

HOLY FAMILY CATHOLIC PRIMARY SCHOOL

Governor Body Terms of Reference



Revised: 23rd September 2020 **Date of next review:** To be reviewed annually

Signed: **Role:** Chair of Governors

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Introduction

The duties and responsibilities of governing bodies are wide reaching and most would agree that there is insufficient time in a full meeting to give adequate consideration to everything. By dividing up the work between committees the governors can ensure a fairer division of the workload and ensure its duties are carried out effectively and efficiently.

There are no requirements for governing bodies to delegate any powers to committees and it is for each governing body to decide which committees to establish (if any), which governors are on them, their terms of reference and delegated powers, further information is contained in part 2.

For some decisions there is a statutory right of appeal, therefore for these decisions, especially personnel decisions affecting individual staff members it is important that the original decision is made by a committee so that there will be available sufficient governors unaware of the issues that may be used for hearing an appeal, none of the members of the first committee may sit on the appeal committee. Full details regarding exclusions etc. should be contained in the terms of reference.

Committee or Working Groups?

Delegation means handing over the power to make decisions on behalf of the governing body to a committee, which means that those matters do not have to go to full governors for approval, however the governing body is still ultimately responsible. There may be occasions when the governing body wishes to consider particular issues and have a report given to the whole governing body. In these circumstances it would be usual to set up a working group either as a one-off or a permanent arrangement rather than a committee. The group will have no powers to act on behalf of the governing body but can make recommendations for consideration.

Whichever powers have been delegated to committees it remains possible for the governing body to make a decision itself if it so decides (regulation 16(2))

Establishing Committees

Governing bodies should bear in mind the following when considering the establishment of committees and working groups

- Committees can only be set up and removed by the full governing body – usually at the first meeting of the year, the decision should clearly set out the following;
 - a) The name of the committee or working group
 - b) Names of the members of the committee or working group including any associate members and/or observers (regulation 20 (1))
 - c) Delegated powers and terms of reference
 - d) Date and time of the first meeting and frequency of future meetings
 - e) Arrangements for clerking and appointment of Chair
- Committees must consist of at least 3 governors (regulation 20(2))
- The governing body can appoint associate members (regulation 22) and can also agree to others attending without voting rights (regulation 23(1)(d)) – members of school staff are often included this way. There are decisions that associate members may not vote on which are:
 - a) Decisions affecting individual members of staff
 - b) Admissions
 - c) Pupil discipline
 - d) School budget
 - e) Associate members under 18 e.g. pupils do not have a vote

*It should also be noted that a decision taken by a committee is not valid unless the majority of those present are members of the governing body (regulation 24(4))

- The governing body should retain an overview of all activities – committees should send all minutes to the next full meeting for information
- The governing body should be clear what powers have been delegated and to which committee
- The governing body remains responsible for all decisions made on its behalf by committees
- All governors should be encouraged to serve on at least one committee to ensure a fair distribution of its workload

Chairing and Clerking Committees

The Chair of a committee can be determined by the governing body or delegated to the committee. Whichever method is agreed the vote must take place annually.

A Clerk must be appointed to each committee (regulation 21). The headteacher **may not** be a clerk even in an emergency. The governing body has the power to remove a clerk. A governor may be appointed as a clerk to a committee but the DfE recommends that governing bodies appoint and pay a clerk to provide a professional service.

Part 2

The Governing Body

The Governing Body needs to take a strategic role, act as a critical friend to the School and be accountable for its decisions. It should set aims and objectives and agree, monitor and review policies, targets and priorities

Terms of reference:

- To agree constitutional matters*, including procedures where the Governing Body has discretion
- To recruit new members as vacancies arise and to appoint new governors* where appropriate
- To hold at least three Governing Body meetings a year*
- To appoint or remove the Chair and Vice Chair*
- To appoint or remove a Clerk to the Governing Body*
- To establish the committees of the Governing Body and their terms of reference*
- To appoint the Chair of any committee (if not delegated to the committee itself)
- To appoint or remove a Clerk to each committee*
- To suspend a governor*
- To decide which functions of the Governing Body will be delegated to committees, groups and individuals*
- To receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Governing Body is necessary*
- To approve the first formal budget plan of the financial year
- To keep the Health and Safety Policy and its practice under review and to make revisions where appropriate
- To review the delegation arrangements annually*
- Any items which individual governing bodies may wish to include
- To be involved in the appointment of Headteacher, Deputy Headteacher and Assistant Headteacher.
- To be involved in the appointment of Staff below the above level as and when available. To be invited on all occasions but if unavailable the appointments can be made by the Headteacher and Senior Management Team.

