

**Guidance on Committees, Working Parties  
and the Roles of Nominated Governors**



## **Guidelines on Committees, Working Parties and the Roles of Nominated Governors**

**(Revised Summer 2010)**

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## **Introduction**

It gives me great pleasure to write the introduction to this new edition of "Guidance on Committees, Working Parties and the Roles of Nominated Governors".

In making the revisions colleagues have taken into account changes to legislation and also developing good practice both from Lancashire governing bodies and from elsewhere.

One particularly important addition is the inclusion of Chapter 6, on the annual governing body and committee agenda cycle for monitoring and evaluation, which includes questions governors might ask. This chapter has been taken from another Lancashire County Council publication, "Monitoring, Evaluation and Accountability: a practical guide for governing bodies and headteachers", but we thought it important to include it here to make this a more complete document.

Over recent years, the emphasis placed on an effective governing body has increased, as has the need for the support and guidance of a trained clerk. This document provides invaluable support for both governing body and clerk on the work of committees, covering the statutory requirements, good practice and areas of business that can be delegated to committees.

I hope you find it useful.

Bob Stott  
Director for Universal and Prevention Services



## Chapter 1: Why have Committees?

Governing bodies have the power to delegate most of their decision making to committees.

For some years it has not been possible for governing bodies to undertake their various roles, responsibilities and duties through the legally required three full governing body meetings per year. Most governing bodies have developed an effective committee structure to help them cope with the workload. Committees are essential for the effective operation and management of the school and to take responsibility for matters such as finance, curriculum, staffing, premises, health and safety and extended services, amongst others. These are usually referred to as 'working committees'. All schools and governing bodies are different and, therefore, the committee structures vary from school to school. It is for the governing body to decide which structure best suits its needs.

Effective committees with clearly defined delegated powers can help to focus the main governing body meetings and keep such meetings to a manageable length.

In detail, the benefits of an effective committee structure are that it:

- assists in effective decision making by providing opportunities for individual governors to develop skills and knowledge in specific areas;
- enables the governing body to deploy/exploit governors' skills;
- provides for more informed discussion and decision making;
- assists in the development, monitoring, evaluation and review of policies;
- provides an opportunity for an equitable share of the workload between governors;
- creates a greater sense of ownership through the apportionment of clearly defined responsibility;
- allows, with the agreement of the whole governing body, for the involvement of non-governors and associate members;
- provides a mechanism for relevant matters to be dealt with between full governing body meetings.

There are other ad hoc committees which are essential to the effective discharge of the governing body's legal responsibilities for:

- staffing appointments, grievance, conduct and discipline, capability, suspension or dismissal of individual school staff members;
- staff grievance;
- admissions (where applicable);
- pupil discipline (exclusions);
- complaints.

Some committee procedures are controlled by The School Governance (Procedures) (England) Regulations 2003 and subsequent amendments. These provide the legal requirements. They build on or extend the previous regulations. The legal requirements are explained in Chapters 2 and 3.

The relative responsibilities of headteachers and governing bodies are set out in The Education (School Government) (Terms of Reference) (England) Regulations 2000. These also apply to committees.

### **Nominated Governors**

In recent years there has been a move to identify individual governors for particular roles and responsibilities. These roles, like those of the committees, should be clearly defined and understood by all members of the governing body. Guidance on the roles of nominated governors is included in Chapter 7.

### **Working Parties**

Sometimes the governing body may wish to look at a particular issue in depth, but it may be more time efficient/effective to establish a working party to consider the issue and make recommendations to the governing body or committee. Most working parties are established for a single purpose and disbanded when the task is completed. Alternatively such tasks can be given to an existing committee.

Committees, working parties or nominated governors are bound by the operational rules of the governing body, including the governing body's code of conduct, if it has adopted one<sup>a</sup> and the legal framework within which the governing body operates.

**The corporateness of the governing body remains paramount.**

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<sup>a</sup> The LA's model Code of Conduct for Governing Bodies is included at Appendix 1.

## Chapter 2: Establishing Committees

### Ground Rules and Procedures

The School Governance (Procedures) (England) Regulations 2003 and subsequent amendments provide the legal framework in which committees must operate. Although bound by other relevant sections of the Regulations, Part 4 particularly applies to committees. This chapter outlines those requirements.

#### 1. Establishing Committees

**Committees can only be established, and their terms of reference and membership agreed, by a formal resolution of the full governing body. It is, therefore, recommended that all committees including those such as complaints, staff grievance and pupil discipline, which rarely meet, are established and membership reviewed by the governing body as part of the required annual review process.**

Where a governing body decides to delegate functions to a committee, the following rules apply:

- (a) Terms of reference and membership must be established by the whole governing body and recorded in the minutes of the governing body meeting. These decisions must be reviewed annually.
- (b) The governing body must decide whether the chair of a committee is appointed by the governing body or the decision delegated to the committee. These decisions must be reviewed annually. (There is a strong argument in favour of the chairs of committees being elected by the whole governing body to emphasise ownership of the committee.)
- (c) The governing body must appoint a clerk to each committee. The headteacher cannot be the clerk to any committee.
- (d) Associate members may be appointed to committees. The governing body is responsible for making such appointments and deciding whether or not the associate member will have voting rights (see page 7).
- (e) The quorum for any meeting of a committee is to be decided by that committee, but must be a minimum of three governors appointed as members of the committee, including the headteacher if he/she is a governor. (Associate members do not count towards the quorum.)
- (f) Special rules apply to:
  - (i) a committee dealing with a **staff dismissal**. All governing bodies must establish at least one dismissal committee. In Lancashire, it is recommended that all committees with the power to either dismiss or recommend dismissal, have dismissal in their title, eg

- staff discipline and dismissal;
- staffing review and dismissal (redundancy);
- staff attendance and dismissal.

For each of the committees listed above there must be an appeals committee. **Appeals committees** must have a membership that is at least equal in number to the initial committee. The Director for Children's Services (DCS)<sup>a</sup> also has the right to attend in community and voluntary controlled schools. Voluntary aided school governing bodies may afford advisory rights to the Director for Children's Services and the Diocesan/Church Authority. Foundation school governing bodies may also afford advisory rights to the local authority.

- (ii) the **Pupil Discipline Committee**, where dealing with exclusions decisions, **must** have a minimum of three members, none of whom shall be the headteacher.
  - (iii) the **Admissions Committee** (voluntary aided, foundation schools and for the nursery class admissions to community and voluntary controlled schools with nursery classes). The headteacher **must** be a member of this committee.
- (g) The headteacher is entitled to attend any meeting of any committee except in circumstances where the Regulations require his/her withdrawal. (Regulation 14 and the Schedule)
- (h) Except for the committees listed in (f) above, committees may include non-governors/associate members. The governing body must decide whether associate members are to be entitled to vote on any matters to be considered by the committee. Governing bodies need to be clear about the reasons for giving a vote to associate members.
- A committee cannot vote on any matter unless the governors on that committee, and present at the meeting, are in the majority. It is, therefore, advisable that governors form the majority of any committee.
- (i) It is good practice that the chair of a committee is a governor.
  - (j) Separate guidance is available for the constitution and operation of a selection panel for headteacher and deputy headteacher appointments.
  - (k) Separate regulations, The School Governance (Collaboration) (England) Regulations 2003, allow for a collaborative committee to be established with membership from one or more governing bodies. (see also the Lancashire Collaboration Guidance for Governors and Headteachers).

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<sup>a</sup> In Lancashire the Executive Director for Children and Young People is the statutory DCS.

Governors should be reminded of the need to declare an interest in any matter discussed prior to the meeting.

## **2. Procedures**

In general, procedures which apply to full meetings of the governing body also apply to the meetings of its committees. In particular, all committees must have a named clerk who is responsible for convening and minuting the meeting. The clerk to a committee can be a different person from the clerk to the governing body, but it cannot be the headteacher although it could be a governor. However, good practice suggests it is someone other than a governor. As committees are accountable to the governing body, the records of their meetings must be presented, in accordance with the law, to the next governing body meeting.

- A chair shall be appointed annually to each committee by the governing body or elected by the committee, as determined by the governing body.
- The disqualification provisions applicable to the governing body apply equally to committee members, including non-governors/associate members, except that the six months attendance rule applies only to meetings of the full governing body.
- Similarly, the same criteria for withdrawal from meetings apply to all members. (Regulation 14 and the Schedule)
- There must be an agenda with all related papers, sent out by the committee clerk with seven clear days' notice given of the meeting, emergencies excepted.
- Formal minutes must be kept, and the names of those attending, recorded. If the clerk fails to attend a meeting, minutes may be taken by a member of the committee who is not the headteacher.
- The procedures for confidential matters are the same as those for the full governing body meeting.
- The chair has a second or casting vote, providing that they are a governor.

## **3. Checklist of matters to be decided**

Issues for the governing body to decide:

### **(a) General**

Does the governing body wish to:

- (i) deal with most governance matters itself, only delegating those matters that must be delegated to a committee?
- (ii) establish committees with delegated powers?
- (iii) establish working parties without delegated powers?
- (iv) delegate responsibilities to individual governors?
- (v) appoint individual members to undertake particular tasks, but without delegated powers?

**(b) Membership of committees**

- (i) What is to be the size of the committee and its quorum (the quorum must be a minimum of three governors)?
- (ii) Which governors are to be members? (Some Diocesan/Church Authorities would recommend that the relative balance between foundation and other governors of the full governing body of voluntary aided schools is maintained in committees. Specific rules apply to the committee of appointed governors).
- (iii) Are the chair and vice-chair to be elected by the governing body or elected by the committee? (There is a strong argument in favour of them being elected by the whole governing body to emphasise its ownership of the committees).
- (iv) Do any of the committees want associate members and should they have voting rights? (see Section 4 Page 7)
- (v) Can other people be invited to attend committee meetings on specific items?
- (vi) In considering (iv) and (v) governing bodies need to ensure that members of the governing body are in the majority on each committee.

**(c) Business**

- (i) What are the committee's areas of responsibility and terms of reference?
- (ii) Is the committee to deal with all matters relating to that area of responsibility or only with such matters as the governing body refers to it?
- (iii) Who is to act as clerk, ie call, minute the meeting and provide advice and guidance to the committee?

- (iv) Is the committee to relate to other relevant committees? If so, in what ways?
- (v) What instructions are to be given to the committee regarding the distribution of minutes/reports to the governing body?

(d) **Terms of Reference**

These are for the governing body to determine. As with committee membership, they must be reviewed annually. Chapter 6 contains suggestions for terms of reference.

**NB** It is just as important to provide written terms of reference for **individuals or working parties who are given delegated powers to make decisions**. These should be recorded in the minutes of a meeting. For example, if the headteacher is given delegated powers to spend, the amounts must be included within the governing body's internal financial regulations, which must be formally adopted and reviewed by the governing body annually.

Any **devolved task should be clearly recorded in the minutes of the respective meeting, and should be subject to clear minuted instructions.**

**4. Associate Members**

- (a) The governing body can decide to appoint associate members to any committee. Where it is agreed to appoint an associate member the governing body decides whether or not to give them voting rights on that committee.
- (b) However, associate members **cannot** vote on any resolution concerning;
  - admissions
  - pupil discipline
  - election or appointment of governors
  - budget or financial commitments of the governing body.

Associate members may be excluded from any meeting or part of a meeting when matters concerning an individual member of staff or pupil are being considered.

- (c) There is no lower or upper age limit on associate members but they can only be given voting rights if they are over 18 when **first** appointed.
- (d) **Observers** (or professional advisers) to committees do not need to be made associate members.
- (e) Associate members can be removed from office at any time.

