

Meadowside School

Full Governing Body

Terms of Reference

2023 - 2024

Agreed by Full Governing Body 28th September 2023



INTRODUCTION

In order to operate effectively many governing bodies rely on committees to spread the weight of their responsibilities and to develop the expertise of participants in particular subject areas. The governing body is at liberty to resolve to delegate to a committee (the head or an individual governor) some of its functions other than those listed in Regulation 42. A list of these duties which cannot be delegated is included in this document.

The rules governing the establishment of committees are to be found in The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013. These are reproduced in the DfE Governors' Handbook. Further guidance is available from the Authority's Staffing Section as to the specific procedures to be followed when making personnel decisions. Advice of exclusions can be obtained from Pupil Services.

Generally speaking there are types of Committee:

- i) Statutory Committees (Curriculum/Personnel/Finance. H&S, Premises)
- ii) Standing Committees: only meets when it is needed to fill a specified function

Limits of Delegation of Powers to Committees:

The Full Governing Body need not take every decision. They may delegate some of their functions and powers to the Head Teacher, to an individual Governor, or to committees that the Governing Body sets up.

The responsibility remains with the Full Governing Body.

The intention of this paper is to guide governors towards the establishment of legally constituted and effective committees of the governing body. Please remember that this is an advisory document and, where any doubts exist, reference should be made to the statutory source, Governors' Handbook October 20 and the sources of professional expertise within the Education Department.

CHECKLIST : FORMATION OF COMMITTEES

THE MEETING OF THE GOVERNING BODY MUST BE DULY QUORATE, THEN TAKE THE FOLLOWING DECISIONS AND RECORD THESE IN THE MINUTES.

- * Decide the numbers and titles of committees to be established. Remember that Statutory Committees must be established first.
- * Consider how many governors are to sit on each committee? (Check Regulations to see if numbers are specified). Note that membership of **any Appeal Committee shall include no fewer members of the governing body than that of the first committee**, the decision of which is subject to appeal. In order to fulfil impartiality requirements within small governing bodies use the option of last resort i.e. two governors only on statutory committees. To ensure this it is recommended that there are named substitutes for such committees.
- * Elect named members and reserved. Number reserves in order of involvement.
- * Decide if the Chair of each committee is to be appointed by the governing body or elected by members of those committees. Employees at the school are prevented from accepting this position, or that of Committee Vice Chair where such a post exists.
- * Determine if committee membership is to include non-voting co-opted members from outside the governing body. If so these can either be selected by the latter or the committee may be invited to bring back nominations for the approval of the governing body. The Headteacher, whether or not they are a governor, is entitled to attend any meetings of any committee of the governing body save for those exceptions identified in the Regulations.

Decide if there is to be a quorum for each committee and, if so, what is it?

- * Establish clear TERMS OF REFERENCE for each committee:
 - where none presently exist, it may be necessary to defer reference terms to a future meeting in order to allow sufficient time for full consideration of the issues involved;
 - where they have been drawn up previously, it is always useful at the first meeting of the year to summarise content, particularly for new governors, and examine the need for any review;
 - so that a legal record exists, new or amended terms of reference should be read into the minutes. If terms are being re-affirmed, the date of the original meeting at which they were adopted by the governing body can simply be noted in the minutes.

REMEMBER All committees report back to the full governing body when it next meets as to the discharge of those functions delegated to them.

COMMITTEES OF THE GOVERNING BODY**Legal Context**

Statutory provision exists for:

- (1) Governing Bodies to establish committees, and
- (2) to delegate functions (other than those listed below) of the governing body to duly established committees or to any member of the Governing Body or to the Head Teacher.

The updated details concerning committees of the Governing Body are to be found in The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 and is reproduced in the DfE Guidance Governors' Handbook.

Limits of Delegation of Powers to Committees

The Full Governing Body need not take every decision. They may delegate some of their functions and powers to the head, to an individual governor or to committees that the governing body sets up. But the responsibility remains with the Full Governing Body.

Some key decisions cannot be delegated and must be taken by the governing body. In these cases the governing body may still ask a person or an informal group to consider decisions and make recommendations to them, as long as the full governing body take the decision. Governing bodies should take care to distinguish between committees which have delegated powers, and working parties or informal groups which do not.

