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# Model Terms of Reference and Standing Orders

**Committee Model  
2021 - 2022**

## **This model focuses on three committees**

The governing board will always operate in accordance with the requirements of the Education Act; the School Governance Regulations; the Local Authorities Scheme for Financing Schools; the Local Authorities Financial Regulations and Procedures and all other relevant legislation. These terms and standing orders will be reviewed at least annually.

Local governance structures will always operate in accordance with the requirements within the Articles of Association; Academy Trust Handbook; Scheme of Delegation; any Trust Financial Handbook/manual.

These documents were agreed by the board at their meeting held on

**Date:** September 2021

**Review Date:** September 2022

## Table of Contents - Committee Model

### Outline

Whilst the governing board (known as the board) as a whole remains responsible for the governance function, in this model there are two distinct areas of work delegated by them to a curriculum and learning committee and finance, resources and personnel committees.

The curriculum and learning, and finance, resources and personnel committees focus on the delivery of the annual school improvement plan in their respective areas; they may liaise and consult together where necessary, undertake monitoring and evaluation activities against these priorities and report to the board as a whole. In each case where a function has been delegated there is a statutory duty to report any findings, actions or recommended decisions to the board at its next meeting. These reports will in turn inform collective strategic decision making by the board.

The board may consider additional committees i.e. church school boards may want to consider how they ensure the Christian distinctive character of the school is maintained, as part of its annual self-evaluation. When deciding on the number of committees required for the board to be able to undertake its work effectively the wellbeing and workload of staff, headteachers and governors attending meetings must be considered by referring to the Department for Education (DfE) teacher workload reduction toolkit.

In addition to committees, the board, to ensure its core functions are fulfilled, will delegate monitoring responsibilities for the DfE identified as should have (unless you have a very good reason not to) individual roles and those focused on the priorities of the School Plan.

In each case where a function has been delegated there is a statutory duty for the delegated governor/s to report, by written monitoring reports, any findings, action or recommended decision to the board in time for its next meeting to enable informed collective strategic decision making

Terms of reference must be drafted and agreed for any additional committees and incorporated within this document.

The board must meet at least three times each year to consider reports, committee minutes and recommendations, makes decision and conduct routine business.

1. Terms of Reference - The Board
2. Terms of Reference - Curriculum and Learning
3. Terms of Reference - Finance, Resources and Personnel
4. Terms of Reference - Governance Professional
5. Terms of Reference/Delegation of Functions - Headteacher
6. Terms of Reference – Individual Statutory Delegated Roles
7. Monitoring visits policy for a committee model 2021-2022 (separate document)
8. Model Code of Conduct 2021-2022 (separate document)
9. Terms of Reference - Panel Hearings
10. Terms of Reference - Headteacher Performance Management Group
11. Terms of Reference - Pay Committee
12. Standing Order - for Board Meetings
13. Standing Order - Election of the Chair and Vice Chair
14. Standing Order - Appointment of Co-opted Governors
15. Standing Order - Appointment of Associate Member
16. Standing Order - Virtual Governance Meetings

## Hartlip Endowed Church England Primary School

### Terms of Reference for the Board

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance. The board has resolved to conduct its business by adopting the committee model structure and to delegate statutory functions to a curriculum and learning committee and a finance, resources and personnel committee as well as appointing the DfE identified individual delegated governor roles of safeguarding; SEND; careers guidance (secondary) and for Kent County Council (KCC) maintained schools: finance and health and safety to report back on their findings. In addition, boards may consider it important from a best practice perspective, although not statutory, the addition of delegated/link governors for whole school wellbeing culture and early years (if appropriate).

#### The board has three strategic core functions:

- ensuring clarity of vision, ethos, and strategic direction
- holding executive leaders/headteacher to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff
- overseeing the financial performance of the organisation and making sure its money is well spent.

The main responsibilities to be managed by the board are outlined below:

**Items in bold within each section may be delegated and reported back to the board.**

### Governing Board Operational Business

- To ensure focus on the three strategic core functions.
- To draw up the Instrument of Government and any amendments thereafter.
- To review the standing order for election of the chair and vice chair including the length of the term of office – the end of term of office dates **must** be recorded in the Full governing Body (FGB) minutes.
- Elect (or remove) the chair and vice chair.
- To elect (or remove) the chair and vice chair for all committees.
- To appoint (or dismiss) the governance professional and its committees
- To hold at least three board meetings each year for school business
- To appoint co-opted governors.
- To appoint partnership governors (maintained schools, where this category of governor is listed on the Instrument of Government)
- To appoint any associate members to committees (associate members may only be appointed to committees) For maintained schools only
- To appoint the Local Authority (LA) nominated governor (in maintained schools)
- To suspend or remove/recommend removal of a governor. LA and foundation governors can only be removed by their appointing body or approval body.
- To decide monitoring priorities.
- **To assign governors to monitor the priorities of the School Improvement Plan in accordance with the attached terms of reference.**
- To appoint the DfE identified individual required roles of safeguarding, SEND, careers (secondary) and for KCC maintained schools finance and health and safety based on skill set and expertise.

- **To receive reports (*this is a statutory duty*) from any individual to whom a delegated or monitoring function has been made and to consider whether any further action or decision by the board is necessary.**
- To review the delegation arrangements annually
- To annually review and approve the board monitoring visits policy and monitoring schedule.
- To appoint a recruitment selection panel for headteacher/executive leader/deputy headteacher and ensure at least one of the panel has completed Safer Recruitment Training.
- To approve or decline decisions of appointed selection panel.
- **To recruit new governors as vacancies arise ensuring the board has all the necessary skills to be effective.**
- **To set up and publish on the school's website a register of governors' business interests, ensure this is kept up to date and declared at relevant meetings.**
- To ensure that statutory requirements for information are published on the school website, including details of governance arrangements, are met and updated as necessary.
- To ensure the information required for the national database (GIAS) is collected, **uploaded, amended as necessary and is accurate (for academies within 14 days of any change) with the details published on the school website.**
- To ensure all governors have an enhanced DBS and section 128 check
- To approve the Board Code of Conduct and ensure all governors abide by its principles.
- **To approve and set up a governors' allowances scheme.**
- To regulate and agree the board's procedures where not set out in law and record these as standing orders.
- To delegate to the headteacher the functions as described in the Delegation of Functions to Headteacher Standing Order (page 10).
- To agree and **arrange a suitable induction process and mentoring for newly appointed or elected governors.**
- To consider the DfE recommended appointment of a training and development governor to audit individual and collective development needs and from evaluation promote appropriate training.
- **To regularly audit and evaluate the impact of governance to inform the structure of the board**
- To ensure the headteacher provides such reports as requested by the board to enable it to undertake its role.