- (f) For a committee to take decisions, the majority of those present at the meeting and voting must be governors. It is, therefore, recommended that a ratio of at least two governors to one associate member is maintained.
- (g) It is not recommended that an associate member is the chair of a committee as regulations do not allow an associate member to have a second or casting vote.
- (h) Anyone who is disqualified from holding office as a governor is likewise disqualified from holding or continuing to hold office as an associate member.

## Chapter 3: Conduct of Meetings

### The School Governance (Procedures) (England) Regulations 2003

Committees are formally constituted and their business must be recorded in the form of minutes. The relevant sections of the Regulations about the procedures and conduct of meetings of the governing body apply equally to its committees.

#### 1. General Considerations

A governing body must ensure that:

- (a) the chairs and vice-chairs of committees are elected annually. The governing body decides whether it is a committee that will elect the chair and vice-chair.
- (b) a clerk to the committee is appointed by the governing body. (This need not be the clerk to the governing body.) It cannot be the headteacher.
- (c) the committee's terms of reference provide the operating framework for the committee. These should be noted at its first meeting and following any review by the governing body.
- (d) the working committee's activities must be reported to the governing body through the circulation of its minutes.

The minutes should record those present and clearly indicate which matters have been decided under delegated powers and which are the subject of recommendations to the governing body. Any recommendations made should include sufficient detail and be provided in sufficient time to allow the governing body to make a decision.

- (e) the same rules on a governor's declaration of interests and withdrawal from a meeting apply to committees as well as meetings of the governing body (see the Schedule from The School Governance (Procedures) (England) Regulations 2003).

#### 2. Confidentiality

Governors should be reminded that the Code of Practice adopted by the governing body applies equally to the work of committees.

- (a) Committee meeting minutes (except for those dealing with confidential items) are in the public domain when confirmed by the committee. The governing body, and, if so delegated, the committees, determine who, other than members of the committee, will be invited to attend a meeting.
- (b) The majority of a governing body's business is not confidential. However,

- (c) there are occasions when it becomes necessary to adopt the Confidential/Part B procedure in order to consider confidential matters.<sup>a</sup>
- (d) A Confidential/Part B procedure applies when considering matters that are listed in regulation 24(a) of The School Governance (Procedures) (England) 2003 Regulations.

These are any matters relating to:

- a named teacher or other person employed at, or proposed to be employed at, the school;
- a named pupil at, or candidate for admission to, the school;
- any matter which, by reason of its nature, the governing body is satisfied should remain confidential.

It is recommended that, even when someone is not named but would be easily identifiable, then such information is regarded as confidential.

- (e) Confidential minutes of all working committees must be made available to all governors.
- (f) The governing body or its committees are perfectly entitled to use Confidential/Part B procedures at any stage of a meeting. They may also hold a whole meeting within Confidential/Part B procedures.

It is important to resolve formally which items are to go into the Confidential/Part B procedure.

**NOTE: Dealing with an issue in Part B does not alter the rules on declarations of interest.**

### **3. Best Practice Guidance for Committees**

- (a) Whilst a staff governor or an associate member can chair a committee, this is not recommended.
- (b) Staff governors should not form the majority of a committee quorum at each meeting.
- (c) Declaration of interest - where the clerk is aware of any undeclared interest this should be brought to the attention of the committee chair.

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<sup>a</sup> Confidential items should be recorded as a separate part of the minutes usually referred to as Part B items.

## Chapter 4: Matters which cannot be delegated to a Committee

Although much of the governing body's work can be delegated to committees there are some matters which regulations do not allow to be delegated and where the governing body must make the decision. These are summarised below. There are also some matters which may be delegated to a committee but not to an individual.

### **All governing bodies must review delegation arrangements annually.**

The governing body decision planner on GovernorNet shows to what level decisions can be delegated. Only the decisions listed below require a full governing body decision. All other decisions can be delegated to various levels

### **Matters which cannot be delegated (as identified in the Report from the Ministerial Working Group on School Governance 2010)**

- Headteacher and deputy head teacher appointments (The School Staffing (England) Regulations 2009 require the governing body to set up a selection panel of at least three governors. The selection panel makes recommendations concerning the appointments which have to be ratified by the full governing body);
- To consider a report about forming a federation or joining an existing federation and to consider whether to leave a federation;
- Functions under the School Governance (Constitution) (England) Regulations 2007 and the School Governance (Procedures) (England) Regulations 2003, as amended:
  - To draw up an instrument of government and any amendments thereafter;
  - To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body;
  - To appoint and dismiss the clerk to the governors;
  - To hold a full governing body meeting at least three times in a school year or a meeting of the temporary governing body as often as may be required;
  - To appoint and remove community or sponsor governors;
  - To consider whether or not to exercise delegation of functions to individuals or committees.
- To regulate governing body procedures (where they are not set out in law);
- To suspend a governor;
- Decisions to change the name of the school;
- Decisions to confirm serving notice of discontinuance of the school.

The Governing Body Decision Planner also identifies decisions to offer additional activities, the form these should take and to cease providing extended school provision. Such decisions can be delegated but there is an expectation that they would be undertaken by the full governing body. It also identifies instituting a health and safety policy as a decision that should be taken by the full governing body. This is because of the governing body's duties as an employer in foundation and voluntary aided schools.

Other decisions which cannot be delegated may be specified in legislation on specific topics, eg matters relating to the designation of a school's religious character.

**The following functions are identified in the Guide to the Law Spring 2010 as functions which cannot be delegated to an individual governor or headteacher**

- the alteration, discontinuance or change of category of maintained schools;
- the approval of the first formal budget plan of the financial year;\*
- school discipline policies;
- the exclusion of pupils (except in an emergency when the chair has the power to exercise these functions);\*\*
- admissions.

**It is recommended that important strategic decisions should not be delegated.**

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\* In Lancashire The Scheme for Financing Schools requires the first formal budget of the financial year to be set by the full governing body within a specific time frame.

\*\* This relates to the governing body's functions in reviewing exclusions. Only the headteacher or acting headteacher can exclude.

## Chapter 5: Model Committee Terms of Reference

### Introduction

The terms of reference included in this chapter are provided as models to assist governing bodies in establishing their own committees' terms of reference. The School Governance (Procedures) (England) Regulations 2003 require that committee membership and terms of reference are reviewed annually. **Whilst terms of reference provided in this chapter are for committees with a single area of remit in practice some governing bodies will combine the remits to form one committee, eg Finance and Staffing.** The practice adopted therefore varies from governing body to governing body and it is a matter for each governing body to determine what is most appropriate for its circumstances. Most governing bodies delegate the annual review task to the committees themselves, but it is for the whole governing body to decide whether or not to accept the revised committee terms of reference.

Terms of reference should include sections on:

- Membership including how the chair will be elected;
- Quorum;
- Meetings;
- Responsibilities of the committee.

It should be clear what decisions are delegated to the committee and where it can only make recommendations.

In determining the terms of reference for its committees the governing body must make clear decisions on membership, quorum and meetings. Some of these decisions are constrained by legislation or regulation. The notes that follow draw attention to those considerations and are referred to in the terms of reference of the committees to which they apply.

### Notes

1. Regulations require the quorum of a committee to be set, as a minimum, at three governors.

The chair of governors does not have to be a member of every working committee. If the chair is to be given the right of attendance at a committee, that must be written in to the terms of reference.

2. The governing body decides how the chairs of committees will be elected. The governing body minutes and committee terms of reference need to clearly record this.

3. Where there are associate members with voting rights granted by the governing body, the governors must be in a majority if a vote is to be taken on any matter.

Governing bodies need to record the reasons for giving a vote to associate members, which may be linked to their area of expertise, and should note that observers do not have voting rights.

4. The governing body should decide whether nominated governors, such as the SEN governor, report directly to the whole governing body or through a committee.
5. All committees must have a clerk appointed by the governing body. It cannot be the headteacher.

Copies of the terms of reference of committees should be available to all governors and kept both with the governing body records and the committee's own records.

### **Who else can attend committee meetings?**

In some governing bodies new governors are given the opportunity to attend all working committee meetings before they give an indication of the committees on which they would like to serve. In such cases they should be classed as **observers** and not take part in the decision making process.

Observers may also be members of staff who are invited to attend committees to provide advice, guidance or present reports.

### **Suggested agenda items and possible questions**

In Chapter 6 we have reprinted extracts from the Monitoring, Evaluation and Accountability Guidance that relate to possible agenda items for committees and questions governors might ask. Having the agenda item is only part of the process; governors need to consider implications and progress carefully. As far as possible, questions should be framed to pick up on the outcomes, impact and implications.

Governors often ask if there is a policy on a particular aspect of school life. It is more informative to also ask about the effectiveness of the policy. Policy review is an important aspect of the governing body's monitoring and evaluation role.

It is better to ask open questions that require explanation and evidence. These usually begin with "What", "How", "Can you explain".

### **Admissions (Voluntary Aided and Foundation Schools only)**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make alterations. References are to the notes on pages 13 and 14.

### **Membership**

The committee shall consist of the headteacher and *at least two* governors. (It is helpful if one or two members are available during the day in order to present the school's case at any Admission Appeal Hearing)

The committee must have an appointed clerk who cannot be the headteacher.

### **Quorum**

The quorum shall be a minimum of 2 governors plus the headteacher.

### **Terms of Reference**

All matters to do with admissions (subject to the requirement that the governing body must approve the policy). Decisions as to whether any child may be admitted may not be delegated to the headteacher or any other individual (unless there is a vacancy in the year group).

### **Delegated Powers**

1. Draft the admissions policy, including criteria, which must be reviewed and approved annually by the full governing body.
2. If the school is over-subscribed, apply the admissions criteria to all applicants and decide which children are to be admitted and which refused a place.
3. Ensure that all procedures regarding notification to parents of offer or refusal of a place and the right to appeal are carried out.
4. Prepare the case of the governing body to go to the Appeal Panel.
5. Committees, where appropriate, should be mindful of any guidance provided by their Diocese/Church Authority.

## Children's Centre Committee

These terms of reference are in accordance with the Commissioning Agreement between the local authority and governing bodies which have agreed to provide children's centre facilities.

### Terms of Reference

The size of the committee needs to be determined by the governing body: *italics* indicate where particular decisions are needed.

### Membership

1. The committee will consist of a minimum of 3 members of the governing body, (with each of the stakeholder groups represented at the committee).
2. The governing body will appoint ( x ) associate members to the committee.
  - one associate member will be nominated by Lancashire County Council to represent Sure Start, Early Years and Childcare;
  - one associate member will be a parent user of the children's services provision, if such a person is not already included from the governing body representation on the committee;
  - where there is third party provision, a representative of third party early education and childcare providers.

(NB for every associate member appointed by the governing body there must be at least two governors appointed to the committee.)

3. Associate members will be allowed to vote on all matters delegated to this committee, except where not permitted to do so by the legal governance framework (ie admissions, pupil discipline, election of appointment of governors, or budget and financial commitments of the governing body).
4. Non-voting participants will be invited to meetings by the committee as and when required.
5. Staff employed to work at the children's centre may be invited to attend, to provide advice to the committee.
6. The governing body will elect the committee chair from the governor members of the committee.
7. The membership of the committee shall be reviewed annually by the governing body. The agreed membership of the committee is attached.
8. The clerk to the committee will be appointed by the governing body, but will **not** be anyone employed to work at the school or a governor. It is expected that the

clerk will provide advice and guidance to the committee as well as administrative support.

### **Quorum**

The quorum shall be a minimum of 3 governors, but excluding any associate members.

### **Meetings**

The clerk to the committee shall be responsible for convening meetings of the committee. Procedures of any meetings held must be minuted and the minutes presented for the next meeting of the governing body.