*these matters cannot be delegated to either a committee or an individual

Membership – As per the Instrument of Government

Disqualification – as per Regulation 20 and Schedule 6 of the Constitution Regulations

Quorum:	One half of the number of Governors currently in post
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The Role of the Chair of the Governing Body

- To ensure the business of the Governing Body is conducted properly, in accordance with legal requirements.
- To ensure meetings are run effectively, focusing on priorities and making the best use of 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 Headteacher based on trust and mutual respect for each other's roles. The Chair has an important role in ensuring that the Governing Body acts as a sounding board to the Headteacher and provides strategic direction

Disqualification – the Headteacher, Staff Governors, Pupils, Staff Members

The Role of the Clerk to the Governing Body

- To work effectively with the Chair of Governors, the other Governors and the Headteacher to support the Governing Body
- To advise the Governing Body on Constitutional and Procedural Matters, duties and powers
- To convene meetings of the Governing Body
- To attend meetings of the Governing Body and ensure minutes are taken
- To maintain a register of members of the Governing Body and report vacancies 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

Disqualification – Governors, Associate Members, the Headteacher

The Role of the Chair of a Committee

- To ensure the business of the Committee is conducted properly, in accordance with legal requirements
- To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making

Disqualification – none

The Role of the Clerk to Committees

- To advise the Committee on procedural and legal matters
- To convene meetings of the Committee
- To attend meetings of the Committee and ensure minutes are taken
- To perform such other functions with respect to the Committee as may be determined by the Governing Body from time to time

Disqualification – Headteacher

CURRICULUM & STANDARDS COMMITTEE

CURRICULUM

- To consider and advise the governing body on standards and school performance and other matters relating to the school's curriculum, including statutory requirements and the School's Curriculum Policy
- To Monitor the school's policies in relation to the curriculum and pupil welfare, behaviour and discipline including the school's Curriculum Policy and present draft policies for approval by the governing body; [this also includes pupil welfare terms].
- To review the policy and provision for collective worship and for Religious Education and make recommendations
- To review the policy and provision for relationships and sex education and make recommendations
- To review the policy on identification, assessment and provision for pupils with special educational needs and present draft policy for approval by the governing body.
- To monitor the drafting, implementation and evaluation of policies for individual subjects – individual subject policies do not require ratification by the governing body however, the governing body should ensure, through the Headteacher, that policies are drawn up and put into practice in line with the aims, values, ethos and school development plan agreed by the governing body and in accordance with statutory requirements.
- To ensure that the school designates a member of staff to be responsible for co-ordinating child protection within the school and for liaising with outside agencies and to receive appropriate training. To draft, monitor and present policy on child protection for approval by the governing body in accordance with statutory requirements and DfES and LA advice and to ensure the policy is communicated to staff and parents.
- To consider curricular issues which have implications for Finance and Personnel decisions and to make recommendations to the relevant committees or the Governing Body
- To make arrangements for the Governing Body to be represented at School Improvement discussions with the LA and for reports to be received by the Governing Body
- To oversee arrangements for individual governors to take a leading role in specific areas of provision, eg SEN, Literacy, Numeracy. To receive regular reports from them and advise the Governing Body.
- Through the Headteacher, to monitor and evaluate the effectiveness of teaching and learning in delivery of the curriculum particularly in regards to identification of vulnerable groups including pupils eligible for Pupil Premium.
- Through the Headteacher, to monitor and evaluate the effectiveness of SEN provision.
- To consider school performance data and agree* or recommend* school targets for pupil attainment to the governing body
*this is dependent upon the GB delegating authority to the committee.
- To monitor and keep under review specific areas of the School Development Plan for which the committee has responsibility.
- To consider and report back upon matters as may be delegated or devolved to

the committee by the governing body.

ADMISSIONS

- To ensure that the school fulfils the requirements of the Diocese and of the Foundation, also the statutory requirements placed upon it by the School's Standard and Framework Act 1998.
- To determine offers of places for the annual admissions round in the light of the governors' admissions policy and within the timescales and procedures of the Authority's co-ordinated scheme.
- To determine offers of places to 'mid-term' applicants in the light of the governors' admissions policy.
- To review the governing body's admissions rules and make any recommendations for change to the whole governing body
- To ensure publication of the school's Admissions Arrangements in the school website.
- To ensure that the consultation process is carried out in accordance with guidance contained in the School Admissions Code of Practice.
- To ensure that admission appeals are held according to timescales in the Code of Practice and that appropriate case papers are produced as requested.

