



# **Blackmoor Park Infant School and Kindergarten**

## **Circle Model**

### **Terms of Reference and Standing Orders**

**2020 – 2021**

**(Circle Model – Whole Governing Board)**

**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 and all other relevant legislation. These Terms and Standing Orders will be reviewed at least annually.**

**These documents were agreed by the Governing Board at their meeting held on**

**Date            September 2020**

**Review Date   September 2021**

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### Circle Model – Whole Governing Board Approach

#### Outline

The Governing Board works collectively as a 'whole team', meeting 8 times per year, once in each term, without any separate committees. An annual planner and agenda for each meeting will include all the tasks which the Governing Board is required to consider, and the Governing board may 'commission' assignments or activities arising from the business of the meeting, which will be recorded in the minutes. Any 'commissioned' working groups will have Governing board drafted agreed terms of reference.

In addition to 'commissioning' activities or actions on their behalf, the Governing board, to ensure its core functions are fulfilled, will delegate monitoring responsibilities to 'monitoring pairs' or 'individuals'. These include the statutory required individual roles and those focused on the priorities of the School Plan. The Governing Board recognises the delegated monitoring individuals/pairs are replacing committees in terms of challenge, responsibility and accountability when undertaking their monitoring and reporting back to the Board.

In each case where a function has been delegated there is a statutory duty to report any findings, action or recommended decision to the Governing board at the next meeting.

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## Blackmoor Park Infant School and Kindergarten

### Terms of Reference for the Governing 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 Governing Board has resolved to conduct **all** its business as a Governing Board, and to work collectively without committees.

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 school and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the school and making sure its money is well spent.

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

**Items in bold may be delegated and reported back to the Board.**

#### **GB Operational Business**

- 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.
- Elect (or remove) the Chair and Vice Chair.
- To appoint (or dismiss) the Clerk to the Governing Board.
- To hold at least 6 Governing Board meetings each year.
- To appoint Co-opted governors and any Associate members.
- To appoint the LA nominated governor (in maintained schools)
- To suspend or remove/recommend removal of a governor. LA governors can only be removed by their appointing body.
- To decide which functions of the Governing Board will be delegated to individuals or monitoring pairs in replacement of a committee and to appoint into the roles.
- To appoint the statutory individual required roles of Safeguarding, SEND, Health & Safety, Finance based on skill set and expertise.
- To receive reports from any pair or individual to whom a delegation has been made and to consider whether any further action or decision by the Governing Board is necessary.
- To review the delegation arrangements annually.
- Appoint selection panel for Headteacher/ Executive Leader/ Deputy Headteacher
- To ratify or reject 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 a register of Governors' Business Interests.**
- **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 and amended as necessary and accurate with the details published on the school website.**
- To approve and set up a Governors' Allowances Scheme.
- To regulate the Governing Board 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 assign individuals or pairs of governors to monitor the priorities of the School Improvement Plan, in replacement of committees, in accordance with the attached terms of reference.

