each year
- To appoint and remove Co Opted and Associate Members
- To recruit new Governors as vacancies arise
- To set up a register of Governors' Business Interests
- To approve and set up a Governors' Allowances Scheme
- To decide which functions of the Governing Body will be delegated and to review these arrangements annually
- To regulate the Governing Body procedures where not set out in law, and record these as Standing Orders
- To suspend a Governor
- To receive reports from individual or group of Governors to whom a delegation has been made and to consider whether any further action by the Governing Body is necessary

- To delegate to the Head Teacher the functions as described in the Delegation of Functions to Head Teacher Standing Order (see section 3)
- To assign individuals or group of Governors to monitor the priorities of the School Improvement Plan in accordance with the attached Terms of Reference
- To arrange a suitable induction process and mentoring for newly appointed or elected Governors
- To audit individual and collective development needs and promote appropriate training
- To ensure the Headteacher provides such reports as requested by the Governing Body to enable it to undertake its role
- To receive reports on complaints, bullying and racial incidents.

General

- Regularly review the vision and values of the school and ensure that these are shared with all stakeholders
- To take an active role in School Self Evaluation, monitoring success in all areas and identifying areas requiring improvement
- To update and review regularly the School Improvement Plan
- To review regularly how the school is regarded by pupils and parents
- To ensure the school has in place all statutory policies and to keep these under regular review, consulting with representative stakeholders as appropriate. To approve policies where there is a statutory duty that cannot be delegated.
- To approve all school trips involving an overnight stay away from home (delegated to Head Teacher)
- To ensure that the school does not discriminate against pupils, job applicants or staff on the basis of race, religion, gender, age disability or sexual orientation.
- To discharge duties in respect of pupils with special needs by appointing a 'responsible person'
- To ensure the school has a complaints procedure for parents and that parents know how to raise concerns and make a complaint
- To ensure that the Governing Body complies with all other legal duties placed upon them

Budget

- To approve the first formal budget plan each year
- To engage in strategic planning
- To agree a 3 year budget
- To analyse and recommend the annual budget
- To annually review and approve the Finance Policy and recommend levels of delegation
- To annually review and approve the Charging and Remissions Policy
- To make decisions in respect of service agreements and insurance
- To approve annually the SFVS
- To review and take account of any consultations to change the LA Finance Scheme

Staffing

- To make Head Teacher and Deputy Head Teacher appointments

- To determine the staff complement
- To agree a pay policy and pay discretions
- To establish a Governor Panel to hear staff appeals against dismissal and redundancy
- To dismiss the Head Teacher
- To end the suspension of staff or Head Teacher (Disciplinary Group)
- To determine dismissal payments/early retirement

Curriculum

- To establish a Charging and Remissions Policy for activities.

Performance Management

- To establish and review and approve annually a Performance Management Policy
- To determine the timing of the performance management review cycle of the Head Teacher and Deputy Head Teacher and appoint two or three Governors to act as reviewers

Discipline/Exclusions

- To establish a Discipline Policy
- To review the use of exclusion and decide whether or not to confirm all permanent exclusions and fixed term exclusions where a pupil is either excluded for more than 15 days in total in a term, or would lose the opportunity to sit a public exam. (This may be delegated to the Chair/Vice Chair in cases of urgency)
- To direct the reinstatement of excluded pupils

Premises & Insurance

- To develop an Asset Management Plan and contribute to Local Authority Asset Management Planning arrangements
- To procure and maintain buildings, including a properly funded Maintenance Plan
- To seek advice from the LA, Diocese or Trustees, where appropriate to ensure adequate levels of buildings insurance and personal liability
- To receive Annual Site Report.

Health & Safety

- To institute a Health & Safety Policy
- To ensure that health & safety regulations are followed and appropriately prioritized
- To receive an annual Health & Safety Inspection Report and agree any actions.

Collective Worship

- To ensure that the school provides teaching of Religious Education for all pupils in accordance with the agreed syllabus or has informed parents of their right to withdraw their child.

- To ensure the school provides an act of daily collective worship in accordance with the denominational nature of the school.

School Organisation

- To publish proposals to change category of school
- To propose to alter or discontinue voluntary, foundation or special school status.

Information for Parents

- To ensure that the school keeps parents and prospective parents informed by publishing a School Prospectus
- To adopt and review the Home School Agreement

Extended Services

- To decide to offer additional activities and agree what form these should take
- To cease providing extended services provision

2. Terms of Reference for the Clerk to the Governing Body

The Clerk is expected to work within the following Terms of Reference.