The committee shall meet at least once a term or otherwise as required.

### **Responsibilities**

1. To prepare and review the strategy for developing children's centre services, including the long term business plan that gives due consideration to sustainability, and to make recommendations to the governing body.
2. To establish a panel to select third party providers and to make recommendations for approval by the whole governing body.
3. To develop, negotiate and keep under review SLAs with third party providers. (Approval of SLAs rests with the full governing body.)
4. To monitor the provision of children's centre services in the school and to evaluate their effectiveness, including any provision made through SLAs with the governing body.
5. To establish appropriate mechanisms for consulting with and responding to the views of children, young people and their families.
6. To monitor and evaluate, on behalf of the governing body, progress against locally and nationally agreed targets, and to report to the governing body and local authority on the outcomes, as required.
7. To receive and consider any representations from the service users and community on the provision of services to the community. (This will include monitoring of complaints received by the providers of community services on school sites.)<sup>a</sup>

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<sup>a</sup> All providers will be expected to have their own complaints' procedures in place, but where there is a complaint against the school it will be dealt with according to the School Complaints' Procedures.

8. To:
- a) consider the children's centre budget plan, presented by the centre manager, and make recommendations to the finance committee;
  - b) monitor and evaluate the effectiveness of the use of the children's centre facilities budget;
  - c) set charges as appropriate<sup>a</sup>, in line with the school's charging policy; and
  - d) act in accordance with the school's internal financial regulations and any guidance provided by the local authority.
9. To ensure that service providers have effective health and safety policies and procedures in place, including child protection, staff training and accident reporting.
10. To ensure that the agreement with service providers makes clear who is responsible for the various liabilities and that appropriate insurance policies/arrangements are in place.
11. To ensure that all early years' provision complies with Ofsted requirements. To ensure that the Lancashire Quality Award is effectively used for self evaluation to secure continuous improvement.
12. To make recommendations to the governing body on all policies and procedures for the children's centres, where provided by the governing body.
13. To appoint senior management staff for the children's centre in conjunction with Lancashire County Council staff, where the governing body is the effective employer.
14. To develop an inclusion and equality policy.
15. To ensure that the core offer of services is delivered to families in the reach area.
16. To make recommendations to the staffing committee (having consulted the Local Authority) in relation to the staffing establishment.

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<sup>a</sup> Third party providers will be responsible for setting their own charges, within any parameters identified in the Service Level Agreement.

## **Curriculum Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership**

The committee shall consist of (x) members of the governing body<sup>1</sup>. *The headteacher is, ex-officio, a member of the committee.*

Non-voting participants may be invited to meetings by the committee as and when required.

*The committee will elect a chair from within its own membership. or The governing body will elect the chair of the committee.*

*The committee shall have such associate members, non-voting, as the governing body shall appoint. The committee may make recommendations for these appointments.*

*The committee shall have y associate members with voting rights appointed by the governing body<sup>3</sup>.*

The membership of the committee shall be reviewed and determined annually by the governing body.

### **Quorum**

The quorum shall be a minimum of 3 governors, including the headteacher, but excluding any associate members.

### **Meetings**

The clerk to the committee shall be responsible for convening meetings of the committee. Procedures of any meetings held must be minuted and these minutes presented for the next meeting of the governing body.

The committee shall meet at least once a term and otherwise as required.

### **Responsibilities**

The main function of the committee is to advise the headteacher and governing body on matters concerning the school curriculum, in particular:

1. To ensure that the curriculum provided meets the statutory requirements, including those for reporting.

2. To review the aims of the school curriculum in relation to the current statutory requirements, including those for Religious Education, Collective Worship and Sex Education.
3. To review and recommend home-school agreement to the governing body.
4. To advise on ways in which governors can be involved in curriculum aspects of the School Development/Improvement Plan and the Self Evaluation Form.
5. To prepare or review any curriculum policy document which is the responsibility of the governing body.
6. To make recommendations to the governing body on assessment policies, or arrangements.
7. To consider all the available data provided by the school and the local authority and to set and publish targets within the statutory time frames.
8. To monitor pupil progress in relation to the targets set and with specific reference to particular groups.
9. *To monitor the progress and evaluate the impact of Key Stage 3 strategy, including literacy and numeracy across the curriculum.<sup>a</sup>*
10. To monitor the impact of curriculum policies and planning on students' learning.
11. To contribute to the School Profile or its successor.
12. To receive reports from the nominated governors, as decided by the whole governing body.
13. To be mindful of the requirements of the Disability Discrimination Act.

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<sup>a</sup> Applies to secondary schools only.

## Extended Services Committee

The size of the committee needs to be determined by the governing body, *italics* indicate where particular decisions are needed.

### Membership

1. The Committee will consist of 6<sup>a</sup> members of the governing body, (with each of the stakeholder groups represented at the committee).
2. The governing body will appoint (x) associate members to the committee.
  - one associate member will be a parent user of the extended services provision, if such a person is not already included from the governing body representation on the committee.
  - where there is third party provision, a representative of third party early education and childcare providers.

(NB for every associate member appointed by the governing body there must be at least two governors appointed to the committee)
3. Associate members will be allowed to vote on all matters delegated to this committee, except where not permitted to do so by the legal governance framework.
4. Non-voting participants will be invited to meetings by the committee as and when required.
5. Staff employed by the service providers may be invited to attend, to provide advice to the committee.
6. The governing body will elect the committee chair from the governor members of the committee.
7. The membership of the committee shall be reviewed annually by the governing body. The agreed membership of the committee is attached.
8. The clerk to the committee will be appointed by the governing body, but will **not** be anyone employed to work at the school or a governor. It is expected that the clerk will provide advice and guidance to the committee as well as administrative support.

### Quorum

The quorum shall be a minimum of 3 governors, but excluding any associate members.

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<sup>a</sup> For a committee to take decisions the majority of those present at the meeting and voting must be governors.

## Meetings

The clerk to the committee shall be responsible for convening meetings of the committee. Procedures of any meetings held must be minuted and the minutes presented for the next meeting of the governing body.

The committee shall meet at least once a term or otherwise as required.

## Responsibilities

1. To prepare and review the strategy for extended services provision, including the long term business plan that gives due consideration to sustainability, and to make recommendations to the governing body.
2. To establish a panel to select third party providers and to make recommendations for approval by the whole governing body.
3. To develop, negotiate and keep under review SLAs with third party providers. (Approval of SLAs rests with the full governing body.)
4.
  - a) To monitor the provision of extended services and to evaluate their effectiveness, including any provision made through SLAs with the governing body;
  - b) To contribute to the school's self evaluation reporting on extended services.
5. To establish appropriate mechanisms for consulting with and responding to the views of children, young people and their families.
6. To monitor and evaluate, on behalf of the governing body, progress against locally and nationally agreed targets and to report to the governing body and local authority on the outcomes, as required.
7. To receive and consider any representations from the service users and community on the provision of services to the community. (This will include monitoring of complaints received by the providers of community services on school services.)<sup>a</sup>

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<sup>a</sup> All providers will be expected to have their own complaints procedures in place, but where there is a complaint against the school it will be dealt with according to the School Complaints' Procedures.

8. To:
- a) consider the budget plan for the extended services and make recommendations to the finance committee;
  - b) monitor and evaluate the effectiveness of the use of the extended services budget;
  - c) set charges as appropriate<sup>a</sup>, in line with the school's charging policy;
  - d) act in accordance with the school's internal financial regulations and any guidance provided by the local authority.
9. To ensure that service providers have effective health and safety policies and procedures in place, including child protection, staff training and accident reporting.
10. To ensure that all early years' education and childcare provision complies with Ofsted requirements.
11. To make recommendations to the governing body on all policies and procedures for the extended services, where provided by the governing body.
12. To develop an inclusion and equality policy.

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<sup>a</sup> Third party providers will be responsible for setting their own charges, within any parameters identified in the Service Level Agreement.

## **Finance Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

## **Membership**

The committee shall consist of (x) members of the governing body<sup>1</sup>. *The headteacher is, ex-officio, a member of the committee.*

*The committee will elect a chair from within its own membership or The governing body will elect the chair of the committee.*

Non-voting participants may be invited to meetings by the committee as and when required.

*The committee shall have such associate members, non-voting, as the governing body shall appoint. The committee may make recommendations for these appointments.*

*The committee shall have (y) associate members with voting rights appointed by the governing body<sup>3</sup>.*

The membership of the committee shall be reviewed and determined annually by the governing body. The agreed membership of the committee is attached .

## **Quorum**

The quorum shall be a minimum of 3 governors, including the headteacher, but excluding any associate members.

## **Meetings**

The clerk to the committee shall be responsible for convening meetings of the committee. Procedures of any meetings held must be minuted and these minutes presented for the next meeting of the governing body.

The committee shall meet at least once a term and otherwise as required.

## **Responsibilities**

1. To provide guidance and assistance to the headteacher and the governing body on all financial issues.
2. To recommend to the governing body internal financial regulations for the financial management of the school in accordance with guidance issued by the Authority.

3. To consider budget plans presented by the headteacher and to make recommendations to the governing body for approval.
4. To consider budget monitoring reports relating to all public funds (ie school budget share and any other funds delegated and devolved by the LA, including Standards Fund) and make recommendations to the governing body.
5. To recommend virements between budget headings where the value is in excess of the sum delegated to the headteacher under the school's internal financial regulations.
6. To consider and make recommendations on all school finance policies and their implementation, including those relating to charges and remissions, lettings and income.
7. To contribute to the school's development plan and ensure it includes consideration of the longer term resource requirements of the school.
8. To consider the appropriate level of reserves and balances bearing in mind guidance produced by the Authority.
9. To consider audit reports and other relevant reports and make recommendations to the governing body.
10. To consider appropriate arrangements to attain/continue to meet the Financial Management Standard in Schools (FMSiS).
11. To consider and advise on any financial matter referred to it by the governing body.
12. To respond, on behalf of the governing body, to any consultations relating to the Scheme of Delegation or the Funding of Schools.

## **Health and Safety Committee**

The governing body's responsibilities for health and safety may be carried out by:

- a Health and Safety Committee
- including the health and safety remit within the terms of reference of another Committee
- appointing a Health and Safety Governor with designated responsibilities.

The governing body's responsibilities for health and safety are often incorporated in the remit of the Premises Committee. A further committee may be required by the Safety Representatives and Safety Committee Regulations 1977, which states that if two union members formally request a safety committee to be set up, this must be done within three months. Representation on this committee is usually from the school staff. In any event, the Health and Safety (Consultation with Employees) Regulations 1996 extends the right of consultation on health and safety matters to all workers, not just those represented by trade union representatives.

## **Objectives**

The objectives are broadly similar:

1. Prepare and review Health and Safety Policy
2. Study accident reports and statistics
3. Examine safety inspection reports
4. Analyse and implement information provided by the LA
5. Develop safe systems of work
6. Determine risk assessments
7. Promote and review safety culture
8. Communicate health and safety issues to all concerned
9. Identify training requirements
10. Act as a school safety forum

In this guidance document the health and safety remit has been included in that of the Premises Committee.

## **Premises Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership**

Membership shall consist of (x) governors<sup>1</sup>. *The headteacher is, ex-officio, a member of the committee.*

*The committee will elect a chair from within its own membership or The governing body will elect the chair of the committee<sup>2</sup>.*

Non-voting participants may be invited to meetings by the committee as and when required.

*The committee shall have such associate members, non-voting, as the governing body shall appoint. The committee may make recommendations for these appointments.*

*The committee shall have (x) associate members with voting rights appointed by the governing body<sup>3</sup>.*

The membership of the committee shall be reviewed and determined annually by the governing body. The agreed membership of the committee is attached .