#### 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 identifying success and areas requiring improvement.**
- To annually approve the School Improvement Plan for priority accuracy; regularly holding the leaders to account against the milestones and monitoring against an agreed board monitoring schedule.
- To determine whether to publish a home-school agreement (no longer a statutory requirement)
- **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 *statutory* policies, **with those able as instructed by the DfE, delegated to committees for recommendation or approval as appropriate.**
- **To ensure statutory impact and compliance.**
- To ensure there is a process in place for the approval of school trips and the school's procedures for visits ensure the safety and welfare of the pupils, staff and volunteers.
- To approve any school trips overseas; trips involving travel by air or by sea and trips involving one night's absence or more.
- To ensure the school has a board approved, up to date, complaints policy published on the school website, with stakeholders knowing how to raise concerns and make a complaint.
- To have regard to the professional advice given by the governance professional
- To ensure that the board complies with all other legal duties placed upon them as shown and updated within the Governance Handbook.
- From a best practice perspective, although not statutory, the board should consider the whole school wellbeing culture and early years (if appropriate).

### Inclusion and Equality

- To establish and approve a special educational needs (SEND) policy.
- To publish and update at least annually a SEND information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014, modified 2017).
- To comply with statutory duties from the SEND code of practice and most recent edition of Keeping Children Safe in Education (KCSIE) in respect of pupils with special needs by appointing a SEND governor.
- To abide by the Equality Act 2010
- 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. VA schools are entitled to identify the post of some staff as open to practicing members of their denomination only.
- **To receive reports on bullying, homophobic and racial incidents.**

### Safeguarding

- To ensure statutory compliance with the most recent edition of KCSIE and its associated policies including adopting and reviewing annually the most recent edition of the KCC child protection policy and relevant procedures
- To comply with duties from the most recent edition of KCSIE by appointing DfE identified safeguarding, and SEND governors
- To ensure all governors have read part two of the most recent edition of KCSIE
- To ensure every governor has understood the most recent edition of KCSIE part 2
- To receive confirmation that every member of school staff has read and understood the most recent edition of KCSIE part 1
- To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty within the child protection policy
- To ensure all governors have undertaken Prevent training
- To receive the safeguarding annual report to the board (see [Education Safeguarding Service](#) on The Education People website)
- **To annually review and evaluate the completed Safeguarding Review (see [Education Safeguarding Service](#) on The Education People website) ensuring any follow up actions are monitored and completed.**

## Curriculum

- Ensure national curriculum is taught to all pupils
- To ensure the curriculum is ambitious and designed for all learners particularly the most disadvantaged and those with SEND or high needs to give them the knowledge and cultural capital they need to succeed in life.
- **To ensure the curriculum is broad and balanced by understanding the intent, implementation and impact.**
- To ensure a full curriculum is delivered.
- To establish a charging and remissions policy for activities.
- To ensure the British values are embedded within the curriculum, preparing pupils for life in modern Britain
- **Ensure statutory provision of career guidance for Years 8-13 by ensuring arrangements are in place to allow a range of education and training providers access all pupils in Years 8-13 to inform them about approved technical education qualifications and apprenticeships (secondary)**
- A policy statement setting out the career guidance arrangements is published on the school website (secondary)
- To consider recommendations from external reviews of the school (e.g., Ofsted, school improvement advisers, Governor Services), reviewing and evaluating any agreed actions to ensure impact.

## Budget

- To ensure all financial decisions above those delegated by the board to the headteacher are agreed at board meetings
- To ensure compliance with the LA scheme for financing local authority schools
- To operate within the LA's Financial Regulations and Procedures
- **To analyse and recommend the annual budget**
- To approve the first formal budget plan each financial year.
- **To analyse and recommend a three-year budget which shows clear links to the School Improvement Plan.**
- To approve a three-year budget which shows clear links to the School Improvement Plan.
- To engage in strategic decision making.
- To approve, **monitor** and submit to the LA a recovery plan where revenue deficit rises above 5% at 31 March of any year
- To approve and **review** for impact and delivery, a costed school improvement plan
- To annually in the autumn term, approve and then regularly review the financial risk register (template on Kelsi)
- To **annually review** and approve the finance policy and KCC recommended levels of delegation.
- **To undertake financial benchmarking and report back to the board.**
- To **annually review** and approve the charging and remissions policy.
- To enter into contracts following agreed financial limits and processes with board approval (in finance policy); for contracts and purchases greater than £8,000 (Primary) £25,000 (Secondary) but less than £50,000, *three written quotations must* be obtained. For contracts and purchases £50,000 and over, *no fewer than three competitive tenders* must be sought and document in minutes.



- To approve virement criteria and financial limits above which the approval of the governors is required.
- To approve any assets to be written off and disposed of, at a board meeting and document within the minutes.
- To approve debts up to £1000, which are required to be written off, after every effort has been made by the headteacher and governors to recoup the monies, with the decision made and documented in minutes.
- To make decisions in respect of service agreements following agreed delegation of financial limits and insurance limits and document in minutes (scheme for financing schools, p35)
- To **draft**, approve and submit the SFVS by 31 March and ensure remedial actions are cleared within specific deadlines
- To receive six budget monitoring reports (maintained schools) at board meetings with commentary, from the operational business lead, which will include the impact of any change, both positive and negative to the three-year budget plan
- For the chair to receive monthly budget reports.
- To effectively manage and **review** resources for financial efficiencies and maximise pupil outcomes ensuring value for money.
- To **monitor, audit and evaluate all school policies and procedures related to fraud** and document compliance in board minutes.
- To agree the annual strategic action plan for the pupil premium spend and **monitor how all specialist funding is spent (i.e. PE and sports premium, and the pupil premium and COVID-19 catch up premium).**
- To appoint a finance governor with financial skills
- To ensure financial succession planning within the board.
- To review and take account of any consultations to change the LA Scheme for Financing Maintained Schools.

### Staffing

- To consider structural solutions upon resignation/retirement of executive lead/headteacher.
- For LA schools seeking the advice and support of the LA prior to decision making
- To approve executive leader/headteacher and deputy headteacher appointments and starting salary, subject to necessary checks, following recommendations from the board approved selection panel.
- For voluntary aided (VA) and foundation schools – governors should decide whether the director of education/diocesan authority and LA should have advisory rights
- In VA schools, agree staffing policies which provide for governor involvement in the interests of preserving the school's religious character.
- To annually determine the staff complement.
- To annually agree a pay policy, which has been approved by the unions, and any pay discretions, following the STPCD (School Teacher's Pay and Conditions Document).
- To annually review the impact of and implementation of the pay and reward policy.
- To establish and review procedures for addressing staff discipline, conduct, grievance, bullying and harassment and pay.
- To establish a governor panel to hear staff appeals against dismissal, redundancy, grievances, bullying and harassment and pay.
- To dismiss the headteacher.
- To end the suspension of staff or headteacher as determined within the policy.

- To determine dismissal payments/early retirement.