Duties which cannot be delegated are:

- * decisions concerning the content, preparation or variation of the instrument of government;
- * appointing, co-opting or removing governors;
- * appointing the chair and vice chair and removing the chair;
- * the requirement to hold full governing body meetings;
- * regulating governing body proceedings or proceedings of committees;
- * decisions about delegation to or the setting up, membership, proceedings and review of committees, including selection panels;
- * deciding on arrangements for delegating or ceding governing body functions to an Education Action Forum, and requests to the Forum to stop carrying out functions on behalf of the governing body;
- * approving the school prospectus;
- * approving the annual report to parents;
- * publishing proposals for alteration or discontinuance of the school;
- * publishing proposals for change of category of the school;
- * determining admission arrangements;
- * objecting to admission arrangements of another admission authority;

- * fixing admission numbers and variation of standard numbers;
- * making admission appeal arrangements;
- * deciding school session times and dates of school terms and holidays;
- * approve the first formal school budget plan submitted to the LA for each financial year. This does not include any provisional budget plan, or subsequent revisions;
- * decisions about applications to advisory councils concerning collective worship;
- * deciding arrangements for collective worship;
- * deciding school discipline policies;
- * adopting and reviewing the home-school agreement;
- * ensuring that sex education is given in a way that encourages pupils to have due regard to moral considerations and the value of family life;
- * prohibiting political indoctrination and securing balanced treatment of political issues;
- * determining and reviewing policies on charges and remissions; and
- * making arrangements for staff dismissal procedures.

Other decisions which cannot be delegated may be specified in legislation on specific topics.

Schedules 16 and 17 to the 1998 Act provide for delegation of Head Teacher and deputy Head Teacher selection to panels (subject to approval of the full governing body), and make specific provision permitting committees or individuals to make decisions about other staff appointments.

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;
- * setting pupil performance targets;
- * 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 or the clerk to a committee of the governing body; and
- * whether a child should be admitted to the school.

Decisions relating to staff dismissal and appeals must be delegated to staff dismissal and dismissal appeal committees. Functions relating to exclusions of pupils must be delegated to a pupil discipline committee.

Constructing Committees

The governing body shall, at the first meeting of every school year, take the following decisions. In undertaking these ONE HALF of the Governing Body (rounded up to the nearest whole number) must be present but for this larger quorum unfilled places on the governing body are not taken into account.

- * Determine the number and titled of committees to be set up plus their membership.

(Membership may include non-governors (Associate members) provided that a majority of members are members of the governing body, but they do not have voting rights).

- * Determine the terms of reference for committees, which should include a statement as to the quorum for operation.
- * Establish procedures for appointment of committee chairs and vice chairs (both must be governors and may not be employees at the school or a registered pupil).
- * Minute the outcome of their deliberations.

Committee Proceedings

- * The governing body is responsible for the acts of those with delegated functions.
- * The actions or decisions taken by any committee or individual given delegated powers must be reported to the next meeting of the governing body in relation to their delegated functions.
- * Those rules applying to disqualification from membership of the governing body equally apply to governors serving on committees, except for the six months attendance rule.
- * Members are provided with seven days' notice of meetings with agenda.
- * Meetings are concisely minuted and details published with any papers unless the governing body has determined that the matter is confidential.
- * A record of persons present is kept.
- * A note of any withdrawal from meetings is made.
- * The Head Teacher, whether or not a governor, is entitled to attend any meeting of any committee of the governing body **except** the Staff Dismissal and Pupil Discipline Committees, subject to the regulations on withdrawal or where the subjects under discussion are the conduct of the Head Teacher, their continued appointment; the appointment of a successor.

APPENDIX 2

WITHDRAWAL FROM COMMITTEE MEETINGS

Regulation 57 of and Schedule 6 to the School Government Regulations set out the circumstances where people who would usually be entitled to attend governing body or committee meetings (that is, governors, members of committees, Head Teacher or any person acting as clerk) have to leave a meeting. The general principal is that no-one should be involved in a decision where his or her personal interests may conflict with those of the governing body. Under finance regulations, all schools must keep a register of any business interests of the governors and the Head Teacher. Governors should declare any personal conflict of interest as soon as a matter in which they have an interest is raised. Schedule 6 of

the School Government Regulations deals with what constitutes a pecuniary interest requiring withdrawal. It also provides that governors should not vote in connection with their own appointment to or removal from a governing body office (membership of the governing body or a committee or appointment or removal as clerk, chair or vice chair).

There is a new general provision which requires people usually entitled to attend meetings to withdraw and not vote where a fair hearing must be given and there is reasonable doubt about that person's ability to act impartially. For example, where the governing body are discussing disciplinary action against a pupil or teacher, no-one who was involved in the events leading up to the discussion, or who could be biased, should be allowed to take part in that discussion. However, the governing body may call such a person to give evidence. The new provision does not stop governors expressing interests and views in relation to general administrative matters, as opposed to cases where they are determining the rights of individuals.