### **Quorum**

The quorum shall be a minimum of 3 governors, including the headteacher, but excluding any associate members.

### **Meetings**

The clerk to the committee shall be responsible for convening meetings of the committee.

The committee shall meet once a term or otherwise as required.

### **Responsibilities**

1. To exercise delegated responsibility for the condition, repair, extension or alteration of premises.
2. To inspect annually the premises and grounds and prepare a statement of priorities for maintenance and development for the approval of the governing body.
3. To advise the governing body on major projects deemed to be necessary or appropriate.

4. To work with relevant partners and consultants to ensure that new buildings and improvements, as agreed with the governing body, are progressed and where appropriate that the payments are made.
5. To act on behalf of the governing body in monitoring the implementation and progress of all building related plans.
6. To monitor the maintenance and upkeep of the school premises and grounds.
7. Where it is the responsibility of the governing body, to make recommendations to the governing body on the appointment of consultants or the providers of premises related services.
8. To determine the use of the school premises outside school session time including advice to the governing body on a possible charging policy which must be determined by the governing body.
9. To provide support and guidance to the headteacher on all matters relating to the school premises and grounds, security and health and safety.
10. To ensure that arrangements are in place for the dissemination of health and safety information to all building users, including staff, pupils and visitors.
11. To review the school's health and safety policy as and when required and to advise, along with the headteacher, the governing body with regard to its compliance with health and safety regulations.
12. To monitor accident reports and fire drills and where appropriate recommend and take advice on remedial action.
13. To ensure the school complies with health and safety regulations, including that a regular audit of risk assessment is undertaken and to take action where necessary.
14. To promote co-operation between all employees at the school to achieve and to maintain a safe and healthy workplace for staff and pupils.
15. To examine safety inspection reports and to make recommendations where remedial action is required.
16. To be mindful of the requirements of the Disability Discrimination Act.

### **Additional Considerations for Voluntary Aided Schools**

Membership of the committee will include the governing body's treasurer.

### **For Blackburn Diocesan Schools**

To carry out all matters to do with Department for Education grant and the Barchester Scheme and the governing body's own funds, in particular ensuring that all accounts are audited.

## **Public Relations Committee (or Marketing)**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership**

The committee shall consist of (x) members of the governing body. *The headteacher is, ex-officio, a member of the committee.*

*The committee will elect a chair from within its own membership or the governing body will elect the chair of the committee.*

Non-voting participants may be invited to meetings by the committee as and when required.

*The committee shall have such associate members, non-voting, as the governing body shall appoint. The committee may make recommendations for these appointments.*

*The committee shall have (y) associate members with voting rights appointed by the governing body.*

The membership of the committee shall be reviewed and determined annually by the governing body. The agreed membership of the committee is attached.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Responsibilities**

- (a) To assist the headteacher in recruiting the support and involvement of business and industry.
- (b) To formulate a publicity and marketing policy for approval by the governing body and oversee its implementation.
- (c) To assist in preparing the school prospectus for approval by the governing body.

**NOTE** Other responsibilities might include the preparation of the School Profile entry, helping to acquire sponsorship; lettings policy, if not allocated elsewhere.

## **Pupil Discipline – Pupil Welfare Committee**

The main purpose of this committee is to deal with cases of fixed period or permanent exclusions and therefore the terms of reference are more prescriptive than for the working committees.

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership**

Members of the committee considering a particular case should have no prior knowledge of that incident.

*Minimum of 3, excluding the headteacher (who presents the exclusion case(s)).*

The remit of this committee can be extended to consider matters other than exclusion hearings in which case the headteacher would be a member of the committee.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

The clerk to the committee shall be responsible for convening any meetings of the committee.

Meetings to consider exclusions are held as and when necessary, within the prescribed timescales.

### **Responsibilities**

#### **1. Exclusions**

To deal with cases of fixed period or permanent exclusion of pupils from the school, according to the prescribed procedures.

In all cases, parents have the right to make representations and may, if they wish, be accompanied by a friend.

- (a) To hear the case, see all relevant documents and allow representation to be made by the parents concerned.
- (b) To consider and to decide whether to confirm the exclusion, or direct the reinstatement of the pupil, as appropriate to the particular case.
- (c) To inform parents, the headteacher and the LA of the decision.

## 2. **Pupil Welfare**

- (a) To contribute to the review of the Behaviour Policy and to make recommendations to the governing body.
- (b) To receive regular reports from the headteacher on pupil behaviour matters.
- (c) To contribute to the review of the anti-bullying policy.
- (d) In all secondary schools, including short stay and special schools:
  - to agree membership/partnership arrangements for Behaviour and Attendance Boards
  - to receive reports on agreed targets and identified local practices.

## **Standards and Effectiveness Committee**

If a school goes into an Ofsted category it is recommended that the governing body sets up a Standards and Effectiveness Committee to formulate the post-Ofsted action plan and monitor its progress. In some schools, this also takes on the roles and functions of the curriculum committee in order to avoid duplication and additional workload. Other schools may find this approach helpful.

### **Membership**

The committee shall consist of (x) governors including the headteacher and chair of governors.

Non-voting participants may be invited to meetings by the committee as and when required. These will include:

- senior leaders
- middle leaders
- School Improvement Partner
- school advisers
- special support advisers (if the school is designated as having special support)

The committee will be chaired by the chair of the governing body.

The membership of the committee will be reviewed and determined annually. The agreed membership of the committee is attached.

The governing body will appoint a clerk to the committee, who will not be another governor.

### **Quorum**

The quorum shall be a minimum of 3 governors including the headteacher.

### **Meetings**

The clerk to the committee shall be responsible for convening meetings of the committee. Procedures of any meeting held must be minuted and those minutes presented to the next meeting of the governing body.

The committee shall meet at least once each term and otherwise as required.

### **Responsibilities**

The main function of the committee is to monitor and evaluate the standards and achievement of the school and the quality of education provided. In all its business, the committee will take account of the five key outcomes of the Every Child Matters.

In particular, the committee will:

1. monitor pupil progress in relation to the targets set and with specific reference to particular groups;
2. receive and critically review school performance data including that from the Lancashire School Improvement Profile, Fischer Family Trust and RAISE online;
3. monitor the progress and evaluate the impact of the National Strategies including literacy, numeracy and ICT across the curriculum;
4. monitor the impact of curriculum policies and planning on students' learning;
5. where the school is in an Ofsted category, monitor progress in meeting the key issues identified in the Post-Ofsted Action Plan and subsequent Ofsted and HMI reports;
6. provide regular reports to the governing body on their monitoring of the Post-Ofsted Action Plan;
7. where appropriate, review and evaluate the effectiveness of Local Authority support and intervention;
8. receive regular reports from the headteacher on the quality of teaching and learning and the impact of improvement strategies;
9. monitor and evaluate aspects of the school's provision eg pastoral care, guidance and support, leadership and management and SEN and inclusion;
10. ensure members of the committee and other governors have a clear understanding of the vision and aims and strengths and weaknesses of the school so they can actively contribute to the completion of the Self Evaluation Form (SEF);
11. request and receive reports, as and when required, from key members of staff eg curriculum leaders and senior leaders;
12. ensure that committee members and other governors keep themselves informed of the key initiatives and take part in appropriate training and development activities;
13. contribute to the preparation of any appropriate action or development plans.

## **Staffing Committees**

ALL GOVERNING BODIES should have established committees to consider;

- Staff attendance and discipline/dismissal
- Staff appeals
- Staff grievance
- Pay
- Pay Appeals
- Complaints Appeals
- Staffing Review/Dismissal (redundancy)
- Performance Management (Committee of Appointed Governors)

These committees usually only meet as and when required but the Committee of Appointed Governors must meet at least once a year to review and set the objectives for the headteacher. Good practice suggests that it should also meet at least termly to monitor progress with the headteacher.

Because the business/decision of one committee may lead into consideration by another committee, membership of some committees must not overlap. For example, a member of the Staff Discipline/Dismissal Committee cannot be a member of the Staff Discipline/Dismissal Appeals, Complaints Appeals or Grievance Committee.

There may also be occasions where governors nominated to serve on one of the committees listed above cannot be a member of that committee because they have prior knowledge of the matter under consideration.

The quorum of any of these committees is 3 governors, but may be a minimum of 2 in certain circumstances.

The headteacher cannot be a member of these committees.

The chair should not be a member of the Complaints Appeal Committee as he/she will usually have been involved at an earlier stage of the proceedings.

In addition most governing bodies have a Staffing Committee that is one of the working committees which meets at least once a term. The terms of reference for all committees relating to staff follow:

## **Staffing Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership**

The committee shall consist of (x) members of the governing body. *The headteacher is, ex-officio, a member of the committee.*

*The committee will elect a chair from within its own membership. or The governing body will elect the chair of the committee<sup>2</sup>.*

Non-voting participants may be invited to meetings by the committee as and when required.

*The committee shall have such associate members, non-voting, as the governing body shall appoint. The committee may make recommendations for these appointments.*

*The committee shall have x associate members with voting rights appointed by the governing body.<sup>3</sup>*

The membership of the committee shall be reviewed and determined annually by the governing body. The agreed membership of the committee is attached.

### **Quorum**

The quorum shall be a minimum of 3 governors, including the headteacher, but excluding any co-opted non-voting members.

### **Meetings**

The *clerk to the committee/the chair* shall be responsible for convening meetings of the committee. Procedures of any meetings held must be minuted and these minutes presented for the next meeting of the governing body.

The committee shall meet at least once a term and otherwise as required.

### **Responsibilities**

1. To prepare staff policies for approval by the governing body.
2. In conjunction with the headteacher, to draw up a staffing structure and to review it annually.
3. To ensure that all the procedures relating to the recruitment, selection and appointment of staff are in place and that they are kept under review following any changes in legislation.

4. To ensure that all procedures for the appointment of teaching staff and key support staff are carried out, in accordance with agreed arrangements and to delegate to the headteacher and one committee member the appointment of all other support staff.
5. To delegate to the headteacher all provision of supply cover of under one term's duration.
6. To ensure that consultations take place as required (eg over pay policy) with all staff or with recognised trade unions.
7. To ensure that appropriate job descriptions are in place.
8. To check that the arrangements for staff appraisal (performance management) are in place and being developed.
9. To monitor the programme of staff development and training and ensure it meets the needs of the school development/improvement plan and of the staff.
10. To receive regular reports on staff absence, if not already reported to the full governing body.
11. Review annually the unit total of the school and the effect, if any on the ISR

**NOTE**        The appointment of a headteacher or deputy headteacher is not a function of this committee.

## **Performance Management (Committee of Appointed Governors)**

### **Membership**

The committee will consist of three members of the governing body, none of whom must be employed at the school.

The committee will elect a chair from within its membership.

Membership and the terms of reference of this committee will be reviewed annually in the spring term.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

The Performance Management Committee through its chair is responsible for the arrangements for the Review/Objective setting meeting and any monitoring meetings.

### **Responsibilities**

1. The establishment with the School Improvement Partner of the headteacher's objectives.
2. The monitoring of progress towards the objectives.
3. The arrangements for the Review.
4. The Review and the decision on whether or not objectives have been met, in consultation with the SIP or External Adviser.
5. The making of recommendations to the Pay Committee in relation to the awarding of performance related salary increases for the headteacher.
6. Monitor the effectiveness of the Performance Management Policy.

It is permissible for the Pay Committee to be the Performance Management Committee.

The governing body will also appoint a Review Officer/s in case the process and outcome of review and objectives setting for the headteacher is challenged.