### Appraisal and Performance Management

- To establish and review and approve the appraisal and pay policies, ensuring they match the Terms of Reference, including the criteria and framework for pay decisions and review these provisions annually.
- To determine the annual budget for pay and any uplift to be applied to the school's pay scales for teachers and support staff.
- To determine which functions are to be delegated to the pay committee/headteacher.
- To determine the timing of the headteacher appraisal review cycle (best practice, before 31 December each year).
- To appoint the headteacher performance management panel (HTPM) following the best practice of 3 skilled and trained governors, to include the chair of the board. The chair of the board must not be appointed as the chair of the panel. The vice chair does not sit on this panel alongside the chair.
- To appoint, in order to assist the panel, an external adviser for advice and support, on the headteacher's appraisal and to consult that adviser on setting objectives for the headteacher (statutory duty, governance handbook, p95)
- **To undertake the headteacher appraisal.**
- **To take into account the headteacher standards for excellence.**
- To appoint the pay panel of 3 skilled and knowledgeable governors; as best practice, ensuring different governors serve on the pay panel to those that serve on HTMP panel
- **To undertake the pay panel process**
- To agree total pay award following recommendation from pay panel.
- To agree any pay award for the headteacher/executive leader following recommendation from the headteacher performance management panel
- To monitor the application and effectiveness of the pay policy, ensuring pay decisions are linked to evidence of performance and the criteria for pay progression are applied consistently, fairly and objectively
- To ensure the school meets its statutory and contractual obligations with regards to pay

### Discipline/Exclusions

- To establish a statement of behaviour principles on which the school can produce a behaviour 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** - see exclusion from maintained schools, academies and pupil referral units in England Guidance updated Sept 17 page 18 point 57).
- To direct the reinstatement of excluded pupils.
- To consider the findings of any independent review panel

### Premises and Insurance

- To develop and approve a school buildings strategy or master plan and contribute to LA 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 the annual site report.**



### Health and Safety

- **To establish and** approve a health and safety policy
- To ensure that **health and safety regulations are followed and appropriately prioritised.**
- To receive the annual Health and Safety Inspection **report** and agree any actions
- **To receive the KCC required H&S inspection report three times and year**
- To appoint a health and safety governor

### Admissions

- To follow The School Admissions Code statutory guidance when carrying out duties relating to school admissions.
- For community and VC schools, the LA is the admission authority; for all other schools it is the board.
- To consult annually before setting an admissions policy, notify the LA and publish the arrangements on the school website in accordance with the paragraph 1.47 of the School Admissions Code. (VA, foundation schools and academies)\*
- Admission authorities for schools with a sixth form must ensure they have determined and published admission arrangements for entry into the sixth form if they intend to admit external applicants (VA, foundation schools and academies)\*
- Set a clear published admission number (PAN), which states the number of applicants they will admit where enough applications are received.
- To establish an Admissions policy (special schools where pupils do not have a statement) in liaison with the LA\*
- Admissions appeals: To set up independent panels in line with the School Admission Appeals Code. (VA, foundation, academies and special schools).\*

*\* include as appropriate*

### 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 broadly Christian daily collective worship. In some maintained schools without a designated religious character, the family backgrounds of some or all pupils may lead the executive Leader and board to conclude that broadly Christian collective worship is not appropriate. The executive leader can apply to the local Standing Advisory Council on Religious Education (SACRE) to have the broadly Christian requirement disapplied and replaced by collective worship distinctive of another faith and should consult the board before doing so
- In voluntary aided schools, VC schools and foundation schools designated with a religious character, the board is responsible for arranging collective worship in accordance with the trust deed or religious designation of the school after consulting the executive leader

### School Organisation

- To set the time of the school sessions and the dates of school terms and holidays (except community and VC schools where this is the LA's responsibility).
- 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 up to date with school information.

- To adopt and review home school agreements (not statutory).

#### Collaborations

- To consider forming or joining a group of schools

#### Federations

- To consider forming a federation or joining an existing federation, seeking KCC advice and support before completing due diligence
- To consider requests from other schools to join an existing federation and seeking KCC advice and support before completing due diligence
- To leave a federation, seeking KCC advice and support

#### Academies

- To consider approach and time scale to academy conversion
- To consider forming or joining an existing multi-academy-trust (MAT) and undertake due diligence.
- To consider requests from other schools to join the Trust and complete due diligence
- To comply with any instructions from the ESFA

#### Extended Services

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

Membership of the board to comply with [the Instrument of Government](#)

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

**Quorum:** one half of the number of governors in post (rounded up)

## Hartlip Endowed Church England Primary School

### Terms of Reference for The Quality of Education Committee

The Quality of Education Committee is expected to work within the following terms of reference with a focus on monitoring the School Improvement Plan

#### General

- To act on matters delegated by the board
- To consider safeguarding and equalities implications when undertaking all committee functions, ensuring all pupils have equal opportunities.
- To undertake monitoring visits to the school relevant to the committee's role and comply with governor monitoring visits policy.
- To make regular reports to the board.
- Meet at least three times each academic year with the timing and number of meetings considering the wellbeing of staff and governors, and timetabled relevant to school data analysis timescales.
- To monitor the schools' policies in relation to the curriculum, pupil welfare and behaviour.
- Take an active role in school self-evaluation, monitoring success in all areas and identifying areas requiring improvement.
- To monitor the relevant areas and milestones within the school improvement plan
- To advise the resources and personnel committee on the relative funding priorities necessary to deliver the curriculum.

#### Curriculum

- To monitor how the agreed curriculum is ambitious and designed for all learners particularly the most disadvantaged and those with SEND or high needs to give them the knowledge and cultural capital they need to succeed in life.
- To ensure the curriculum is broad and balanced by understanding the intent, implementation and impact.
- To ensure a full curriculum is delivered
- To ensure the British values are embedded within the curriculum, preparing pupils for life in modern Britain
- Ensure statutory provision of career guidance for years 8-13 by ensuring arrangements are in place to allow a range of education and training providers to access all pupils in years 8-13 to inform them about approved technical education qualifications and apprenticeships (secondary)
- To understand the performance data for the school including the vulnerable groupings.
- To ensure the specialist funding for pupil premium and COVID-19 catch up premium have impact.
- To meet with the lead professionals within the school to gain an understanding of the scope of the curriculum targets and the activities the school is conducting to achieve success.
- To undertake any necessary training (in or out of school) that is necessary to enable effective monitoring of the agreed school improvement plan and its targets.
- To evaluate the extent of success at the end of the set and agreed timescale.
- To identify and celebrate success

#### Expectations and Outcomes

- To monitor pupil achievement and progress against expectations, predicted outcomes and school improvement milestones and targets.
- Ensure rapid pace is made for those pupil groups impacted by COVID-19

### Extended Services

- To monitor the impact of any extended services provided against pupil achievement.