	<ul style="list-style-type: none"> <li>• <b>To arrange a suitable induction process for approval and mentoring for newly appointed or elected governors.</b></li> <li>• 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.</li> <li>• <b>To regularly audit and evaluate the impact of governance to inform the structure of the Governing Board</b></li> <li>• To ensure the Headteacher provides such reports as requested by the Governing Board to enable it to undertake its role.</li> </ul>
<p><b>General</b></p>	<ul style="list-style-type: none"> <li>• Regularly review the vision and values of the school and ensure that these are shared with all stakeholders.</li> <li>• To take an active role in School Self Evaluation identifying success and areas requiring improvement.</li> <li>• To annually approve the School Improvement Plan for priority accuracy; regularly holding the leaders to account against the milestones; monitoring against an agreed Governing Board monitoring schedule.</li> <li>• To determine whether to publish a home-school agreement (no longer a statutory requirement).</li> <li>• To review regularly how the school is regarded by pupils and parents.</li> <li>• <b>To ensure the school has in place all <i>statutory policies</i> and to keep these under regular review, consulting with representative stakeholders as appropriate.</b></li> <li>• To approve <b>statutory</b> policies, ensuring impact and compliance upon review.</li> <li>• To approve all school trips involving an overnight stay away from home.</li> <li>• To ensure the school has a Governing Board approved Complaints Procedure for Parents, published on the school website with parents knowing how to raise concerns and make a complaint.</li> <li>• To have regard to the professional advice given by the Clerk</li> <li>• To ensure that the Governing Board complies with all other legal duties placed upon them as shown and updated within the Governance Handbook.</li> </ul>
<p><b>Inclusion and Equality</b></p>	<ul style="list-style-type: none"> <li>• To establish and approve a special educational needs (SEN) policy.</li> <li>• To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014, modified 2017).</li> <li>• To comply with statutory duties from the SEND code of practice and the LA in respect of pupils with special needs by appointing a SEND governor.</li> <li>• 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.</li> <li>• To receive reports on bullying, homophobic and racial incidents.</li> </ul>
<p><b>Safeguarding</b></p>	<ul style="list-style-type: none"> <li>• To ensure statutory compliance with Keeping Children Safe in Education and its associated policies including adopting and reviewing annually the child protection/safeguarding policy and relevant procedures</li> <li>• To comply with statutory duties from KCSIE by appointing Safeguarding, SEND and Health &amp; Safety governors</li> <li>• 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</li> <li>• <b>To complete an annual Safeguarding Review ensuring any follow up actions are monitored and completed.</b></li> </ul>

<b>Curriculum</b>	<ul style="list-style-type: none"> <li>• Ensure NC is taught to all pupils</li> <li>• <b>To ensure the curriculum is broad and balanced</b></li> <li>• <b>To monitor the curriculum policy if there is one in place.</b></li> <li>• To establish a charging and remissions policy for activities.</li> <li>• To ensure the British Values are embedded within the curriculum, preparing pupils for life in modern Britain</li> </ul>
<b>Budget</b>	<ul style="list-style-type: none"> <li>• To approve the first formal budget plan each year.</li> <li>• To engage in strategic decision making.</li> <li>• To approve a 3-year budget which shows clear links to the School Improvement Plan.</li> <li>• <b>To analyse and recommend the annual budget.</b></li> <li>• To annually review and approve the Finance Policy and recommend levels of delegation.</li> <li>• <b>To undertake financial benchmarking.</b></li> <li>• To annually review and approve the Charging and Remissions policy.</li> <li>• To enter into contracts following agreed financial limits.</li> <li>• To make decisions in respect of service agreements following agreed delegation of financial limits and insurance.</li> <li>• To ensure the school complies to the SFVS guidelines.</li> <li>• <b>To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, and the pupil premium).</b></li> <li>• To appoint a finance governor or monitoring pair.</li> <li>• <b>To ensure financial succession planning within the board.</b></li> <li>• To review and take account of any consultations to change the LA Finance Scheme.</li> </ul>
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• To make Headteacher and Assistant Headteacher appointments (ratify or reject) following recommendations from the board approved selection panel.</li> <li>• To annually determine the staff complement.</li> <li>• To annually agree a pay policy and any pay discretions following the STPCD.</li> <li>• <b>To annually review the impact of and implementation of the Pay and Reward policy.</b></li> <li>• To establish and review procedures for addressing staff discipline, conduct and grievance.</li> <li>• To establish a governor panel to hear staff appeals against dismissal, redundancy or grievances.</li> <li>• To dismiss the Headteacher.</li> <li>• To end the suspension of staff or Headteacher.</li> <li>• To determine dismissal payments/early retirement.</li> </ul>
<b>Appraisal and Performance Management</b>	<ul style="list-style-type: none"> <li>• To establish and review and approve the Appraisal Policy.</li> <li>• To determine the timing of the Headteacher appraisal review cycle.</li> <li>• To appoint the Headteacher Performance management group following the best practice of 3 skilled or trained governors, to include the Chair of the Board. The Chair of the Governing Board must not be appointed to the Chair of the panel.</li> <li>• To appoint the pay panel of 3 skilled or trained governors.</li> <li>• To appoint the external advisor.</li> <li>• To take into account the Headteacher Standards for Excellence.</li> <li>• To agree total pay award following recommendation from Pay panel.</li> <li>• To agree any pay award for the Headteacher/ Executive Leader following recommendation from the Headteacher performance management panel</li> </ul>