PUPIL WELFARE [INCLUSION] AND COMMUNITY

- To monitor and evaluate, and review where appropriate, policies relating to pupil health, safety and welfare (including safeguarding and child protection), behaviour and discipline;
- To monitor and evaluate, and review where appropriate, policies relating to social inclusion (including Looked After Children) and special needs inclusion;
- To ensure there are rewards systems in place which impact positively on achievement and behaviour;
- To monitor pupil attendance and absence rates and pupil exclusion rates and to consider strategies to improve them;
- To monitor and keep under review specific areas of School Development Plan for which the committee has responsibility
- To be responsible for addressing issues of relationships with the community and issues of promoting the school
- To actively seek the views of learners and parents/carers and of the school's stakeholders and partners in order to inform the governing body and Headteacher in their decision making about the way the school is conducted;
- To have oversight of the development of and to monitor extended school provision and to report to the governing body with recommendations;
- To be responsible for primary/secondary liaison (as appropriate) and (if appropriate) further education liaison and for education/industry links;
- To monitor and keep under review specific areas of School Development Plan for which the committee has responsibility

Disqualification – none

Quorum (minimum of 3, committee can determine	
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RESOURCES COMMITTEE

Terms of reference:

FINANCE

- In consultation with the Headteacher, to draft the first formal budget plan of the financial year
- To establish and maintain an up to date 3 year financial plan
- Review and monitor the school's financial procedures policy and present draft to governing body for approval.
- To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the Governing Body
- To ensure that the school operates within the Financial Regulations of KMBC
- To monitor expenditure of all voluntary funds kept on behalf of the Governing Body and report at least annually to the governing body (including ensuring there is an annual audit of the school fund and other funds held by the school – undertaken by persons independent of operating the accounts).
- To annually review service level agreements and make recommendations to the full governing body.
- To make decisions on expenditure following recommendations from other committees
- To prepare financial statements for inclusion in the governing body report to parents
- To ensure, as far as is practical, that Health and Safety issues are appropriately prioritised
- To determine whether sufficient funds are available for pay increments as recommended by the Headteacher
- To undertake annual review of all expenditure with a view to achieving 'best value' in respect of the use of the delegated budget allocation.
- In the light of the Headteacher Performance Management Group's recommendations, to determine whether sufficient funds are available for increments
- To monitor and keep under review specific areas of School Development Plan for which the committee has responsibility.
- To consider and report back upon matters as may be delegated or devolved to the committee by the governing body.

STAFFING

- To consider and recommend to the governing body and review as appropriate from time to time, policies relating to management of staff, including the school pay and performance management policies.
- To determine the staffing structure in consultation with the Headteacher, in relation to the School Development Plan and curriculum requirements, and in light of resources available.

- To monitor and evaluate the staff development programme in relation to curriculum and professional development needs, as identified through performance management procedures and within the context of the School Development Plan.
- Draft or adopt LA model personnel policies including those relating to the appointment of staff, health and safety, discipline, grievance etc. and present to the governing body for approval.
- To establish a Pay Policy for all categories of staff and to be responsible for its administration and review
- To exercise delegated powers to act in the appointment and management of staff within the Catholic Education Service [CES] model policies/procedures adopted by the governing body ie Grievance, Disciplinary [Capability First Appeals – 1st and 2nd formal stages] and to exercise delegated powers on pay including the annual pay review – taking into account the resources available.
- To establish and review a Performance Management Policy for all staff
- To consider and make decisions relating to staff leave of absence with or without pay
- To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence
- To make recommendations on personnel related expenditure to the Resources Committee.
- To monitor and keep under review specific areas of the School Development Plan for which the committee has responsibility.
- To consider and report back upon matters as may be delegated or devolved to the committee by the Governing Body.