### Membership of the Curriculum and Learning Committee

Quorum	3
Chair	Jane Davies
Vice Chair	
Governor 1	Joan Jabbour
Governor 2	Elizabeth Hadley
Governor 3	Dionne Coles
Governor 4	Tracey Jerome
Governor 5	Ellen Ranson McCabe
Governance Professional	Rose Davies
<b>Agreed by the board:</b> 23/09/2021	
<b>Review date:</b> 23/09/2022	

## Hartlip Endowed Church England Primary School

### Terms of Reference for Finance, Resources and Personnel Committee

The Finance, Resources and Personnel Committee is expected to work within the following terms of reference with a focus on monitoring

#### General

- To monitor the impact of the costed school improvement plan in relation to the budget spend.
- To undertake monitoring visits to the school.
- To make regular reports to the board, in addition to the chair of the board being in receipt of a monthly finance report
- To act on matters delegated by the board
- To consider safeguarding and equalities implications when undertaking all committee functions
- To meet at least three times each year in terms pertinent to the SFVS and budget
- To annually in the autumn term review and recommend to the board the financial risk register and regularly review (template on KELSI)

#### Budget

- To evaluate and recommend the annual budget for board decision.
- To maintain an up to date 'balanced' three-year budget plan, which shows clear links to the 'school improvement' and 'staffing' plans.
- Any recovery plan for budget with a deficit must be monitored for implementation and impact.
- To report monitoring and any rollover to the board, highlighting any significant variances and their impact on the three-year budget plan.
- To approve any virement recommendations as set out and agreed in the finance policy (insert amount here), document in minutes and report decisions to the board.
- Analyse and report on Tenders for Contract Services, ensuring three written quotations.
- Approve tenders between £8000 and £50,000 (£25000- £50000 secondary)
- To evaluate written quotations and approve any purchases between £8000 and £50000 (secondary £25000- £50000)
- To draft the Schools Financial Value Standard (SFVS), following discussions with the bursar, using the support tools, for board approval before prescribed submission date
- To monitor and report to the board on any SFVS remedial actions to ensure they are cleared within specified deadlines.
- To monitor, audit and evaluate all school policies and procedures related to fraud and report to the board
- To evaluate the school budget monitoring sheets six times per year (SFVS requirement) in discussion with the school business operational lead and report to the board.
- To be strategically actively engaged in monitoring value for money and report back any recommendations to the board to ensure effective financial resources and efficiencies to maximise pupil outcomes.
- To benchmark school financial performance against similar schools and report to the board.
- To keep in-school financial procedures under review
- To ensure that the school is working within the guidance of the Schools Financial Value Standard (SFVS) recommendations
- To make regular reports to the Board and ensure that key financial decisions are recorded correctly in the minutes.
- To monitor the spend of extra funding such as pupil premium, COVID-19 catch up funding, sports premium, ensuring its use has impact.

- Review finance policy; lettings policy; whistle blowing policy; governor allowance policy; charging and remissions 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 board.
  - To ensure compliance with the KCC scheme for financing schools and report to the board
  - Review compliance audit reports, ensuring the Board follows recommendations and actions.
  - To monitor and evaluate the management of the Voluntary Fund and to receive the audited accounts.
- Any additional strategic items which individual boards may wish to include.*

### Premises and Insurance

- To seek advice from the Local Authority, diocese or trustees, where appropriate to ensure adequate levels of buildings insurance and personal liability.
- To approve and monitor the implementation of the school buildings strategy plan informing the board of the proposed order of priorities.
- To review the business continuity plan
- To review the accessibility plan and ensure inclusion
- To receive the school asset plan annually
- To monitor the maintenance plan.

### Staffing

- To determine the staff complement in consultation with the headteacher and recommend to the board
- To review the pay policy for approval by the board.
- To annually review the impact of and implementation of the pay and reward policy.
- To ensure that staffing procedures follow equalities legislation
- To annually review procedures for dealing with staff discipline and conduct and grievances and make recommendations to the board for approval.
- To monitor the CPD budget against the school improvement plan and staff needs to ensure staff development, progression and raised pupil outcomes.

### Health and Safety

- To approve and monitor the health and safety policy.
- To ensure that health and safety regulations are followed and prioritised appropriately.
- To receive the annual Health and Safety Inspection Report and agree any actions.
- To receive the KCC required H&S Inspection Report three times a year (**remove for academies**)
- To ensure health and safety governor monitoring visits take place as agreed within the monitoring schedule
- To receive the written health and safety governor report for consideration three times a year

### Membership of the Finance, Resources and Personnel Committee

Quorum	3
Chair	Ryan Condron
Vice Chair	
Governor 1	Noel Lander
Governor 2	Jackie Warncken
Governor 3	Tracey Jerome
Governor 4	
Governor 5	
Governance Professional	Rose Davies
<b>Agreed by the board: 23/09/2021</b>	
<b>Review date: 23/09/2022</b>	



### Terms of Reference for the Governance Professional

The governance professional, (also referred to as the clerk), is expected to work within the following terms of reference:

Hartlip Endowed Church England Primary School uses the services of The Education People Clerking Service. The governance professional's expectations, standards, and performance management are included within the Clerking Service, Service Level Agreement

### Guiding Principles

- The governance professional is accountable to the board.
- The governance professional is employed by the board and line managed by the chair of governors, whose responsibility it is to ensure the Governance Professional Programme and continuous professional development are undertaken. **The chair will conduct an annual appraisal and pay review with recommendations** approved by the board.
- The governance professional will be provided with a contract of employment based on an appropriate job description and the DfE Clerking Competency Framework 2017.
- Governors and the headteacher cannot be employed as the governance professional to the board whilst holding office.

### The Main Responsibilities of the Governance Professional

- To work effectively with the chair of governors, all other governors and the headteacher/executive headteacher to support the board.
- To keep up to date and advise the board on constitutional and procedural matters, powers and duties as outlined within legislation, statutory guidance, the Governance Handbook
- To support the board to develop a culture where challenge is welcomed.
- To convene meetings of the board ensuring they are quorate.
- To produce agendas for the meetings working with the chair of governors
- To attend meetings of the board and ensure minutes are taken.
- To ensure the chair receives the draft minutes for approval within one school week
- To ensure the chair approved draft 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 ensuring it is kept up to date and published on the website.
- To maintain the website published requirements for boards by ensuring information is supplied to the headteacher/school staff who have responsibility for the school's website is kept up to date
- To collect the required details for the governor's national database (GIAS) and ensure the information is supplied to the headteacher/school staff who have responsibility for ensuring the school's website is kept up to date
- To maintain a register of members of the board and report vacancies to the board and appropriate foundation trusts (6 months in advance of end of terms of office is recommended).
- To keep The Education People GovernorHub database up to date with details of the members of the board – *a requirement for LA maintained schools*
- To ensure, if the Governor Services training programme is subscribed to, all governors have registered on GovernorHub to enable access and booking of training courses
- To maintain a register of attendance to be published on the school website, and report non-attendance to the board.
- To give and receive notices of meetings in accordance with relevant regulations.

- To perform such other functions as may be determined by the board from time to time.
- To undertake appropriate professional development.
- If the governance professional is unable to attend the meeting, the governors present at the meeting may appoint a member of the board (but not the headteacher) to act as governance professional for that meeting. As a point of best practice, it is recommended that the chair of the meeting should not act as the governance professional.