<b>Discipline/ Exclusions</b>	<ul style="list-style-type: none"> <li>• To establish a statement of behaviour principles on which the school can produce a behavior policy.</li> <li>• 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. (<b>This may be delegated to the Chair/Vice Chair in cases of urgency</b> - see Exclusion from maintained schools, Academies and pupil referral units in England Guidance updated Sept 17 page 18 point 57).</li> <li>• To direct the reinstatement of excluded pupils.</li> </ul>
<b>Premises &amp; Insurance</b>	<ul style="list-style-type: none"> <li>• To develop and approve a school buildings strategy or master plan and contribute to LA Asset Management Planning arrangements.</li> <li>• <b>To procure and maintain buildings, including a properly funded maintenance plan.</b> <ul style="list-style-type: none"> <li>• <b>To seek advice from the LA, where appropriate to ensure adequate levels of buildings insurance and personal liability.</b></li> </ul> </li> <li>• <b>To receive annual site report.</b></li> </ul>
<b>Health &amp; Safety</b>	<ul style="list-style-type: none"> <li>• <b>To establish and approve a Health &amp; Safety policy</b></li> <li>• <b>To ensure that Health &amp; Safety regulations are followed and appropriately prioritised.</b></li> <li>• <b>To receive (3x per Year) the Health &amp; Safety Inspection Report and agree any actions.</b></li> <li>• To appoint a Health and Safety governor</li> </ul>
<b>Admissions</b>	<ul style="list-style-type: none"> <li>• To follow The School Admissions Code statutory guidance when carrying out duties relating to school admissions.</li> </ul>
<b>Collective Worship</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>
<b>School Organisation</b>	<ul style="list-style-type: none"> <li>• 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).</li> <li>• To publish proposals to change category of school.</li> <li>• To propose to alter or discontinue voluntary, foundation or special school status.</li> </ul>
<b>Collaborations</b>	<ul style="list-style-type: none"> <li>• To consider forming or joining a group of schools</li> </ul>
<b>Federations</b>	<ul style="list-style-type: none"> <li>• To consider forming a federation or joining an existing federation.</li> <li>• To consider requests from other schools to join a federation.</li> <li>• To leave a federation.</li> </ul>
<b>Academies</b>	<ul style="list-style-type: none"> <li>• To consider approach and time scale to academy conversion.</li> <li>• To consider forming or joining an existing Multi-academy-trust (MAT).</li> </ul>

**Extended Services**

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

## Terms of Reference for the Clerk to the Governing Board

### The Clerk is expected to work within the following terms of reference:

#### Guiding Principles

- The Clerk is accountable to the Governing Board.
- He/she is employed by the Governing Board and line managed by the Chair of Governors, whose responsibility it is to ensure induction training is undertaken and conduct an annual appraisal.
- The Clerk will be provided with a contract of employment based on the job description and Clerking Competency Framework.
- Governors, Associate Members and the Headteacher cannot be employed as Clerk to the Governing Board whilst holding office.

### The main responsibilities of the Clerk are:

- To work effectively with the Chair of governors, the other governors and the Headteacher/Executive Headteacher to support the Governing Board.
- To keep up to date and advise the Governing Board on constitutional and procedural matters, powers and duties as outlined within legislation, statutory guidance and the governance handbook.
- To support the Governing Board to develop a culture where challenge is welcomed.
- To convene meetings of the Governing Board ensuring they are quorate.
- To produce agendas for the meetings working with the Chair of governors
- To attend meetings of the Governing Board and ensure minutes are taken.
- To ensure the chair receives the draft minutes for approval within one school week
- To ensure the chair draft approved minutes are circulated within two school weeks to all governors
- To create an action list after each meeting and monitor progress to ensure that actions agreed are carried out before the next meeting.
- To maintain a register of Business Interests and ensure this is published on the website.
- To maintain the website published requirements for Governing Boards by ensuring the information is kept up to date
- To ensure the requirements for governors to publish information online is adhered to
- To collect the required details for the Governors National Database (GIAS) and ensure the relevant staff member for uploading to the database is informed of any changes
- To maintain a register of members of the Governing Board and report vacancies to the Governing Board.
- To keep GovernorHub database up to date with details of the members of the Governing Board.
- To maintain a register of attendance to be published on the school website and report non-attendance to the Governing Board.
- To give and receive notices in accordance with relevant regulations.
- To perform such other functions as may be determined by the Governing Board from time to time.
- To undertake appropriate professional development.
- If the Clerk is unable to attend the meeting, the governors present at the meeting may appoint a member of the Governing Board (but not the Headteacher) to act as Clerk for that meeting.