## **Pay Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

## **Membership**

The committee shall consist of (x) members of the governing body (see notes below).

The membership of the committee shall be reviewed and determined annually by the governing body. The agreed membership of the committee is attached.

## **Quorum**

The quorum shall be a minimum of 3 governors.

## **Meetings**

The clerk to the committee shall be responsible for convening any meetings of the committee.

## **Responsibilities**

1. To implement the school's pay policy including the pay for individual members of staff.
2. To agree any salary progression on the Individual School Range (ISR) for the headteacher, deputy headteachers and assistant headteachers.
3. To review annually for September the salaries of all teaching staff in the light of recommendations made by the headteacher and to provide individual members of staff with a statement of salary.

- NOTE**
- (a) Membership of this committee is open to all governors, but governors who may stand to gain directly and indirectly from any decision must not take part in those decision making processes (see the Schedule from The School Governance (Procedures) (England) Regulations 2003).
  - (b) No governor who is a member of staff employed at the school can take part in any decisions about the pay or performance of an individual (Schedule 6, paragraph 4).
  - (c) The normal rules of withdrawal also apply (see the Schedule from The School Governance (Procedures) (England) Regulations 2003).

It is permissible for the Pay Committee and the Performance Management Committee to have the same membership.

## **Staffing Review and Dismissal Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration. References are to the notes on pages 13 and 14.

### **Membership** (see note below)

The committee shall consist of (x) members of the governing body.

(It is recommended that the chair of governors is a member of this committee.) The headteacher would be present at all meetings to provide information and advice to the committee.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

As required.

### **Responsibilities**

1. To determine the need for staffing reduction/redundancy.
2. To determine selection criteria.
3. To consult with trade unions and staff.
4. To make decisions on the selection of nominees for redundancy.
5. To consider representations against nominations for redundancy.
6. To observe the Guidelines adopted by the governing body.

Appeals relating to decisions of this committee are heard by the remaining eligible members of the governing body. The Appeal Committee must have more members than the Staffing Review and Dismissal Committee (SRDC), therefore the number of available governors determines the size of SRDC. Members of staff who would have a material interest in the outcome of the decisions taken by either SRDC or the Appeal Committee cannot be involved at any stage.

## **Staff Attendance, Discipline and Dismissal Committee**

### **Membership**

The committee shall consist of (x) members of the governing body. The headteacher is not a member of this committee as he/she will usually be presenting a case for consideration.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

The committee will meet as and when required.

### **Responsibilities**

1. To receive reports on the attendance of staff and if necessary to recommend dismissal.
2. To receive reports relating to staff discipline in accordance with laid down procedures and if necessary recommend dismissal.
3. To work within the governing body's agreed procedures.

**NOTE:** Model Procedures for Attendance and Dismissal, issued by the LA, allow for the governing body to empower the Staff Discipline and Dismissal Committee to sit as the Attendance and Dismissal Committee.

## **Appeals Committee (Staffing Matters)**

### **Membership**

Membership shall consist of greater than or equal to the original decision-making committee panel, excluding the headteacher.

The headteacher may attend to give advice, present the case or appear as a witness.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

As required, with local authority and diocesan/church authority involvement as appropriate.

### **Terms of Reference**

To deliberate on any appeal, in accordance with laid down procedures, from any other appropriate staff related committee.

## **Grievance Committee**

### **Membership**

The committee shall consist of (x) members.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

The committee will meet as and when required.

### **Responsibilities**

To consider and make decisions about matters relating to staff grievance procedures in accordance with the LA or Diocesan model policy, as adopted by the governing body.

1. To hear both sides of a case, see all relevant documents, to hear and question witnesses, allow parties to make submissions, each of them being accompanied by a friend/representative, if they so wish.
2. To consider and make any initial decisions about matters relating to staff grievance in accordance with adopted procedures.

## **Complaints Appeals Committee**

These terms of reference are taken from the County Council's Guidance on School Complaints Procedures for Schools.<sup>a</sup>

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration.

### **Membership**

The committee will consist of a minimum of 3 governors. Neither the headteacher nor the chair of governors will be a member of the committee as they may have been involved in the matter under consideration at an early stage.

The chair of the committee will be elected by the committee. Committee members must be impartial and have no prior involvement with the complaint or the circumstances surrounding it.

### **Quorum**

The quorum shall be a minimum of 3 governors.

### **Meetings**

Meetings will be held when required to consider formal appeals made under the Procedures for Handling Complaints in ..... School.

### **Responsibilities**

Wherever possible the governing body would wish to see complaints resolved at an informal stage but:

1. The main function of the committee will be to undertake the duties of the governing body in the consideration of complaints made under the Procedures for Handling Complaints in ..... School.
2. Complaints covered by statutory procedures will not be considered by this committee.
3. The committee will seek advice from the Senior Area Human Resources Officer or Governor Services Manager, or in the case of a voluntary aided school, the Diocesan/Church Authority Education Officer, as appropriate.
4. In considering the complaint the Complaints Appeals Committee will:
  - consider the written materials;
  - consider the complaint and the headteacher's (or chair's) action;

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<sup>a</sup> It is assumed that the governing body has adopted the County Council's Model Complaints Procedures

- invite the headteacher or chair of governors (as appropriate) and the complainant to the meeting; and
- seek advice and support as necessary;

5. At the end of their consideration, the committee will:

- determine whether to dismiss or uphold the appeal in whole or part;
- where the complaint is upheld, decide on appropriate action;
- advise the complainant and headteacher (chair) of its decision;
- advise the complainant of any further action they may wish to take if they remain dissatisfied;
- arrange for amendments to be made to the School's Complaints Register and for the matter to be reported, in general terms, to the governing body.<sup>a</sup>

### **The chair of the committee**

The chair of the committee has a key role ensuring that:

- the remit of the Committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- key issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the rules of natural justice are followed;
- the complainant is notified of the panel's decision, in writing, with details of any further rights of appeal; and
- the governing body are notified of any changes to procedure or reviews of policy recommended by the committee.

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<sup>a</sup> Guidance on School Complaints Procedures has more detailed information on the conduct of a Complaints Appeals Committee meeting.

## **Chairs Committee**

The use of *italics* indicates where, if adopting these terms of reference, the governing body may wish to make an alteration.

## **Membership**

The membership shall consist of the chair and vice-chair of governors, all chairs of the working committees and the headteacher.

## **Quorum**

The quorum shall be a minimum of 3 governors, of which the chair of governors must be one.

## **Meetings**

As required.

## **Terms of Reference**

1. To advise the headteacher in matters of particular difficulty, sensitivity or emergency which are not covered by separate procedures adopted by the governing body, eg discipline/grievance.
2. To prepare the School Profile or similar document for the approval of the governing body, if appropriate.
3. To discuss annually with the senior management team the preparation of the school management plan and plan the cycle of governing body meetings for the coming year.

## **Other Committees**

The purpose of this document is not to provide examples of every possibility but simply the most common. Some governing bodies may decide to establish other committees not included in this document. All such committees will require an identified and agreed membership and terms of reference. Similarly working parties established to look at specific issues should have a clearly identified membership and remit established and understood by the whole governing body.

## Collaborative Committees

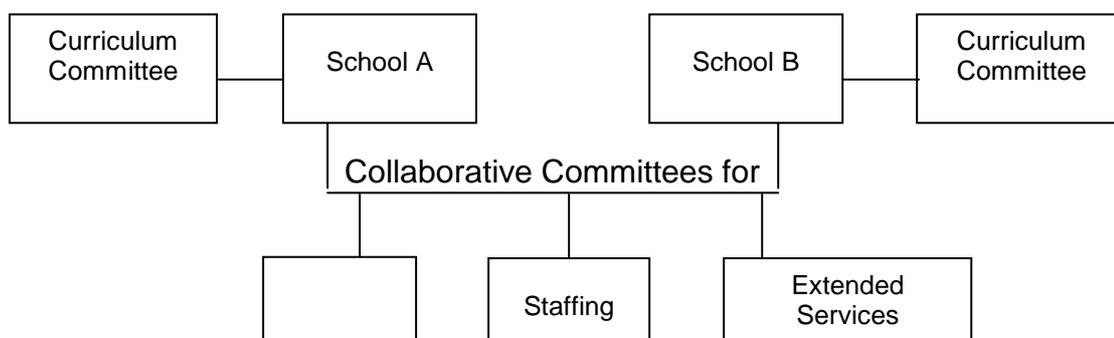
### 1. Introduction

Some governing bodies have been part of informal networks and clusters for some time, particularly in relation to training and development. The School Governance (Collaboration) (England) Regulations 2003 and The Collaboration Arrangements (Maintained Schools and Further Education Bodies) (England) Regulations 2007 do not alter that position. However they allow for more formal collaboration, with delegated decision making, within a legal framework.

The Collaboration Regulations support two or more schools working together formally to support a common vision and goals, whilst allowing each governing body to retain ultimate responsibility for its own school. Within the legal framework it is up to the collaborating schools to decide how the collaboration will work at governing body or committee level, with or without delegated powers. Collaboration can be for anything from a single area of governing body responsibility to the full range of governing body responsibilities. The development of these arrangements is initiated by the governing bodies.

Collaborative arrangements must be reviewed annually and can be terminated at any point by one of the governing bodies.

For example - two governing bodies collaborating in some areas, but with separate curriculum committees.



### 2. The Legal Framework

#### (a) Governing Bodies

The same restrictions on delegation apply as for governing body committees. Within this context the extent of the collaboration is determined by each of the collaborating governing bodies at a legally convened meeting of the governing body where the following must be discussed, decisions taken and formally recorded:

- the extent of powers delegated to joint committees and joint meetings of the governing bodies;

- the size and composition of the committee;
- its own membership on the committee;
- whether or not associate members are to be appointed including their names and whether or not they are to have voting rights.

Annually the governing bodies must review the joint committee constitution, terms of reference, and membership.

Each governing body must be provided with a copy of the agenda, signed minutes and any other paper considered at a meeting of the joint committee. The exceptions are for any material relating to:

- a named person who works or who it is proposed should work at the school;
- a named pupil at, or candidate for admission to, a school;
- any other matter the joint committee has declared as confidential.

#### **(b) Joint Committees**

The duties and responsibilities of the joint committee are set out in the terms of reference, constitution and membership established by the collaborating governing bodies. Any alteration to these must be agreed by the governing bodies, who must also review them annually.

The joint committee:

- establishes its quorum, but good practice would suggest that this is written to include representation from all the collaborating governing bodies;
- appoints a chair from the governors appointed to the committee;
- appoints a clerk to the committee (who cannot be the headteacher), who has the same roles, responsibilities and duties as the clerk to the governing body, but in relation to the joint committee.

### **3. The Clerk to the Joint Committee**

The clerk to the joint committee is appointed by the joint committee to:

- convene meetings of the joint committee;
- attend meetings of the joint committee and ensure that minutes of the proceedings are drawn up;
- maintain the administrative records of the joint committee;

- provide procedural advice and guidance to the joint committee on all governance matters, including the specific issues relating to joint committees;
- ensure that the collaborating governing bodies are provided with the minutes, agenda and papers of the joint committee to fit in with their meeting cycles;
- liaise with the clerks of the collaborating governing bodies and their committees to ensure that the business of the governing body is conducted effectively and efficiently.

#### **4. Associate Members**

Associate members are non-governors who may be appointed to governing body committees, including joint committees, to provide additional expertise and skills. They are appointed by the whole governing body, which decides whether or not they will have voting rights on any particular issues. They cannot vote on:

- admissions;
- pupil discipline;
- election and appointment of governors;
- budget and financial commitments of the governing body.