Guiding Principles

- The Clerk is accountable to the Governing Body
- He/she is employed by the Governing Body and line managed by the Chair of Governors, whose responsibility it is to provide induction and conduct an annual appraisal
- Governors, Associate Members and the Headteacher cannot be Clerk to the Governing Body

Main Responsibilities

- To work effectively with the Chair of Governors, the other Governors and the Head Teacher
- To support the Governing Body
- To advise the Governing Body on constitutional and procedural matters, powers and duties
- To convene meetings of the Governing Body
- To liaise with Chair and Head Teacher to set and publish agendas
- To attend meetings of the Governing Body and ensure minutes are taken
- To create an action list after each meeting and monitor progress to ensure that actions agreed are carried out before the next meeting or within timescales set
- To maintain a register of Business Interests
- To maintain a register of members of the Governing Body and report vacancies to the Governing Body
- To maintain a register of attendance and report non-attendance to the Governing Body
- To give and receive notices in accordance with relevant regulations
- To perform such other functions as may be determined by the Governing Body from time to time
- To undertake appropriate continual professional development

If the Clerk does not attend a meeting, the Governors present at the meeting may appoint a member of the Governing Body (but not the Headteacher) to act as Clerk for that meeting

Clerk's Induction Programme

The key elements of the induction programme include:

- Helping the Clerk to locate essential documentation and information
- Discussing access to a computer (this may include discussion of use of home computer and consumables)
- Discussing use of school reprographics equipment or alternative means of copying documents for Governors
- Clarifying the use of email for communication with Governors
- Clarifying pay and conditions of service
- Agreeing the form of appraisal for the Clerk

3. Delegation of Functions to Headteacher

The Headteacher is expected to work within the following Terms of Reference, and to provide the Governing Body with such reports in connection with his or her functions as the Governing Body requires

Budget

- To make miscellaneous financial decisions up to an agreed limit of £5,000
- To enter into contracts up to the limit of £5,000
- To monitor monthly expenditure
- To make payments

Staffing

- To appoint teachers and non-teaching staff
- To establish disciplinary, capability and grievance procedures
- To suspend staff
- To dismiss staff

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 be responsible for standards of teaching
- To be responsible for each individual pupil's education
- To agree the content of any Sex and Relationship 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.

Performance Management

- To formulate and implement a Performance Management Policy.

Religious Education

- To provide Religious Education in line with school's basic curriculum
- To provide Religious Education to the agreed syllabus.

Collective worship

- To ensure, after consultation with the Governing Body, that all pupils take part in a daily act of collective worship
- To provide collective worship of a denominational character

Health & Safety

- To ensure that Health & Safety Regulations are followed

School Organisation

- To ensure that the school meets for 380 sessions in a school year
- Where determined by the Governing Body, to ensure that school lunch nutritional standards are met

Information for Parents

- To prepare and publish the School Prospectus
- 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 pupil's educational achievement is forwarded to parents.

Extended Schools

- To put into place the additional services provided with the approval of Governors
- To ensure the delivery of services agreed to be provided.

4. Terms of Reference for Link Governors /Task and Finish Groups

Any individual to whom responsibility has been delegated is expected to work within the following Terms of Reference.

- To monitor an identified target on the School Improvement Plan or a statutory function of the Governing Body and report to the Governing Body. It is expected that a minimum of 3 monitoring visits will be made to the school during the year
- Other forms of communication such as telephone calls emails etc may be substituted for one or more visits. A visit does not necessarily have to take place during the time when 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 target and the activities the school is conducting to achieve success
- 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 target 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 Headteacher and in accordance with the Governor Visits Policy.
- Reports will normally be no more than 1 side of A4 in length (not including any data), be submitted for approval by the Head Teacher and/or any lead professional within the school within 2 weeks of the visit, and then be lodged with the Clerk of Governors for distribution as soon as possible.

5. Terms of Reference for the Monitoring of the School Budget

A group of Governors or an individual will be assigned to monitor the financial management of the school on behalf of the Governing Body.

A minimum of 1 monitoring visit should be made each year, additional monitoring may be conducted virtually, by emails or by telephone discussion.

- To maintain an up-to-date 'balanced' three year budget plan, which shows clear links to the 'School Improvement' and 'Staffing' Plan
- To report monitoring and rollover to the full Governing Body, highlighting any significant variances
- To evaluate any virement recommendations and report to the Governing Body
- Analyse and report on Tenders for Contract Services
- To keep in-school financial procedures under review
- To be actively engaged in LM Scheme consultations
- To benchmark school financial performance against similar schools and report to the Governing Body
- To analyse and recommend the annual Statement of Internal Control and present to the full Governing Body
- To evaluate proposed expenditure following recommendations from the Headteacher and present to the Governing Body
- To ensure that the school has, or is working towards achievement of the Schools Financial Value Standard (SFVS)
- To ensure that all spending provides 'value for money' in terms of raising standards in education and make recommendations and present to the Governing Body to sign the annual statement of Best Value
- To monitor and evaluate the management of the Voluntary Fund and to receive the audited accounts
- To make regular reports to the Governing Body and ensure that key financial decisions are recorded correctly in the minutes

6. Terms of Reference for Panel Hearings

- To make any decisions under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability, where the Head teacher is the subject of the action
- To make any decisions under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability, unless delegated to the Head Teacher
- To make any determination or decision as relevant under the Governing Body's complaints procedure for parents
- To consider any appeals against a decision to dismiss a member of staff or to a decision short of dismissal e.g. disciplinary, grievance or capability
- To make any determinations on behalf of the Governing Body in relation to staff redundancy and redundancy appeals
- To consider any representations by parents in the case of an exclusion
- To consider the appropriateness of any permanent exclusion or fixed term exclusion which totals 15 days or more in one term or where a pupil is denied the chance to take a public examination
- All panels are to be convened by the Clerk to the Governing Body.