## Blackmoor Park Infant School and Kindergarten

### 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 is expected to work within the following terms of reference, and to provide the Governing Board with such reports in connection with his or her functions as the Governing Board requires**

<b>Budget</b>	<ul style="list-style-type: none"> <li>• To make miscellaneous financial decisions up to an agreed limit of £5,000 as set out in the school finance policy.</li> <li>• To enter into contracts up to the limit of £0.</li> <li>• To monitor monthly expenditure.</li> <li>• To make payments.</li> </ul>
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• To appoint teachers and non-teaching staff.</li> <li>• To establish disciplinary, capability and grievance procedures.</li> <li>• To suspend staff.</li> <li>• To initially dismiss staff.</li> <li>• To produce and maintain a central record of recruitment and vetting checks</li> </ul>
<b>Curriculum</b>	<ul style="list-style-type: none"> <li>• To ensure the National Curriculum is taught to all pupils and consider disapplication for pupils as appropriate.</li> <li>• To establish and implement a Curriculum policy.</li> <li>• To decide which subject options should be taught.</li> <li>• To be responsible for standards of teaching.</li> <li>• To be responsible for each individual child's education.</li> <li>• To agree the content of any Sex and Relationship Education and to keep up to date a written policy for its delivery.</li> <li>• To ensure the balanced treatment of political issues and to prohibit political indoctrination.</li> <li>• To promote British values.</li> </ul>
<b>Appraisal and Performance Management</b>	<ul style="list-style-type: none"> <li>• To formulate and implement an Appraisal policy.</li> <li>• To make pay decisions in line with the pay policy and legal requirements</li> <li>• To carry out appraisal of other teachers (or delegate to line managers in the school)</li> </ul>
<b>Standard Setting</b>	<ul style="list-style-type: none"> <li>• To set standards and predictions for pupil achievement and progress.</li> </ul>
<b>Religious Education</b>	<ul style="list-style-type: none"> <li>• To provide Religious Education in line with school's basic curriculum.</li> </ul>
<b>Collective worship</b>	<ul style="list-style-type: none"> <li>• For maintained schools – to ensure, after consultation with the Governing Board, that all pupils take part in a daily act of collective worship.</li> </ul>
<b>Health &amp; Safety</b>	<ul style="list-style-type: none"> <li>• To ensure that Health &amp; Safety regulations are followed.</li> </ul>
<b>Discipline/ Exclusions</b>	<ul style="list-style-type: none"> <li>• To draft the content of the school behaviour policy and publicise it to staff, students and parents.</li> </ul>

<b>Inclusion and Equality</b>	<ul style="list-style-type: none"> <li>• To designate a qualified teacher to be responsible for co-ordinating SEN provision (the SEN co-ordinator or SENCO)</li> <li>• To appoint a designated teacher for looked-after children</li> </ul>
<b>School Organisation</b>	<ul style="list-style-type: none"> <li>• To ensure that the school meets for 380 sessions in a school year.</li> <li>• Where determined by the Governing Board, to ensure that school lunch nutritional standards are met.</li> <li>• 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</li> <li>• To ensure the statutory required information is uploaded to the school website.</li> <li>• Maintain a register of pupil attendance.</li> <li>• To publish on the website the drafted structure and remit of the Governing Board, including governor appointment details, term of office and attendance record</li> <li>• To submit governor information to the DfE database of governors (GIAS)</li> </ul>
<b>Information for Parents</b>	<ul style="list-style-type: none"> <li>• To ensure that the school keeps parents and prospective parents up to date with school information.</li> <li>• To ensure that free school meals are provided to those pupils meeting the criteria.</li> <li>• To ensure that parents are aware of their rights to withdraw their child from collective worship, RE and Sex and Relationship education.</li> <li>• To ensure that a report on each child's educational achievement is forwarded to parents /guardians.</li> </ul>
<b>Extended Schools</b>	<ul style="list-style-type: none"> <li>• To put into place the additional services provided.</li> <li>• To ensure delivery of services provided.</li> </ul>