Associate members may be excluded from any meeting or part of a meeting when matters concerning an individual member of staff or pupil are being considered.

There is no lower or upper age limit on associate members but they can only be given voting rights if they are 18 when first appointed.

Although appointed to a committee of the governing body they do have the right to attend meetings of the governing body.

#### **5. Why Collaborate?**

Schools may wish to collaborate for a number of reasons which could include:

- more effective and efficient support for teaching and learning;
- collaborative approach to managing facilities;
- collaborative approach to developing the workforce.

The reasons for collaboration will influence the precise remit of any collaborative committees.

## **Chapter 6: Annual Cycle for Monitoring and Evaluation, governing body and committee agenda items including questions for governors to ask**

(This chapter is based on information originally included in Monitoring, Evaluation and Accountability Guidance for headteachers and governing bodies.)

The delegation of more work to committees means that governing bodies would benefit from planning their workload in an annual cycle. This will ensure that the monitoring and evaluation of plans and policies is undertaken systematically and regularly. Such an approach also assists the governing body in meeting its statutory responsibilities and duties. The annual cycle and associated questions that follow have been developed in consultation with chairs, vice chairs, headteachers and clerks to governors of Lancashire schools.

The annual cycle of committee agenda items used here follows a financial year planning pattern, but not all schools follow such a pattern. This model can be adapted relatively easily to reflect an individual school's planning cycle. Whichever annual cycle you settle on it is important to consider the following:

- The governing body should be involved in the production and review of the SEF.
- All committees should contribute to the school development planning process.
- The Curriculum committee may have the main role in monitoring progress, but the whole governing body needs to be kept informed.
- Committee meetings should be timetabled to feed into the next governing body meeting.
- All committees must have clear terms of reference etc.
- Committees should receive regular reports from the lead professionals within school.
- Nominated governors should report to either the relevant committee or the whole governing body, as agreed by the governing body.
- The school may choose to organise the review of curriculum policies over more than one year.
- SEN and behaviour policies have to be reviewed annually.
- Disability Equality Scheme.



### Annual Planner of agenda items for the monitoring and evaluation role of the governing body and its committees

	<b>AUTUMN TERM</b>	<b>SPRING TERM</b>	<b>SUMMER TERM</b>
<b>GOVERNORS</b>	<b>Agenda<sup>1</sup></b>	<b>Agenda<sup>1</sup></b>	<b>Agenda<sup>1</sup></b>
Full governing body	<ul style="list-style-type: none"> <li>• Review committees, appoint chairs</li> <li>• Review Governing Body Code of Practice</li> <li>• Review effectiveness of behaviour policy</li> <li>• Review progress on SDP/Action Plan/RAP<sup>2</sup></li> <li>• Arrange for completion of the School Profile</li> <li>• Approve prospectus</li> <li>• Admission arrangements</li> <li>• Racist incident reporting</li> <li>• Educational Visit arrangements (EVC and school arrangements)</li> <li>• Review school performance data</li> </ul>	<ul style="list-style-type: none"> <li>• Review further school performance data</li> <li>• Review progress on SDP/Action Plan/RAP<sup>2</sup></li> <li>• Evaluation of previous term's educational visits</li> <li>• Approve new SDP</li> <li>• Approve budget</li> <li>• Approve school profile</li> <li>• Review financial policies</li> </ul>	<ul style="list-style-type: none"> <li>• Review performance management policy and arrangements for headteacher review</li> <li>• Review progress on SDP/Action Plan/RAP<sup>2</sup></li> <li>• Pay/ISR progression</li> <li>• Review attendance, exclusions and racist incidents</li> <li>• Arrangements for prospectus</li> <li>• Evaluation of previous term's educational visits</li> <li>• Agree budget</li> </ul>
Finance Committee	<ul style="list-style-type: none"> <li>• Review internal financial regulations</li> <li>• Discuss the latest budget monitoring statement (usually prepared termly)</li> <li>• Review budget</li> <li>• Review expenditure on Standards Fund</li> <li>• Consider long-term financial plan for the next three years</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare provisional budget</li> <li>• Make recommendations for SDP</li> <li>• Discuss the latest budget monitoring statement (usually prepared termly)</li> <li>• Discuss cost-effectiveness of last year's spending decisions and review "Best Value" statement</li> <li>• Agree expenditure from Standards Fund</li> </ul>	<ul style="list-style-type: none"> <li>• Review expenditure on Standards Fund and other funding sources</li> <li>• Discuss the latest budget monitoring statement (usually prepared termly)</li> </ul>

<sup>1</sup> All governing body and committee agendas for each term should also include 'Declaration of Interests'.

<sup>2</sup> For secondary schools in the specialist college status there should also be a termly review of progress against specialist college plans and targets.

	<b>AUTUMN TERM</b>	<b>SPRING TERM</b>	<b>SUMMER TERM</b>
<b>GOVERNORS</b>	<b>Agenda<sup>1</sup></b>	<b>Agenda<sup>1</sup></b>	<b>Agenda<sup>1</sup></b>
Curriculum Committee	<ul style="list-style-type: none"> <li>Consider the review of policies according to the school's own agreed programme for review</li> <li>Review mission statement and aims</li> <li>Review curriculum statement/policy</li> <li>Review prospectus</li> <li>Review performance data</li> <li>Agree statutory targets</li> <li>Review Assessment Recording Review policy</li> <li>Review marking/feedback policy</li> <li>Review baseline results</li> </ul>	<ul style="list-style-type: none"> <li>Consider the review of policies according to the school's own agreed programme for review</li> <li>Make recommendations for Finance/SDP</li> <li>Monitor progress against targets</li> <li>Review RE and worship policy</li> <li>Foundation Stage/Early Years policy and Foundation subjects</li> </ul>	<ul style="list-style-type: none"> <li>Consider the review of policies according to the school's own agreed programme for review</li> <li>Child Protection policy</li> <li>Review home-school agreement</li> <li>Monitor progress against targets</li> <li>Review SEN policy</li> <li>Review behaviour policy and practice</li> <li>Review homework policy</li> <li>Review admissions policy</li> <li>Review target results</li> </ul>
Buildings Committee including Health and Safety	<ul style="list-style-type: none"> <li>Risk assessment</li> <li>Audit of needs</li> <li>Review rolling programme</li> </ul>	<ul style="list-style-type: none"> <li>Risk assessment</li> <li>Budget</li> <li>Make recommendations for SDP/Finance</li> <li>Review rolling programme</li> </ul>	<ul style="list-style-type: none"> <li>Risk assessment</li> </ul>
Staffing committee		<ul style="list-style-type: none"> <li>Staffing proposals and review</li> </ul>	
Pay Committee	<ul style="list-style-type: none"> <li>Respond to performance management reviews</li> </ul>	<ul style="list-style-type: none"> <li>Review progress</li> </ul>	<ul style="list-style-type: none"> <li>Review and agree policy</li> </ul>
PM Appointed Governors	<ul style="list-style-type: none"> <li>Meet with School Improvement Partner</li> <li>Agree headteacher objectives</li> </ul>	<ul style="list-style-type: none"> <li>Review progress being made on objectives</li> </ul>	<ul style="list-style-type: none"> <li>Review progress being made on objectives</li> </ul>
Extended Services Committee	<ul style="list-style-type: none"> <li>Progress and review of core offer provision</li> </ul>	<ul style="list-style-type: none"> <li>Report on autumn term consultation</li> </ul>	<ul style="list-style-type: none"> <li>Evaluation report on the quality and impact of extended services provision</li> <li>Arrangements for the autumn term consultation with children, young people, parents, carers and community</li> </ul>

## **Draft Questions for Calendar:**

### **Questions**

Having the agenda item is only part of the process; governors need to consider implications and progress carefully. The questions below could be used as part of that process. They are provided as a guide to the sort of questions that might be asked at the appropriate time. As far as possible, questions should be framed to pick up on the outcomes, impact and implications.

It is better to ask open questions that require explanation and evidence. These usually begin with "What", "How", "Can you explain".

This section includes some questions for full governing body meetings as they may also be relevant to some committees.

### **Full Governing Body**

#### **(a) Autumn Term**

- Has the Governing Body Code of Practice been reviewed and agreed by all governors?
- Have new governors been given a copy as part of their induction process?
- What are the governing body's arrangements for supporting new governors?
- Has the behaviour management policy been reviewed?
- Have all staff, pupils and parents been consulted as part of the review?
- Is the behaviour management policy used consistently?
- Is there evidence of its effectiveness?
- What is the current SEN provision, have there been any changes?
- How effective are our inclusion practices?
- Has the prospectus been agreed?
- Is the anticipated progress being made with implementing the School Improvement Plan/Ofsted Action Plan/Raising Attainment Plan?
- Have entries in the Register of Business Interest been reviewed?
- How did the school perform in the summer term key stage assessments/examinations and why?

- How are we progressing with our specialist college plans and targets? (secondary schools only).
- What arrangements have been made for target setting?
- What arrangements have been put in place for reporting on the achievements for pupils with SEN?
- What arrangements have been made to review the SEF and school profile?
- Has the nominated and trained Educational Visits Co-ordinator (EVC) attended any professional development courses?
- Are the school's arrangements for educational visits effective? Do they need reviewing?
- What are the monitoring and evaluation arrangements for educational visits during the next year?

**(b) Spring Term**

- Have we shared the RAISE online/Fischer Family Trust information?
- What does it tell us about how our school is currently performing?
- Are some parts of the school more effective than others?
- Are some groups of pupils doing better than others? If so, why?
- How does the school's achievements now compare with its previous achievement?
- How does the school's performance compare with that of other schools?
- What are the baseline results telling us in terms of attainment on entry?
- Are we making anticipated progress with the School Improvement Plan/Ofsted Action Plan/Raising Attainment Plan?
- How effective are our inclusion practices?
- What is the planned programme of educational visits, what are the monitoring arrangements and what educational benefit do they bring to the pupils?
- Has performance management been carried out?
- Has it been effective?

- Did the education visits held in the Autumn Term meet the objectives set out in the planning document?

**(c) Summer Term**

- How has performance management been carried out?
- Has it been effective?
- Is the anticipated progress being made with the School Improvement Plan/Ofsted Action Plan/RAP?
- What is the situation relating to attendance, exclusions, racist and bullying incidents?
- Full governing body questions on budget.
- Primary schools only: Is the school meeting the requirements of the legal limit of 30 pupils with a qualified teacher in reception, year 1 and year 2?
- How effective are our inclusion practices?

## **Finance Committee**

### **(a) Autumn Term**

- Have we reviewed our internal financial regulations?
- What is the current level of stated pupils/ESAPs? How does this differ from the level on which the funding was based and how will this affect funding and costs?
- What has been the cost effectiveness of major spending plans and are there any implications for future years' plans?
- What are the key spending priorities from the school development plan to be included in future years' budgets?
- How do our costs for different categories of spending compare with other similar schools from financial benchmarking and is there any action we need to take as a result of this?
- What are our numbers on roll?
- What are projected numbers, what are the future funding implications for us as a school?

### **(b) Spring Term**

- Is the budget in line with projected spending?
- Will we need to make any changes/savings?
- What is the likely end of year budget position?
- Are there still some outstanding financial issues from the previous financial year?
- Have we evaluated how cost-effective our spending has been?
- Have we been able to recommend a balanced school budget over the multi-year budget period and, if not, what action do we need to take?
- Are arrangements in place to review the charges for use of the building?
- Have all significant priorities identified in the school development plan been included in the budget? If any have not been included, are we satisfied with the rationale for exclusion?