PREMISES

- To provide guidance and assistance to the Headteacher and governing body in all matters relating to premises and physical resources.
- To ensure inspection of the premises and grounds, and prepare a statement of priorities for maintenance and development, taking account of the LA's Building Condition Survey report.
- To approve the costs and arrangements for maintenance, repairs, fittings and furniture, and redecoration within the budget allocation and to oversee the preparation and implementation of building contracts.
- To establish and keep under review a Building Development Plan
- To monitor the school's compliance with Health and Safety regulations.
- To receive and consider audits of the buildings and fabric and recommend remedial action if required.
- To ensure any necessary liaison with the Local Authority and Archdiocesan Surveyors
- To monitor and review services from external providers and, where necessary, make recommendations
- Undertake an annual review of all sources of income received by school to ensure fees and charges remain appropriate
- To make recommendations to the Resources Committee on premises-related expenditure

- To prepare, implement and review from time to time a lettings and charges policy for the approval of the governing body.
- The Headteacher is authorised to incur expenditure on day to day repairs and maintenance, equipment and materials within the approved spending plan.
- To establish and keep under review an Accessibility Plan
- To monitor and keep under review specific areas of School Development Plan for which the committee has responsibility;
- To consider and report back upon matters as may be delegated or devolved to the committee by the Governing Body* see below

Disqualification – Any relevant person employed to work at the school other than as the headteacher, when the subject for consideration is the pay or performance review

Quorum (minimum of 3, committee can determine higher number)	
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Staff Discipline and Grievance Committee

Terms of reference:

- To make any determination to dismiss any member of staff (*unless delegated to the headteacher*)
- To make any decisions under the Governing Body’s personnel procedures e.g. disciplinary, grievance, capability where the Headteacher is the subject of the action*
- To make any decisions relating to any member of staff other than the Headteacher, under the Governing Body’s personnel procedures (*unless delegated to the Headteacher*)

Membership – not less than 3 members of the Governing Body (NB. The number appointed to this committee directly affects the number required for an Appeal Committee)

Disqualification – The Headteacher

Quorum (minimum of 3, committee can determine higher number)	
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Appeals Committee

Terms of reference:

- To consider any appeal against a decision to dismiss a member of staff made by the first Committee*
- To consider any appeal against a decision short of dismissal under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability*
- To consider any appeal against selection for redundancy*
- To consider and decide upon any salary/pay decisions made by the First Committee

Membership – no fewer members than the First Committee

Disqualification – The Headteacher, any members of the Hearings Committee

Quorum (minimum of 3, committee can determine higher number)	
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Headteacher's Performance Review Group

Terms of reference:

- To arrange to meet with the External Adviser to discuss the Headteacher's performance targets
- To decide, with the support of the External Adviser, whether the targets have been met and to set new targets annually
- To monitor through the year the performance of the Headteacher against the targets
- To make recommendations to the Finance Committee in respect of awards for the successful meeting of targets set

Quorum minimum 2	
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Pupil Discipline Committee

Terms of reference:

- To consider representations from parents in the case of exclusions of 5 days or less (*Committee may not re-instate*)
- To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (*meeting to be held between 6th and 50th school days after receiving notice of the exclusion*)
- To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (*meeting to be held between 6th and 15th school days after receiving notice of the exclusion*)
- To review the School Behaviour Policy, and make recommendations on changes to the Governing Body or relevant committee
- *Any items which individual governing bodies may wish to include*

Membership – 3 or 5

NB. The Governing Body may nominate a pool of governors from which three or five will serve as the Discipline Committee to consider particular exclusions. If a governor has a connection with the pupil or the incident that could affect their ability to act impartially they should not serve at the hearing. If, through non-attendance of a governor, four members consider an exclusion, the chair has the casting vote.

Disqualification – The Headteacher

Any Governor with prior knowledge of the pupil or the incident.

Quorum:

3

Delegation of Responsibility to Individuals

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

Terms of reference:

- To liaise with the appropriate member(s) of staff
- To visit the school with the purpose of gathering information concerning their area of responsibility and to increase their knowledge of the school
- To regularly report to the Governing Body, the Standards & Curriculum Committee or the Steering Group, whichever the Governing Body deems most appropriate, on developments and progress within their area of responsibility
- To raise the profile of the area of responsibility when related matters are considered by the Governing Body
- To attend training as appropriate
- *Any items which individual governing bodies may wish to include*

Disqualification – The following functions **CANNOT** be delegated to an individual:

Functions relating to:

- ❖ The alteration, closure or change of category of maintained schools
- ❖ The approval of the first formal budget plan of the financial year
- ❖ School discipline policies
- ❖ Exclusions of pupils (except in an emergency when the chair has the power to exercise these functions)
- ❖ Admissions