## Blackmoor Park Infant School and Kindergarten

### Terms of Reference for Individuals or Monitoring Pairs

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

To monitor an identified area on the School Improvement Plan or a statutory function of the Governing Board and report back to the Governing Board, ensuring all the challenge and support which would have taken place in a committee is captured and evidenced within the written report. It is expected that 3 monitoring visits will be made to the school during the year, unless school circumstances necessitate more. A visit does not necessarily have to take place during the time when students/pupils are in school and could be just as effective as a meeting between governor(s) and the lead professional at the end of the day as mutually agreed.

#### **Individual/ Monitoring Pair Responsibilities:**

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

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

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

- Safeguarding
- SEND
- Health & Safety
- Finance And to focus on the development needs of the Governing board
- Training and development

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

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

Monitoring visit policy

**Purpose**

All school visits will:

- Have a clear focus, linked to strategic priorities, provided by the Head Teacher, which is agreed by the full governing board
- Be arranged with adequate notice through the headteacher and agreed with the relevant members of staff
- Be of value to the governing board which is demonstrable to outside agencies e.g. Ofsted or the LA

It is not the role of those governing to form judgements about the performance of school staff during visits and individuals will make every effort to avoid this impression.

**Conduct**

Those governing will comply with the school and governing board’s codes of conduct and the standards of presentation expected of staff. They will be mindful that they are representing the whole governing board through their words and actions.

**Follow Up**

Those governing will have the opportunity to discuss the visit, including any concerns, with the headteacher immediately or soon after the visit.

The attached ‘Governor Visit Report’ will be completed after each visit. A draft will be shared with the headteacher and any other members of staff involved in the visit and, when agreed, a final version will be included in the papers for discussion in the next governing board meeting (this may be the full governing board or a committee, as appropriate).

**Confidentiality**

Confidentiality should be adhered to regarding visits. Comments should be limited to the headteacher or senior or middle leader with who the visit was arranged but not with other staff or with parents. Individual children or staff members (other than the member of staff involved with the visit) should not be identified in school visit reports.

**Frequency**

Governors, trustees and local governing committee members will undertake a minimum of one visit to the school per academic year but no more than once a term.

**Review**

This protocol should be reviewed by the governing board every academic year.

## Blackmoor Park Infant School and Kindergarten

### Terms of Reference for the Monitoring of the School Budget

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

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

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

*Any additional items which individual Governing bodies may wish to include*

## Blackmoor Park Infant School and Kindergarten

### Terms of Reference for Panel Hearings

- To make any decisions under the Governing Board's personnel procedures e.g. disciplinary, grievance, capability, where the Headteacher is the subject of the action.
- To make any decisions under the Governing Board's personnel procedures e.g. disciplinary, grievance, capability, unless delegated to the Headteacher.
- To make any determination or decision under the Governing Board's Complaints Procedure for Parents.
- To consider any appeals against a decision to dismiss a member of staff or to a decision short of dismissal e.g. disciplinary, grievance or capability.
- To make any determinations on behalf of the Governing Board in relation to staff redundancy and redundancy appeals.
- To consider any representations by parents in the case of an exclusion (parents/guardians do not have to be invited).
- 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 (parents/guardians must be invited).
- All panels are to be convened by the Clerk to the Governing Board.
- All panels will follow the relevant Governing Board approved policy, procedure and guidance.