- What are the planned levels of reserves and balances and how do they compare with LA guideline levels? Is this likely to result in clawback of excess balances?
- Have we produced a Best Value Statement and submitted it to the LA?
- Have we signed a Statement of Internal Control and submitted it to the LA? Were there any significant weaknesses identified which need to be addressed?
- What is our position in relation to the Financial Management Standard in Schools and, if appropriate, what steps do we need to take to ensure/maintain compliance?

**(c) Summer Term**

- Was the budget finally approved by the governing body?
- What is the current level of spending compared with budget from the latest monitoring report?
- Do we need to reduce expenditure in the light of budget monitoring information or is there any opportunity to bring forward any planned spending?
- What was the final out-turn for the previous year and how did it differ from estimated out-turn? Will this result in any changes to our spending plans?

## **Curriculum Committee/Standards and Effectiveness Committee:**

### **(a) Autumn Term**

- Does the curriculum policy reflect the present situation?
- Have we agreed statutory targets?
- Are they aspirational and challenging?
- Does the prospectus meet statutory requirements?
- Do we understand the attainment on entry judgement?
- Do we understand how assessment is used in school and what it means for staff?
- How does assessment inform what the school does?
- How did the school perform in the summer term key stage assessments/examinations and why?
- How do we compare with similar schools?
- What progress is being made on the School Improvement Plan/Ofsted Action Plan/Raising Attainment Plan?
- How are we progressing with our specialist college plans and targets? (secondary schools only).

### **(b) Spring Term**

- Are we making anticipated progress with the School Improvement Plan/Ofsted Action Plan/Raising Attainment Plan?
- What progress are we making against the school's targets?
- How are we progressing with our specialist college plans and targets? (secondary schools only).
- Are we regularly receiving revised subject policies to discuss?
- Are we addressing new initiatives?
- Are we receiving information on progress being made on targets?
- Have we any recommendations for the budget and the SIP/SDP?
- How effective has SEN provision been?

- What is new assessment information telling us?

**(c) Summer Term**

- Are we making anticipated progress with the School Improvement Plan/Ofsted Action Plan/Raising Attainment Plan? What progress is being made on Specialist status?
- What progress are we making against the school's targets? What does the school expect to achieve in the summer examinations? What about Specialist College targets?
- Have we reviewed appropriate policies?
- How effective has the SEN policy been?
- Have there been any changes in policy and/or provision?
- Have we reviewed behaviour policy and practice?
- Has the homework policy been reviewed?
- Has the admissions policy been reviewed?
- How is the school performing in relation to other similar schools?

**Premises Committee:**

**(a) Autumn Term**

- Do we have a clear view of short-term and long-term developments needed?
- Have we established a rolling programme for refurbishment?
- How useful is the current lettings policy?
- Are we developing good use of the building?
- Are we accessing all the funding to which we could be entitled?
- Does the school need to review the arrangements for unavoidable closures?

**(b) Spring Term**

- How are we doing in relation to our planned developments?
- Are arrangements in place to ensure that contractors are complying with our health, safety and safeguarding requirements?

**(c) Summer Term**

- Do our security arrangements need reviewing?
- Have we any concerns about the heating system?
- Can we have a full update about ongoing and planned maintenance projects?
- Has the Asset Management Plan be reviewed?
- Are grounds management contracts running smoothly?

**Extended Services Committee:**

- Has the consultation identified what we need to do differently?
- What have we done/do we propose to do as a result of the survey?
- What arrangements are in place to evaluate this year's activities?
- What is the level of the Disadvantage Subsidy and what are the plans to use that funding?

## **Inclusion and Pupil Welfare**

Some schools have a Community, Inclusion and/or Pupil Welfare Committee. Whether this exists or not, governors should ask the following questions throughout the school year:

- Have we reviewed the bullying policy? What does the school do about bullying? What do the bullying records tell us? What training has been done for staff?
- How does the school identify vulnerable children? How does it enhance provision for them to meet their needs? How effectively are they supported? How do we know that none are slipping through the net?
- How effectively does the school work with other agencies? What support do they offer?
- What nurture provision do we have? How effective is it?
- What other provision does the school have to foster inclusion? Learning Support Unit? Hearing Impaired Unit? Withdrawal room? What difference do they make?
- How many looked after children do we have? Who has responsibility for them? How do we ensure that they are making the progress they should?
- What provision does the school make for children with disabilities? How effective is this?
- Does the school make reasonable adjustments to include children with disabilities (including those related to behaviour such as ADD/ADHD) in all aspects of school life? Are children with SEN and/or disabilities over-represented in exclusion figures?
- How recently was the behaviour policy reviewed?
- What arrangements does the school have in place to cater for students after the sixth day of exclusion?
- Are exclusions monitored and kept to a minimum to ensure students' continuity and progression of education?
- Who has responsibility for child protection? Have we reviewed and evaluated our provision in this aspect?
- How many children with English as an Additional Language (EAL) do we have? What provision is made for them? How well do they achieve? How does the school manage new arrivals from other countries?

- Are children with EAL and/or ethnic minority students over-represented in exclusion figures?
- How well do children with SEN achieve? How effective is support? How effectively do teachers address their needs in class?
- How are parents involved in plans to support the inclusion of their children?



## **Chapter 7: The Roles of Nominated Governors**

Individual governors have no responsibility unless that responsibility is delegated to them by the governing body.

Some functions cannot be delegated to an individual but may be delegated to a committee. These relate to:

- school attendance targets;
- an application to the secretary of state for a direction where the school has been named in a school attendance order;
- referral to the secretary of state in respect of directions made by the LA to admit a child and appeals against LA decisions to admit children to the school;
- decisions as to particulars of premises to be submitted to the secretary of state for approval;
- appointment or dismissal of the clerk to the governing body;
- whether a child should be admitted to the school;
- alteration or discontinuance of a school;
- change of category of a school;
- approval of school's first formal budget plan of the financial year;
- school discipline policies;
- determination of admission arrangements;
- objecting to admission arrangements of another admissions authority;
- pupil exclusion hearings;
- determination of application for admission of a pupil.

## The Chair of Governors

Choosing a chair of governors or a vice chair is an important decision. This article provides some background to the role and the legalities of electing a chair or vice chair of governors.

The governing body is an integral part of the school leadership team. The chair of governors has a pivotal role to play in helping the governing body to work as a team to challenge, support and contribute to the strategic leadership of the school. Ofsted provided a list of the tasks of an effective chair in their publication *Making it Better: Improving School Governance*. Although published in 2001 the list remains very relevant today. The tasks were:

- give a clear lead in organising the governing body's work;
- delegate roles and ensure other governors are fully involved;
- manage meetings effectively;
- hold regular meetings with the headteacher;
- keep other governors fully informed;
- co-operate with other agencies on school improvement.

The chair is, therefore, often the governor closest to the headteacher and the school's senior leadership group. It is the chair who is called upon occasionally to take an urgent decision or to whom correspondence is sent, but the chair of governors remains accountable to the governing body for his or her actions. Hence the reason for including the chair's items on the Lancashire Governor Services recommended core agenda.

An effective governing body is one where relationships are good, governors are motivated, their strengths and individual contributions are effectively used, there is open dialogue about strengths and weaknesses and the school is effectively challenged and supported.

The role of the chair of governors is a demanding one to which governing bodies should give careful consideration. In electing a chair and vice chair of governors there are certain rules and procedures to follow and certain decisions to be taken by the governing body as a whole. Many governing bodies still elect their chair and vice chair for a 12 month term of office in the autumn term, therefore it is timely to consider both the role and procedures during the late summer or autumn term.

### Who can be chair?

Regulations allow for any governor, other than anyone employed to work at the school to become chair or vice chair. If your chair or vice chair takes up employment at the school they must immediately resign their chair or vice chair position.

### What are the election procedures?

Before embarking on seeking nominations for the positions of chair or vice chair the governing body must decide on:

- the terms of office of the chair and vice chair. It can be anything between one and four years;
- the way in which the election process is to be conducted:
  - are nominations to be sought in advance of the meeting where the election will be held? or
  - are nominations to be made at the meeting?
  - is voting to be by a show of hand or secret ballot?

Most governing bodies will have made these decisions following the Introduction of the School Governor (Procedures) (England) Regulations 2003.

Your clerk to governors should be able to provide any advice or procedures.

Alternatively the regulations can be accessed at

[http://www.opsi.gov.uk/si/si2003/uksi\\_20031377\\_en.pdf](http://www.opsi.gov.uk/si/si2003/uksi_20031377_en.pdf)

and a summary found in the Guide to the Law for School Governors.

### **What support is available to chairs of governors?**

- courses for chairs of governing bodies are included in the annual governor training and development programme; although principally for new chairs of governors, existing chairs, vice-chairs and chairs of committees may also attend;
- chairs forum each term for each district;
- an annual conference, on a current theme.

### **What are the characteristics of an effective chair?**

The Lancashire course for chairs of governors identifies that an effective chair of governors will:

- encourage the governing body to consider itself as a team, in partnership with the headteacher and staff of the school;
- have an understanding of the background, knowledge and commitment of each governor and will encourage them to become involved in the work of the group;
- ensure all governors understand their roles and what is expected of them;
- ensure that each governor is able to participate by being well informed about issues;
- encourage governors to take on some responsibility by ensuring the jobs are shared out fairly;

- give time and opportunity to new members so they get to know the group and participate usefully as soon as possible;
- ensure all meetings are worthwhile and make good use of time:
- manage meetings efficiently;
- give a clear lead in organising the governing body's work;
- get to know the school well, make frequent visits and be available;
- hold regular meetings with the headteacher;
- get to know the teaching and non-teaching staff;
- co-operate with other agencies to support school improvement;
- have a knowledge and understanding of the work of the Local Authority, Children's Trust and DfE;
- be familiar with the neighbourhood of the school and other schools in the district;
- act as spokesperson for the governing body as required.

## **The role of Other Nominated Governors**

Other nominated governors can undertake roles as governors for areas like literacy, numeracy, ICT, KS1 and 2, etc.

1. The roles of these governors are to:
  - help the governing body understand and monitor their area;
  - ensure that regular consideration is given to matters surrounding their area;
  - act as a link, alongside the headteacher, between the school and the governing body on delegated matters;
  - liaise with the relevant bodies within the school to provide help and support to policy, planning and development;
  - attend organised training events related to the area.
  
2. A nominated governor might:
  - meet with the co-ordinators at least once each term to discuss how the implementation of the strategy is working;
  - meet with the headteacher from time to time to become better informed about school issues surrounding the area;
  - use termly visits to talk with teachers and see some daily operation;
  - report to the governing body/Curriculum Committee as agreed;
  - try to attend some INSET courses;
  - be involved in the school's attempts to inform parents and involve them in their children's learning/education;

## **The role of the Training Link Governor**

1. The training link governor is appointed by the governing body.
2. The role of the training link governor is to assist the governing body to identify and respond to the individual and collective training needs of the governing body.

(Governors' courses are offered to individual schools or groups of schools in their own locality, at times and days to suit them. This is the heart of the link governor scheme.)

3. The Training Link Governor liaises with the governor services team about their governing body's training needs. Training link governors should:
  - keep their governing body informed about new courses, seminars and conferences. The governor training agenda item at the governors' meeting can be used.
  - help identify the training needs of their governing body;
  - liaise with training link governors of neighbouring schools, if they wish, to organise joint training events;
  - inform the governor services team of any courses the governing body would like to arrange for themselves or with a group of neighbouring schools.

(Training link governors receive a welcome pack, a termly newsletter and the opportunities to attend briefings to help them undertake their role.)

4. In church schools the training link governor may liaise with the Diocese/Church Authority about school based course provision.