#### Details of Employment

Part time, term time only, as per signed contract and governance professional job description

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

**The Governance Professional Programme can be accessed via Governor Services SLA. Please email [governorservices@theeducationpeople.org](mailto:governorservices@theeducationpeople.org)**

The Governance Professional Programme is delivered across three one-to-one sessions, focussing on:

The three units in the programme are:

1. The role of the governance professional – focussing on the core competencies within the DfE Clerking Competency Framework
2. Agenda preparation and professional minute taking
3. Evaluation of minutes, records and retention

Key elements of the programme include:

- Help to understand their role as of the governance professional against their job description, and their expected role to locate, access, understand and advise on relevant governance legislation, the DfE Clerking and Governance Competency Frameworks and Governance Handbook, in order to influence the effectiveness and efficiency of the board.
- Working through agenda construction, sources of contributory information, construction of minutes- layout, content & challenge, actions. Providing agenda preparation and guide to writing minutes resource booklets.
- A written evaluation of a board meeting agenda and minutes with discussion and best practice support from the findings.
- Record keeping, document management and retention, including using GovernorHub, communication with school email addresses, GDPR and the role of the data protection officer.
- Discussing the various professional development opportunities - governance professional's briefings, panels training, working with a Local Authority maintained school/working with an academy trust, and the annual Governance Professionals' conference.

## Hartlip Endowed Church England Primary School

### Delegation of Functions to Headteacher

The delegation to the headteacher ensures a clear separation between strategic non-executive oversight and operational executive leadership. The headteacher/executive leader is expected to work within the following terms of reference, and to provide the board with such reports in connection with their functions as the board requires

### Budget

- To make miscellaneous financial decisions up to an agreed limit of £8000 (primary) £25000 (secondary) as set out in the school finance policy/academy financial manual/scheme of delegation. LA scheme for financing schools suggests up to £8000 for primary £25000 for secondary
- To make virements as set out and agreed in the school's finance policy/academy financial manual/scheme of delegation (insert amount here)
- To monitor monthly expenditure.
- To make payments.
- To ensure the board receives six budget monitoring reports every year
- To ensure monthly budget reports are sent to the chair of governors

### Staffing

- To appoint teachers and non-teaching 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 checks, to also include those involved in school governance

### 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 and **review** the content of any Relationships Education (primary) Relationships and Sex Education (RSE, secondary) to ensure it meets statutory requirements, and to approve 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 clear guidance on which a strategy for independent careers advice and guidance, developed in line with the Gatsby Benchmarks, must be based (statutory for secondary)

### Appraisal and Performance Management

- 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)

### Standard Setting

- To set standards and predictions for pupil achievement and progress.

### Religious Education

- To provide religious education in line with school's basic curriculum.
- In schools with a religious character, to provide religious education to the agreed syllabus.

### Collective Worship

- For maintained schools – to ensure, after consultation with the board, that all pupils take part in a daily act of collective worship.
- In schools with a religious character, to provide collective worship of a denominational character.

### Health and Safety

- To ensure that health and safety regulations are followed.

### Discipline/Exclusions

- To draft the content of the school behaviour policy and publicise it to staff, students and parents.
- The board of a maintained school must also make and from time-to-time review, a written statement of principles to help the head teacher determine the measures that make up the school's behaviour policy (which must include measures to prevent all forms of bullying among pupils). This duty cannot be delegated. The board must consult the headteacher, other appropriate members of staff, parents, carers and all registered pupils before making or changing this statement of principles.

### Inclusion and Equality

- To designate a qualified teacher to be responsible for co-ordinating SEND provision (the SEND co-ordinator or SENCO)
- To appoint a designated teacher for looked after children

### School Organisation

- To ensure that the school meets for 380 sessions in a school year.
- Where determined by the 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
- To ensure the statutory required information is uploaded to the school website.
- Maintain a register of pupil attendance.
- To publish on the website the drafted structure and remit of the 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 up to date with school information.
- 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

### Extended Schools

- To put into place the additional services provided.
- To ensure delivery of services provided

**Agreed by the board:** dd/mm/yyyy

**Review date:** dd/mm/yyyy

## Hartlip Endowed Church England Primary School

### Terms of Reference for Individual Delegated Governors

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 protocols and procedures set out in the governor monitoring visits for a committee policy and the board code of conduct. It is a statutory duty in legislation to report back at the next meeting following a monitoring visit.

To monitor a statutory function of the board and report back, ensuring the statutory responsibilities are fulfilled. It is expected that three monitoring visits will be made to the school during the year, unless school circumstances necessitate more and finance in order to meet SFVS/audit requirements. Not all visits 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. **Governors will follow DfE guidance in relation to performing their monitoring roles. This may include the need to consider monitoring virtually**

### Individual Delegated Responsibilities

- To ensure full understanding of the delegated role.
- 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 questions asked against the statutory regulations and answers documented and reported back to the board as part of the next meeting supporting papers.
- To ensure key questions are asked and collective constructive challenge is enabled at the board or committee meeting.
- To ensure any board meeting follow up actions are completed and documented.
- To undertake any necessary training (in or out of school) to enable effective monitoring of the subject.
- To monitor the progress of school activities towards the priority milestone or statutory duties.
- 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 executive lead/headteacher and in accordance with the Governor Monitoring Visits for a Committee policy.

Written reports will be submitted for factual check and comment by the headteacher within one week of the visit, and then be lodged with the governance professional of governors for distribution as soon as possible, at least seven days before the next board or committee meeting as appropriate.

The following delegated DfE identified governor roles need to be appointed by the board.

- Safeguarding
- SEND
- Careers guidance (secondary)  
And for LA schools
- Finance (KCC maintained schools)
- Health and safety

It is recommended that boards also carefully consider the following positions:

- Pupil Premium/catch up funding designed to mitigate the effects of the unique disruption caused by COVID-19 has impact, including with reference to most vulnerable and disadvantaged.
- Training and development – DfE recommended for focus on the development needs of the Board

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

Having 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 a collective strategic overview for all delegated monitored areas to enable accountability and effective informed decision making

#### Statutory Delegated Governors

Finance governor (KCC maintained)	Ryan Condron
SEND	Elizabeth Hadley
Safeguarding (including Child Protection)	Jane Davies
Health and safety	Dionne Coles
Careers guidance (secondary)	[Governor name]
Training and development governor	Jackie Warncken
Pupil premium/catch up premium	Joan Jabbour
Any other governor monitoring roles in accordance with school priorities, add as rows below	
English	Elizabeth Hadley
Science	Jane Davies
Humanities and RE	Ryan Condron
Maths	Joan Jabbour
Healthy Minds, Healthy Bodies	Noel Lander
Collective Worship	Reverend Julian Staniforth
Early Years	
<b>Agreed by the board:</b> 23/09/2021	
<b>Review date:</b> 23/09/2022	



**Hartlip Endowed Church England Primary School**

**Governor Monitoring Visits for a Committee Policy**

See separate document available on GovernorHub and attached to these terms of reference.