**NB Any governor who has participated on a panel for a staffing decision, cannot sit on the appeal panel**

#### **Membership [not less than 3]**

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

1. Suitably qualified to undertake the role, and
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.*

## Blackmoor Park Infant School and Kindergarten

### Terms of Reference for the Headteacher Appraisal Group

- To meet annually before the 31st December with the Governing Board appointed external adviser and Headteacher.
- To review, with the support of the independent advisor, the performance of the headteacher against the agreed appraisal objectives and determine the recommendation on pay progression.
- To consult with an independent external advisor to determine the headteacher appraisal objectives for the coming year ensuring they are SMART.
- Inform the Headteacher of the standards against which their performance will be assessed.
- To prepare and agree the Headteacher appraisal review statement, and report to the Governing Board.
- To monitor through the year, including a mid-year review meeting, the performance of the Headteacher against the agreed objectives and to ensure that appropriate support and development opportunities are provided.
- To make recommendations to the Governing Board in respect of pay progression.

**Membership : Recommended best practice is for 3 governors, including the Chair of the Governing Board, though not the Vice Chair as well. The Chair of the panel to not be the Chair of the Governing Board.**

*Neither the Headteacher nor staff governors may serve on this group.*

**Blackmoor Park Infant School and Kindergarten**

**Terms of Reference for the Pay Panel**

The Governing Board will delegate all pay decisions with the exception of decisions relating to the pay of the Leadership team to the Headteacher. All decisions relating to the pay for members of the Leadership team, including the Headteacher will be taken by a Committee of the Governing 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 consider fully all recommendations for pay progression and any other relevant information made available.
- To ensure all members of staff are informed individually of the outcome of the annual pay review in writing within ten working days of the decision being made.
- To observe all statutory and contractual obligations.
- To recommend to the Governing 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.
- To maintain an accurate written record of all meetings and, having due regard to confidentiality, to report its decisions to the Governing Board.
- To recommend to the Governing Board the annual budget for pay and to ensure that sources of external funding for pay are accessed to maximum effect.
- All decisions made by the Pay Committee will take due account of the appraisal statement and all relevant information available from an appraisal or other review of an employee's skills, abilities, performance and any other factors deemed to be relevant. This will include any recommendation made by an employee's appraiser.
- All decisions regarding pay progression for teachers, including the Leadership Group should be made without undue delay. These should be completed prior to or on 31st October for teaching staff.

**Membership [3 governors]**

Membership of the Pay Panel 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 Aided/Controlled Schools at least one member must be a foundation governor. In Aided Schools, at least 2 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.*

Chair of Pay Committee [Governor name]

[Governor name]

[Governor name]

**Agreed by the Governing Board on**

**Review Date**




## Blackmoor Park Infant School and Kindergarten

### Standing Order for Meetings of the Governing 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.
- Bring a copy of the School Improvement Plan and be familiar with its milestones and priorities.
- Limit discussion to policies and actions and not people, ensuring challenge, support and celebration is captured within the minutes.
- Participate in discussion and listen to the views and comments of others.
- Work collectively as a team acting with integrity, objectivity and honesty and in the best interests of the school.
- Ensure all Governing Board decisions are strategic and not operational.
- Be brief and adhere to any time limits placed against agenda items.
- Follow up on action points between meetings.

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

- Headteacher
- Clerk
- any governor
- associate members (unless the Governing Board requires them to leave for items relating to individual members of staff or pupils).

The following persons will be invited to attend regular meetings of the Governing Board Assistant Headteachers, members of the senior leadership team, subject leaders, School Business Manager.

Full Governing Board meetings will be held at the school **8 times each year**, in terms [1, 2, 3, 4, 5 and 6]. The clerk will prepare a suggested calendar of meeting dates for the following year for approval at the meeting held in term 6 of each year, following evaluation of impact of the structure.

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

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

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

The Governing Board may agree to operate virtual governance at some or all of their meetings. Virtual governance can only take place by means of telephony or video conferencing. Decisions can only be made following governor attendance and discussion at a quorate meeting. The following needs to be considered, approved, evidenced in the minutes and followed in practice:

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

All meetings will be convened by the Clerk. Any 3 members of the Governing Board may request a meeting by giving written notice to the Clerk, which includes a summary of the business to be transacted. The Clerk will then prepare an agenda to call a meeting.

Each meeting will commence at 4.30pm and will be limited to **2 hours** in duration. Where business has not been completed within the agreed time, those governors present may resolve

to continue the meeting in order to complete the agenda. Any business not completed will form part of the agenda for the next meeting.