## **The role of the SEN Governor**

1. The SEN governor is appointed by the whole governing body.
2. The main function of the SEN governor is to keep governors informed about the way the school manages its provision for SEN, so that the governing body can fulfil its legal responsibilities.

It is likely that a key contact for the SEN governor within the school will be the Special Educational Needs Co-ordinator (SENCO).

The responsibilities of the SEN Governor:

- to be informed about relevant SEN related legislation and that relating to the role of the governing body;
  - to liaise with the SENCO about the school's procedures for identifying and supporting pupils with SEN;
  - with the assistance of the SENCO and headteacher to monitor and evaluate the school's SEN provision;
  - to establish and maintain the governing body's regular consideration of SEN provision and its effectiveness;
  - to be aware of the arrangements the school has made to ensure regular communication with parents of SEN pupils;
  - to be an advocate for SEN when whole school issues are being considered;
  - to attend governor training sessions to improve his/her effectiveness as a SEN governor;
  - to represent the governing body on SEN matters.
3. The SEN governor is in a particularly sensitive position as many people may not realise the distinctive different roles of headteacher and governor. It is the headteacher's responsibility to manage the school and, therefore, SEN provision within the context of the strategic direction set by the governing body. It is not appropriate for SEN governors to become involved with the case work relating to individuals, nor individual pupil progress.

## **The role of the Child Protection Governor**

This role will normally be undertaken by the chair of governors and will involve:

- ensuring, in liaison with the headteacher/senior designated teacher, that the school has a child protection policy and procedures in place. These should be reviewed and updated as required (annually);
- ensuring that an annual item is placed on the governing body agenda to report on changes to child protection policy/procedures, the number of incidents/cases (without details or names) and the place of child protection issues in the school curriculum;
- ensuring that appropriate child protection training is accessible for, and is undertaken by, the senior designated teacher and other staff, at appropriate intervals (ie recommend every 2 years);
- liaison (with due regard for issues of confidentiality) with the headteacher/senior designated teacher re allegations of child abuse;
- liaison with the Children and Young People Directorate, Social Services Directorate and the Police in relation to allegations of abuse made against the headteacher, including attendance at strategy meetings. This responsibility rests with the chair of governors only. (Where another member of the governing body carries the role of child protection governor, their responsibility is to ensure that all school staff are aware of the existence of the relevant procedures in respect of allegations against staff);
- attendance at training for designated governors;
- working with the headteacher to ensure that the school undertakes an annual safeguarding audit, which is reported to the governing body;
- ensuring that appropriate safeguarding arrangements are in place for all third party activities on the school premises.

## **Appendix 1: Model Code of Practice for School Governing Bodies**

### **Introduction**

This model Code of Practice has been prepared following requests from governing bodies for some further guidance on developing a Code of Practice. It provides a framework for discussion and from which individual governing bodies can develop their own Code of Practice. In particular some governing bodies may want to further develop some sections to meet their particular operational style.

Governing bodies who adopt a Code of Practice will need to reconsider their induction arrangements for new governors to ensure that all are aware of its existence and importance.

### **Developed in Consultation**

This Code of Practice was generated from the contributions of chairs and vice chairs of governors at Conference 2000 based on an original Code of the National Governors Council. The majority of governors attending the workshops agreed that a Code of Practice was a useful mechanism to revisit a governing body's roles and responsibilities on an annual basis, possibly at the first governors' meeting in the autumn term. It was felt that a Code of Practice set boundaries, as it addressed what governors were "not about". It was also a recommendation from the House of Commons Select Committee Report "that governing bodies adopted a code of practice outlining the purpose of the governing body which describes the appropriate relationship between individual governors, the whole governing body and the school..."

This Code of Practice has also been the subject of consultation with the Diocesan/Church Authorities and the Lancashire Association of School Governing Bodies who commend it to all governing bodies.

### **Code of Practice for Governors**

The governing body has adopted the following principles and procedures:

#### **Commitment**

We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.

We will involve ourselves actively in the work of the governing body, attend regularly and accept our fair share of responsibilities, including service on committees or working groups.

We will get to know the school well and respond to opportunities to involve ourselves in school activities.

We will accept the necessity of addressing our individual and collective needs for training and development. To this end we will, on a regular basis, monitor and evaluate our own effectiveness as a corporate body.

## **General**

(Specific reference may wish to be made to the school's mission statement, aims and values. In church schools reference should be made to the Diocese in which it is placed).

(As governors of a voluntary school with a religious character we have a legal responsibility to ensure that the school is conducted according to Christian values and the teachings of the Church. However, whilst all governors share the same generic responsibilities it is the foundation governors who are appointed in order to fulfil special legal responsibilities. Briefly, these are:

- to preserve and develop the school's religious character; and
- to ensure that the school is conducted in accordance with the trust deed of the Diocese and religious order).

We will maintain and develop the ethos and reputation of the school.

We will support the school in meeting its statutory responsibility to provide the best education for each individual pupil and enable him/her to reach his/her highest standard of attainment.

We will set up a strategic framework for the school; determining, monitoring and keeping under review its aims and objective, policies and targets and the procedures within which the school operates.

We will recognise and support the headteacher and his/her responsibilities for the internal organisation, management and control of the school and for advising on and implementing the governing body's strategic framework.

We will promote community cohesion, both as individuals and collectively, supporting the school to enable it to fulfil this duty.

As a corporate body, with a collective responsibility, we have powers to delegate some responsibilities to individual governors, to committees and/or to the head. To this end we must have a clear and agreed scheme of delegation.

We will be fully accountable in the way we carry out our functions as a governing body.

We accept we have no legal authority to act individually except when the governing body has given us delegated authority to do so.

We accept that all governors have equal status and although elected/appointed by different groups our over-riding concern will be the welfare of the school as a whole.

We recognise that some governors, because of the specific positions they hold on the governing body have greater responsibilities and duties.

We have a duty to act fairly and without prejudice and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.

We will act with due regard for the well-being of children in other schools and communities in supporting the activities of our own particular school.

### **Confidentiality and Conduct**

We will encourage open governance and shall be seen to be doing so.

We will develop effective working relationships with community and parent groups, the LA and other relevant agencies, including the Diocesan/Church Education Authority, where appropriate.

We will establish a clear procedure through which concerns and complaints can be addressed.

We accept that it is our general duty to act fairly and without prejudice at all times.

We will operate as a team, actively developing constructive relationships, using the skills and talents of all members.

We will encourage the open expression of views within meetings.

We will accept collective responsibility for all decisions made by the governing body or its delegated agents.

We will accept that all discussion in reaching decisions is kept confidential to the meeting.

When items of business are determined to be confidential, all members of the governing body are bound by that confidentiality. They must, therefore, exercise the greatest prudence when potentially contentious issues affecting the school arise outside the governing body.

We will only speak or act on behalf of the governing body when specifically authorised to do so.

Our visits to school will be undertaken within the framework established by the governing body and agreed with the headteacher.

Individual governors and associate members will comply with the School Governance (Constitution) (England) Regulations 2007 and inform the clerk to governors should there be a change in circumstances which would result in disqualification from the governing body.



## Appendix 2: The Role of the Clerk

### Model job description for a clerk to governing body

(Lancashire Governor Summer 2000, updated May 2010)

The recent DCSF report, 'The 21<sup>st</sup> Century School: Implications and Challenges for Governing Bodies' highlights the importance of a trained and effective clerk to provide advice and guidance to the governing body as well as minute taking.

This job description provides an outline of the expectations a governing body may have of the clerk.

### Introduction

This job description has been developed to reflect good practice. It identifies the duties and responsibilities of an effective and efficient clerk. A governing body needs a clerk who can not only take minutes but also provide advice on procedural matters and be aware of the sources of advice and guidance relating to the duties and responsibilities of the governing body.

Governing bodies may adapt or adopt this job description for their clerk. Alternatively they may develop their own.

Within the LA Clerking Service, this model job description is used to encompass the total service to governing bodies and some of the functions may be undertaken by the Governor Services Team on behalf of the clerk.

In appointing a clerk to the governing body, the Pupil Discipline (Exclusions) committee, the Admissions committee and any committee dealing with staff dismissal the governing body must not appoint:

- (a) a member of the governing body, or
- (b) the headteacher.

### A. Personal Requirement

- 1) The clerk to a governing body should be familiar with the content of:
  - all legislation - Acts of Parliament, Regulations and Good Practice - referring to the operations of the governing body;
  - the school's instrument of government;
  - relevant statutory documents;
  - terms of reference and membership of committees and working groups of the governing body;
  - DCSF - A Guide to the Law for School Governors.
- 2) The clerk to a governing body should attend relevant training and briefing sessions relating to the effective operation of the governing body.

## **B. Constitution of the Governing Body**

The clerk to governors should:

- 1) advise the governing body on correct appointment procedures for each category of governor;
- 2) receive from the LA and hold reserve stocks of, official documents which have to be made available to members of the governing body;
- 3) send to all newly appointed governors:
  - (a) letters confirming the appointment;
  - (b) the instrument of government of the school;
- 4) report promptly to the governing body and to the Area Governor Services officers all appointments, elections and resignations;
- 5) notify the appointing body that a governor's term of office is coming to an end at least four months before his/her end of term of office; and if appropriate, include any relevant information about their re-appointment;
- 6) liaise, in writing, with the Central Governor Services Team on all matters relating to the appointment of LA governors;
- 7) liaise, in writing, with the relevant appointing body/bodies on all matters relating to the appointment of foundation governors and notify the Area Governor Services Team of any changes;
- 8) maintain a correct nominal roll of the governing body, including addresses, categories of governorship, by whom appointed or elected and dates of term of office;
- 9) record attendance at meetings of the governing body;
- 10) minute apologies for absence which are submitted and record whether the apologies are accepted or merely noted;
- 11) advise the governing body when a member has been absent from its meetings, without its consent, for more than six months, and take the necessary steps in relation to disqualification;
- 12) seek advice and guidance from the Area Governor Services offices and/or the diocese on matters relating to the appointments resignations and terms of office for all categories of governors;
- 13) conduct the election of chairmen and vice chairmen of governors according to regulations.

### **C. Meetings of the governing body and its committees**

The clerk to the governing body or the committee should:

- 1) agree the agenda for each meeting in discussion with the chairman of governors or committee and the headteacher in adequate time for the agenda to be sent out as required;
- 2) send to all governors with no less than seven days clear notice:
  - (a) a letter convening a meeting
  - (b) the agenda for the meeting
  - (c) all documents in support of the items on the agenda;
- 3) record and report apologies for absence from each meeting;
- 4) arrive for each meeting in time to prepare for its proceedings;
- 5) attend and minute each meeting;
- 6) provide members of the governing body with advice on sources of information and seek information for them as and when required;
- 7) draft minutes for each meeting, in a form acceptable to the governing body, that clearly record all decisions taken and provide an outline of any discussions;
- 8) submit draft minutes to the chairman for approval within the timescale agreed by the governing body, and if necessary, amend as directed;
- 9) take appropriate action required by the draft minutes;
- 10) distribute approved draft minutes to all members of the governing body within the timescale agreed with the governing body.

### **D. Keeping of Records**

The clerk to the governing body should also be required to:

- 1) ensure that all minutes confirmed by a governing body are correctly signed;
- 2) maintain the official copy of all the records and documents of the governing body ;
- 3) assist the governing body to provide a copy of the agenda, minutes and documentation relating to each of its meetings for public scrutiny at the school, excluding confidential items.
- 4) keep records of all action taken and of all correspondence relating to the business of the governing body;
- 5) ensure that the governing body maintains a register of business interest;
- 6) maintain spare supplies of the school's Instrument of Government.