NB Any Governor who has participated on a panel for a staffing decision cannot sit on the appeal panel. Staff Governor will not sit on any panels which will consider issues involving other staff members or the Head Teacher

Membership

Any **three** Governors from a pool of Governors [comprised of the whole Governing Body], who are:

1. Suitably qualified to undertake the role, and
2. Available on the date specified

**The Head Teacher is disqualified from serving in this role
Any Governor having a connection with either a pupil, a member of staff or the incident in question which could affect their ability to act impartially should not serve on the panel.**

7. Terms of Reference of the Headteacher's Performance Management Group

- To meet annually with the external advisor to discuss and determine the Headteacher's objectives and performance criteria for the coming year (the planning meeting)
- To review, with the support of the School Advisor the performance of the Headteacher against the agreed criteria and determine the recommendation on pay progression (the review meeting)
- To prepare and agree the Headteacher's performance review statement, and report to the Governing Body
- To monitor through the year the performance of the Headteacher against the agreed criteria and to ensure that appropriate support and development opportunities are provided
- To make recommendations to the Governing Body in respect of pay progression

Membership [3 Governors]

In Voluntary Aided/Controlled Schools at least one member must be a Foundation Governor.

Neither the Head Teacher nor Staff Governor may serve on this group.

8. Standing Order for Meetings of the Governing Body

Governors are expected to:

- Arrive in good time for the start of any meeting, having read all the paperwork sent to them in connection with the agenda, and prepared with questions to ask or comments to make
- Have access to a copy of the School Improvement Plan and be familiar with its contents
- Limit discussion to policies and actions and not people
- Participate in discussion and listen to the views and comments of others
- 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 Body

- Head Teacher
- Clerk
- Any Governor
- Associate members (unless the Governing Body requires them to leave for items relating to individual members of staff or pupils)
- Agreed observers (unless the Governing Body requires them to leave for items relating to individual members of staff or pupils)

Full Governing Body meetings will be held at the school monthly during term time (minimum of 7 meetings per annum)

The Clerk will prepare a suggested calendar of meeting dates for the following year for approval at the meeting at this first Full Governing Body meeting held in the Autumn term.

The Clerk to the Governing Body will prepare a draft agenda in conjunction with the Chair and Head teacher 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 notified, unless in an emergency, to the Chair and Clerk, 72 hours prior to a meeting

Voting, where necessary, will normally be taken by a show of hands; however, the Chair may determine a secret ballot where two or more Governors have requested this.

The Clerk will convene all meetings.

Any 3 members of the Governing Body 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 **6pm** 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 Body at the next meeting.

If a Governor has missed 2 consecutive meetings then the Chair will meet with the governor and ask why they've failed to attend meetings. The Chair will give the Governor a warning and set a time period in which to improve attendance. If attendance requirements are not met then the Governing Body will decide whether or not the Governor should be allowed to remain on the board.

Governors who fail to attend meetings without the consent of the Governing Body for a continuous period of 6 months are disqualified.

9. Standing Order for the Election of Chair and Vice Chair

Guiding Principles

The Governing Body **MUST** elect a Chair and a Vice Chair. There are no regulations. **Governors who are paid to work at the school, for instance the Headteacher and the Staff Governors cannot be elected as Chair or Vice Chair.** When the office of Chair or Vice Chair becomes vacant, the Governing Body must elect a new Chair or Vice Chair at their next meeting. The process must be fair, open and transparent.

Factors the Governing Body will consider in agreeing the election process are:

- How long the Chair and Vice Chair will serve (*If greater than a 1 year term, you may wish to stagger the appointment of Chair and Vice Chair*)
- How nominations will be made. Whether a candidate will self-nominate or be proposed [and seconded if wished] by Governors
- Whether the candidate(s) should withdraw from the meeting when a vote is taken
- 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]
- The process must be fair, open and transparent

The role of the Chair of the Governing Body

- To ensure the business of the Governing Body is conducted properly in accordance with legal delegation requirements
- To ensure that meetings are run effectively, 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.

10. GOOD PRACTICE EXAMPLE

The Governing Body resolves that the following process will apply to the election of Chair of the Governing Body.

The Chair and Vice Chair will serve for a period of **2 years**.

The Clerk will take the Chair to conduct the election of the Chair using the following 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 Body 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 whilst the election takes place and the outcome discussed.
- Governors will take 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 Body 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 and to act as a temporary Chair until the next meeting.
- Following the election of the Chair, the new Chair will conduct the election of a Vice Chair using the same procedure.
- In the event of a tie, each candidate will be given the opportunity to address the Governing Body before a further vote is taken. (If a candidate cannot attend the meeting, a supporting statement may be requested in advance of the meeting).