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

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

**Guiding Principles**

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

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

- How long the Chair and Vice Chair will serve (You may wish to consider different terms of office.)
- 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 (You may like to consider succession planning, individual Governor and Governing 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 Governing Board would treat a tie in votes (would candidates have the opportunity to speak to the Governing Board about why they want to be the Chair or Vice Chair followed by another vote, would it be by another method?)

**The role of the Chair of the Governing Board**

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

### **GOOD PRACTICE EXAMPLE**

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

### **Either**

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

### **or**

- b) Governors will be asked to propose nominations to the Clerk by a closing date no later than two weeks before the date of the first Governing Board meeting of the academic year. The Clerk will provide a form for this purpose, which will allow for nominations to be seconded before submission (if required).

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

If no Chair is duly elected, a Governor **MUST** be appointed to Chair for the remainder of the meeting. The Board **MUST** then elect a Chair at its next meeting. If no Chair is duly elected at its next meeting, concerns will be raised on the capacity of Leadership and Governance.

Following the election of the Chair, the new Chair will conduct the election of a Vice Chair using the same procedure.

**Standing Order for the Appointment of Co-opted Governors**

**Guiding Principles**

The Governing Board may decide the process for the appointment of Co-opted governors.

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

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

**EXAMPLE:**

1. The Co-opted Governors are appointed by the Governing Board. They are people who in the opinion of the governing Board have the skills required to contribute to the effective Governance and success of the school.
2. The Governing Board may choose to advertise the vacancy broadly to reach as wide an area as possible. Priority should be given to candidates with the skills that the Board has identified via its current skills audit, this expertise would enable the Governing Board to work more effectively.
3. The identified skills should be clearly stated when notifying/advertising the vacancy.
4. Where two or more names are put forward, prospective Co-opted Governors could be asked to prepare a brief statement of no more than 250 words, explaining their background and why they wish to be appointed.
5. Candidate statements should be circulated to all members of the Governing Board prior to the meeting at which any appointment will be considered.
6. At the next meeting of the Governing Board, Governors would be invited to vote as agreed by the Board by either a show of hands or by secret ballot; the process is to be managed by the Clerk
7. 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 & 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.
8. The Clerk should announce the result, with the candidate polling the most votes being duly appointed subject to a satisfactory DBS being received. The minutes should clearly reflect the process of voting and the outcome.

Standing Order for the appointment of an Associate Member

**Guiding Principles:**

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

The definition of Associate Member is wide and can include pupils, school staff and persons who want to contribute specifically on issues related to their 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.

**Associate Members:**

- Are appointed 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 Governing Board at any time
- Are not Governors and are not recorded on the Instrument of Government
- Are not Governors and therefore are not able to vote at Governing Body level  
*(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 on the question)*
- Can be given limited voting rights on committees by the Full Governing Board
- Cannot be given voting rights if they have not reached the age of 18 at the time of their appointment
- may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff

**Factors the Governing 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
- What information the Governing Board needs to support a proposed appointment e.g. a statement 250 words, interview with the Chair/Vice Chair, presentation to the Governing 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 (1 to 4 years)
- What committee the Associate Member would be appointed to and what, if any, voting rights the Associate Member will be given
- Whether the Associate Member will be allowed to attend Full Governing Board meetings (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 (or whether for instance confidential minutes would not be available)
- The expectation of the Associate Member to sign the Governing Board's Code of Conduct, Governor legal Declaration and Declaration of Business Interest forms
- The expectation of the Associate Member to obtain a DBS check, in line with all members of the Governing Board

## **STANDING ORDER EXAMPLE**

### **(to be completed and agreed for each individual Associate Member**

The Governing Board resolves that the following will apply to the appointment of Associate Members of the Governing Board:

Name of Associate Member Brie Higham

The Governing Board agree to the Associate Member named above is :-

- To be appointed for a period of 4 years
- To attend meetings of the Full Governing Board
- To have full voting rights on TBA
- To have regard to the Board's agreed Terms of Reference, Code of Conduct and other Standing Orders of the Governing 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 Governing Board

### **Blackmoor Park Infant School and Kindergarten**

#### **2020-2021 Code of Conduct for School Governing Boards**

See separate document.