I agree to follow the agreed principles and procedures of this policy adopted by the board on  
dd/mm/yyyy

Name of individual governor signatures (add below)

Date

dd/mm/yyyy

## Hartlip Endowed Church England Primary School

### Code of Conduct for School Boards

See separate document available on GovernorHub and attached to these terms of reference.

I agree to follow the agreed principles and procedures of this code of conduct adopted by the board on dd/mm/yyyy

Name of individual governor signatures (add below)

Each governor *must* sign and retain their individual copy of the code of conduct

Date

dd/mm/yyyy

Signed and agreed by the board

Date

dd/mm/yyyy

**Hartlip Endowed Church England Primary School**

**Terms of Reference for Panel Hearings**

- To make any decisions under the board’s personnel procedures e.g., disciplinary, grievance, capability, bullying and harassment, where the headteacher is the subject of the action.
- To make any decisions under the board’s personnel procedures e.g., disciplinary, grievance, capability, bullying and harassment unless delegated to the headteacher.
- 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 board in relation to staff redundancy and redundancy appeals.
- To make any determinations on behalf of the board in relation to any pay appeal.
- To make any determination or decision under the board’s School Complaints Procedure.
- To consider any representations by parents in the case of an exclusion (in accordance with the Statutory DfE Exclusions Guidance).
- 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 (in accordance with the Statutory DfE Exclusions Guidance).
- All panels are to be convened by the governance professional
- All panels will follow the relevant board approved policy, procedure and guidance.
- All panellists will undergo training to understand their roles and responsibilities
- All panellists will be unbiased and understand the remit of their decision making as described within the relevant policy

**NB**

- Any governor who has participated on a panel for a staffing decision, cannot sit on the appeal panel
- Staff governors should not sit on panels

**Membership [not less than three]**

Any three governors from a pool of governors [comprising the whole board], who are:

1. Suitably qualified to undertake the role, and not tainted
2. Available on the date specified

*The headteacher 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.*

**Agreed by the board: 23/09/2021**

**Review date: 23/09/2022**

## Hartlip Endowed Church England Primary School

### Terms of Reference for Headteacher Performance Management Panel

- As a point of best of best practice, to meet annually before the 31 December each year with the headteacher and a *board appointed*, suitably experienced, qualified, and independent external adviser; to assist the panel, (statutory duty, governance handbook, p95) for advice and support, on the headteacher' appraisal, and to consult that adviser on setting objectives for the headteacher. In following best practice, the headteacher's appraisal will be the first staff appraisal performed to enable headteacher objectives to be reflected within other whole school staff performance management objectives to drive the school forward.
- Inform the headteacher of the standards against which their performance will be assessed.
- To review, in consultation, with the independent external advisor, the performance of the headteacher against the agreed appraisal objectives.
- To determine the recommendation on pay progression for approval by the board.
- To consult with the independent external advisor to set challenging but achievable headteacher appraisal objectives for the coming year ensuring they are specific, measurable, attainable, relevant, and time-bound (SMART).
- Objectives should as far as possible be reached by agreement. However, where a joint determination cannot be made the HTPM panel will make the determination, following consultation with the external adviser, with the provision for the headteacher to record any disagreement if required.
- To prepare and agree the headteacher appraisal review statement, and report to the board the completion of the process.
- To monitor through the year, including a mid-year review meeting, the performance of the headteacher against the agreed objectives and to ensure appropriate support and development opportunities are provided.

Where serious weaknesses are identified in the headteachers performance then this procedure should cease, and the issues will be managed within the school's formal capability procedure.

The appraisal process will be recommenced when the headteacher's performance has reached the required standard.

Membership: Three governors, including the chair of the board, though not the vice chair as well. The chair of the board will not take the role of the panel/committee chair.

In voluntary aided/controlled schools, consideration for best practice, for at least one member to be a foundation governor.

Neither the headteacher nor staff governors may serve on this group.

Consideration may need to be given to situations where governors serve on both HTPM and the pay panel.

[Governor name and chair of panel] Reverend Julian Staniforth

[Governor name] Joan Jabbour

[Governor name] Elizabeth Hadley

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

## Hartlip Endowed Church England Primary School

### Terms of Reference for the Pay Committee

The board will delegate all pay decisions in accordance with the school's pay policy the pay committee will act in accordance with the pay policy. it is the role of the pay committee to:

- To determine the pay progression to be awarded to individuals as delegated within the pay policy.
- To apply the criteria set out in the school's pay policy and consider fully the recommendations made by the headteacher regarding an individual's pay.
- To ensure all employees are made aware of the outcome of their individual pay review in writing within ten days of the decision making.
- Where pay decisions are made by a pay committee - the headteacher may provide professional advice and guidance to the panel to assist with decision making.
- To consider fully all recommendations made by the headteacher regarding an individual's pay progression.
- To maintain an *accurate written record of all meetings*, recording the reasons for the pay decisions taken and having due regard to confidentiality.
- To report summary information regarding annual total budget for pay decisions to the board.
- 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/leadership group in accordance with the pay policy and reach decisions through the application of any relevant criteria measured by the school's performance appraisal process.
- To observe all statutory and contractual obligations.
- To recommend to the board changes to the policy and to consult with staff and recognised unions on those proposed changes.
- To seek advice from the Local Authority where appropriate.

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 31 October for teaching staff.

#### Membership

- 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.
- In voluntary controlled schools at least one member must be a foundation governor. In voluntary aided schools, at least two must be foundation governors.
- Neither the headteacher nor staff governors may serve on this group.
- Schools/academies will need to consider carefully the membership of the panel and appeals panels to ensure the right composition. In particular they should avoid both the chair and vice chair of governors being members of the pay panel as this will inhibit one of these key senior roles being available for any pay appeals that may arise.
- Consideration may need to be given to situations where governors serve on both HTPM and the pay panel.

[Governor name and chair of committee] Ryan Condron

[Governor name] Noel Lander

[Governor name] Tracey Jerome

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

### Standing Order for Meetings of the Board

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.
- Comply with any DfE governance guidance regarding meetings
- Have read and have access to the latest School Improvement Plan and be familiar with its milestones and priorities.
- Limit discussion to policies and actions and not people, ensuring constructive challenge, support and celebration is captured within the minutes.
- Understand their strategic role and not stray into the operational
- 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.
- Collectively ensure all board decisions are strategic and not operational.
- Be brief and adhere to any time limits placed against agenda items.
- Take regard of the advice and guidance given by the paid governance professional
- Follow up on action points between meetings.
- Comply with the Code of Conduct

The following persons have the right to attend all meetings of the board

- headteacher
- governance professional
- any governor
- associate members (unless the board requires them to leave for items relating to individual members of staff or pupils)

The following persons can be invited to attend regular meetings of the board [select as appropriate] deputy headteacher, members of the senior leadership team, subject leaders, bursar, etc

Board meetings will be held at the school three times each year, in terms [2, 4 and 6], with a business meeting in term 1. The governance professional 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 governance structure.

The governance professional 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 governance professional and provide a copy of any supporting papers. *Governors must*, in complying with legislation, submit monitoring visit reports or any other documents to the governance professional in time for the agenda and supporting documents to be circulated.

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.

The board may agree to operate virtual governance at some or all of their meetings.



It should be remembered that for maintained schools, proxy voting or decision making in advance of the meeting is not permissible, every question to be decided at a meeting of the governing body is to be determined by a majority of the votes of the governors present and voting.

Decisions can only be made following governor attendance and informed discussion at a quorate meeting. To enable virtual governance the following needs to be considered, approved, evidenced in the minutes and followed in practice:

- How to ensure integrity of confidentiality is upheld.
- How governors may participate within a virtual meeting
- How to ensure the meeting will always remain quorate
- How to manage virtual voting – especially by secret ballot
- Technology required and capable of working within school intranet/internet system, if necessary.

All meetings will be convened by the governance professional. Any three members of the board may request a meeting by giving written notice to the governance professional, which includes a summary of the business to be transacted. The governance professional will then prepare an agenda to call a meeting.

Each meeting will commence at [time] and will be limited to two 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 three weeks of the meeting, before being formally approved by the board at the next meeting.

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

## Hartlip Endowed Church England Primary School

### Standing Order for the Election of Chair and Vice Chair

#### Guiding Principles

- The board *must* elect a chair and a vice chair. (The School Governance (Roles, Procedures and Allowances) Regulations 2013 – para 7.1)
- When the office of chair or vice chair becomes vacant, the board must elect a new chair or vice chair at their next meeting.
- If both chair and vice chair positions become vacant, the board *must* hold an extraordinary meeting, as convened by the governance professional, to elect a chair.
- 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 in advance.
- Boards are free to, and should, agree an election process. Best practice is for written nominations in advance with supporting statement to include the skills present to undertake the role.
- Governors who are paid to work at the school, for instance the headteacher and staff governors cannot be elected as chair or vice chair.
- The process must be fair, open and transparent.

Factors the board should consider in agreeing their election process are:

- How long the chair and vice chair will serve (You may wish to consider different terms of office; best practice is one year).
- 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
- (Recommendation, no more than six years in the role of chair). You may like to consider succession planning, individual governor and board development, workloads and the involvement of all governors).
- 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 board would treat a tie in votes (would candidates have the opportunity to speak to the 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 Board

- To ensure the business of the 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 headteacher based on trust and mutual respect for each other's roles.
- To establish and foster a good relationship with the governance professional based on professional respect for each role.

Good Practice Example

- The board resolves that the following process will apply to the election of chair (and vice chair) of the board (provide a brief outline of the role):
- The chair and vice chair will serve for a period of between one and three years (one is usual)
- The governance professional 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 governance professional will invite governors to self-nominate by a closing date no later than two 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 governance professional by a closing date no later than two weeks before the date of the first board meeting of the academic year. The governance professional will provide a form for this purpose, which will allow for nominations to be seconded before submission (if required).

- The governance professional 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 seven 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 governance professional.
- 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 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 governance professional may seek nominations at the meeting.

If no chair is duly elected, the vice chair *must* be appointed to chair for the remainder of the meeting and act as chair until the next meeting. The board *must follow its statutory requirement* to 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 under schools causing concern guidance.

Following the election of the chair, the new chair will conduct the election of a vice chair using the same procedure.

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

<b>Co/chair of governors name:</b> Elizabeth Hadley	Term of chair office	Elected date: 23/09/2021
<b>Co/vice chair of governors name:</b> Dionne Coles	Term of office	Elected date: 23/09/2021

Guiding Principles

The governing board (GB) may decide the process for the appointment of co-opted governors.  
*The process must be agreed by the board prior to use.*

**Factors the board should consider in agreeing their appointment process:**

- The skills required to support the GB at the time of the vacancy
- How and where the vacancies, together with the identified skills required, should be advertised
- Whether a candidate will self-nominate or be proposed [and seconded if wished] by governors
- Information the GB needs from each candidate to support their nomination i.e., a statement of so many words, interview with, or presentation to the GB or alternatives as appropriate
- Whether after full GB discussion, there will be a secret ballot or show of hands, and whether this would vary depending on the circumstance i.e., in all circumstances or only where there is more than one candidate.
- How the results will be notified to the successful candidate/s and the rejected candidate/s and by whom.
- How often the agreed process for seeking nominations and making appointments will be reviewed (if not part of the annual review of Terms of Reference/Standing Orders; (annually is recommended).
- How the GB will ensure that the processes are fair, open, and transparent.

**Example**

1. *Co-opted governors are appointed by the governing body (GB). They are people who in the opinion of the GB have the skills required to contribute to the effective governance and success of the school.*
2. *The board may choose to advertise the vacancy locally and also as broadly as possible in order to reach as wide an area as possible; this should include the services of Inspiring Governance, Governors for Schools and Academy Ambassadors (if appropriate) as advocated by DfE in the Governance Handbook.*
3. *When advertising, the GB should take into account the potential to advertise for the skills that the GB has identified that it needs via its current skills audit. This expertise would enable the GB to work more effectively. The identified skills should be clearly stated when advertising the vacancy.*
4. *Priority should be given to candidates who can demonstrate and/or evidence that they have the skills that the GB has identified that it needs; the GB could agree that this is by interview or presentation to the GB or alternatives as appropriate (see 5 below)*
5. *Where there are more candidates than vacancies, the candidates could be asked to prepare a brief statement of no more than (suggested) 250 words, explaining why they wish to be appointed and their suitability for the role.*
6. *Candidate statements should be circulated to all members of the GB prior to the full GB meeting at which any appointment will be considered.*
7. *At the subsequent full meeting of the GB, governors are to be invited to vote as agreed by the GB (by either a show of hands or by secret ballot); the process is to be managed by the governance professional.*
8. *In the event of a tie, the governors may agree to discuss the nominations in more depth and take a further vote; however as explained in 2013 Roles, Procedures and Allowances Regulations (14.4) where there is an equal division of votes, the chair, or the person who is acting as chair for the*

*purposes of the meeting (provided that such person is a governor), will have a second or casting vote.*

- *The governance professional should announce the result, with the candidate polling the most votes being duly appointed.*
- *The minutes should clearly reflect the process of voting and the outcome.*
- *The governance professional should be tasked with advising the successful candidate/s and unsuccessful candidate/s,*
- *The governance professional should be tasked with commencing the legally required documentation (DBS, declarations of interest etc.)*

*The GB should arrange to commence the governing body's own induction process including ensuring the DBS and section 128 processes are completed.*

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

## Hartlip Endowed Church England Primary School

### Standing Order for the Appointment of an Associate Member

#### Guiding Principles

Boards can benefit from being able to draw on specific skills or experience from outside their formal board membership.

The definition of associate member (note not associate governor) is wide and can include pupils, school staff and persons who want to contribute specifically on issues related to their area of expertise, for instance finance.

The membership of any committee may include associate members, provided that a majority of members of the committee are governors. Any committee quorum can only be made from governors who are appointed to the committee.

#### Associate Members

- Are appointed by the board to serve on one or more named committees for a period between one and four years and can be reappointed at the end of their term of office
- Can be removed from office by the board at any time
- *Are not governors* and are not recorded on the Instrument of Government, though must receive a copy
- *Are not governors* and *are not appointed to the board* and therefore not able to vote at board level, though are entitled to attend the board meeting
- (Every question to be decided at a meeting of the board is to be determined by a majority of the votes of *the governors* present and voting on the question – 2013 Roles Procedures and Allowances)
- May be given voting rights on committees by the full governing body
- Cannot be given voting rights on committees if they have not reached the age of 18 at the time of their appointment
- Whilst can be appointed as chair of a committee, if there was ever a tied vote, they would *not* have the casting vote, unlike a committee chair who is a governor.
- May be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff
- Must have their details and register of business interests and their voting rights published on the school website

Factors the board should consider in agreeing their appointment process:

- What the purpose of the appointment will be e.g. addition of skills, holding until a governor position becomes vacant and allows the board to see if they have the necessary skills
- What information the board needs to support a proposed appointment e.g. a statement 250 words, interview with the chair/vice chair, presentation to the board, alternatives as appropriate
- Whether when considering the appointment, voting will be by secret ballot or show of hands
- What the term of office for the membership shall be (one to four years)
- What committee(s) the associate member would be appointed to and if voting rights will be given for the associate member
- Whether the associate member may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff (a person in attendance at meetings can be asked to leave for confidential items)



- Whether the associate member would be included in distributions of all documents and meeting papers for items they were not entitled to be present (whether for instance confidential minutes would not be available)
- The expectation of the associate member to sign the board's code of conduct, governor legal declaration. Governors who have been disqualified do not qualify to be associate members
- The expectation of the associate member to obtain a DBS check (recommended), in line with all members of the board
- Staff members who are appointed as associate members do not count towards the statutory limit on the number of staff members on a board. However, you should avoid having too many staff members as associate members because it can affect the balance of the board and could make it difficult for your board to challenge the school effectively

**Standing Order Example**

*To be completed and agreed for each individual associate member*

*The board resolves that the following will apply to the appointment of associate members of the board:*

*Name of associate member (insert name here)*

*The board agree to the associate member named above is:*

- *To be appointed for a period of (insert agreed term between one - four years)*
- *To be a member of the (name of committee/s) committee*
- *To have full voting rights on (name of committee/s) committee*
- *To have regard to the board's agreed terms of reference, code of conduct and other standing orders of the board*
- *To undertake appropriate governor training and development (as agreed in the board's code of conduct)*
- *To complete the legal governor declaration, declaration of business interest forms*
- *To obtain a DBS check, in line with all members of the board (best practice)*

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022

For maintained schools - [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#) – item 14 Proceedings of the governing body

**The process must be agreed by the board prior to use**

**Factors the board should consider in agreeing their process:**

- It is for the full governing body (GB) to decide and agree locally the best format for different types of meetings and interactions in order to meet the needs of the board, individual governors, availability of technology and the circumstance (e.g., monitoring visits, full GB or committee meetings), in order to maintain effective governance.
- Hybrid meetings (where attendance is split between those present in the room and those attending virtually) can offer flexibility and can maximise attendance by providing governors, who may have otherwise missed the meeting, the opportunity to attend virtually. How would this work in practice, for attendees, the governance professional and the school? You may find it helpful to talk your circumstances through with your area governance officer.
- The GB would need to ensure that meetings meet the requirements of GDPR (General Data Protection Regulations), and ensure that the DPO (Data Protection Officer) confirms that the systems to be used are in line with the school's agreements and policies.
- Be sure to include your governance professional in any discussions; there may be challenges for them personally as there may be for governors; the governance professional may also be expected to have to access to and run any system/s or format/s that the GB agrees; Service Level Agreements/contracts will also need to be taken into account when agreeing how meetings will be set up and by whom (e.g., The Education People Clerking Service).
- The expectations for using the GB's agreement for virtual working should be understood by all; this will ensure meetings run smoothly and are productive. In the agreement, the GB should provide clarity on the following:
  - joining times
  - notification of how a governor is to attend a meeting, and to whom e.g., where expectation is face to face and this changes to virtual, or vice versa; if a notice period required; the governance professional will need clarity to ensure that the board meets and acts within legal requirements (quoracy) – including and especially if systems fail and attendees 'drop out' of a meeting
  - the need to obtain consent from all attendees (including visitors) if the session is to be recorded
  - how the integrity of confidentiality is upheld
  - How virtual voting will be managed, especially by secret ballot
  - the need to keep to the agenda (a timed agenda may prove helpful)
  - the use of the mute facility to minimise interruptions and background noise
  - the allowance of additional time for participants to access documents
  - the need for all to use webcams (where possible) to aid engagement
  - If the chat and/or hands up function/s will be used
  - The need to apologise prior leaving to the meeting, abandoning/moving away from the screen/webcam, using a mobile phone during the meeting (unless being used for attending the meeting i.e. calls and messaging)

**Example**

1. *The full governing board agree to the use of virtual governance for the following meetings/interactions (list here as required - full GB, committees, hybrid, monitoring etc.)*
2. *Notice will be provided to the governance professional by (as required email/phone) if mode of attendance is to change (hybrid meetings, to ensure quoracy)*
3. *All participants will join the meeting 5 minutes prior to the start time, making sure that they have all meeting documentation open/to hand*
4. *Consent will be sought from all attendees (including visitors) if a session is to be recorded*
5. *The mute facility will be used by all virtual attendees who are not speaking in order to minimise interruptions and background noise*
6. *Webcams will be used by all attendees (where possible); an explanation and/or agreement where webcam use is not possible*
7. *The chat facility (will or will not) be used*
8. *The hands-up function will be used to indicate when we wish to speak; the chair will check at the end of each item prior to moving to a new agenda item, to ensure that all attendees have been given the opportunity to take part in discussions*
9. *Apologies will be provided prior leaving to the meeting, abandoning/moving away from the screen/webcam, using a mobile phone (unless being used for attending the meeting i.e., calls and messaging)*
10. *We confirm that our governance professional has been included in discussions prior to the agreement of this document and at the time of agreement, they are able to provide a service that meets the needs of the GB.*
11. *We confirm that we have taken into account any limitations there may be regarding Governance Professional Service Level Agreements/contracts*
12. *We confirm that the DPO (Data Protection Officer) has been advise of and agrees that, the systems to be used are in line with the school's agreements and policies.*

**Agreed by the board:** 23/09/2021

**Review date:** 23/09/2022