Specific provision is made in the regulations in relation to certain issues;

- * Teachers need not withdraw because of a pecuniary interest which is no greater than that of the other teachers at the school;
- * Other members of staff need not withdraw because of a pecuniary interest unless they have a personal interest which is greater than that of other members of staff who are not teachers;
- * **A new requirement is that any employee of the school other than the Head Teacher must withdraw from a meeting which considers the pay or appraisal of other employees of the school;**
- * **The Head Teacher must withdraw from any meeting which considers his or her own pay or performance appraisal;**
- * The person acting as clerk may continue to act as such unless his or her own pay or disciplinary action against him or her is under consideration;
- * A person who is a governor of two schools is not required to withdraw from discussion of issues involving conflict of interest between those schools;
- * If there is disagreement about whether a person is required to withdraw; it is for the other members of the governing body or committee to make the decision. This provision does not allow the withdrawal requirements to be waived by the governors or other committee members.

Associate Members

Associate members are appointed by the governing body to serve on one or more committee(s) and to attend full governing body meetings.

Associate members are **not** governors and are not recorded in the Instrument of Government.

Associate members can be appointed for between 1 and 4 years and can be reappointed at the end of their term of office.

Associate members **cannot** be appointed as the Chairman or Vice Chairman of a Full Governing Body.

Associate members can be: given limited voting rights on committees; be appointed as Chairman of a committee (it is recommended that Associate members are not elected as the Chairman of the Finance committee); the committee can only vote if the majority of committee members present are

governors; if an associate member is the Chairman of a committee they cannot have a second casting vote.

Associate members **may not** vote on any decision concerning admissions, pupil discipline, election of appointment of governors, the budget and financial commitments of the governing body. Associate members **cannot vote at Full Governing Body meetings**.

It is recommended that Associate members are not appointed to Pupil Discipline, Staff Disciplinary, Employee Grievance, Staff Dismissal Appeal and Pay Review Appeal committees.

Meadowside School Governing Body:

The Associate Governor has voting rights on the Statutory Committees only
(Curriculum/ Personnel/ Finance. H&S. Premises)

Meadowside School Governing Body 2023/24 8 (9)

Staff Governor (2) Paula Wareing (HT) Annabelle O'Connor (Teacher)

Parent Governors (3) Stephen Pearson, Stephen McMahon Vacancy

Co-opted Governors (3) Graham Spearing, Jeff Hughes, Josie Tuplin

LA Governor (1) Maureen Wilkins

Associate Governor -

Clerk to Governing Body - Jacqui Wood

Membership of committees:

Curriculum Committee

Paula Wareing, Annabelle O'Connor, Mo Wilkins, Josie Tuplin

Personnel Committee

Paula Wareing, Graham Spearing, Mo Wilkins, Vacancy - Josie Tuplin

Finance/Health & Safety/Premises Committee

Paula Wareing, Jeff Hughes, Stephen Pearson, Stephen McMahon

Named Governor for Health & Safety - Jeff Hughes

Named Governor for Pupil Premium and Careers - Stephen Pearson

Named Governor for Child Protection and eSafety - Stephen McMahon

Named Governor for Reading - Josie Tuplin

Performance Management for Head Teacher Reviewers:

Jeff Hughes (Finance) and Graham Spearing (Personnel)

External School Assurance Partner: Lis Burbage

Statutory Terms of Reference

MEADOWSIDE SCHOOL TERMS OF REFERENCE STAFF DISCIPLINARY COMMITTEE

This, as with all Statutory Committees, is a '**Standing Committee**' in that it does not meet as a matter of course but only when it is needed to fill its specified functions.

Under the Regulations of the Education Act 2002, replacing schedules 16 and 17 of the SSFA 1998 and School Staffing (England) Regulations 2009, Head Teachers could have the delegated responsibility to make initial dismissal decisions (IDD). The Governing Body may delegate the responsibility for staff dismissal decisions to the Head Teacher for minor offences but refer allegations of gross misconduct to the Staff Disciplinary Committee.

STAFF DISCIPLINARY COMMITTEE

Membership	No less than 3 named members of the governing body, but <u>cannot</u> include the Head Teacher (with named reserves) or Associate member .
Quorum	3 Governors (using named reserved in order).
Meetings	As required.
Terms of Reference	To consider any recommendation that a member of staff be dismissed from employment at the school.
Note	<p>Although a Staff Disciplinary Committee will consider a proposal to dismiss a member of staff, it can decide on a lesser sanction such as a final warning in the case of a disciplinary matter.</p> <p>There would be a right of appeal against this decision which would be heard by the Staff Disciplinary Committee.</p> <p>Governing bodies should consider inviting the Borough solicitor (or his representative) to be present.</p>

The governing body must delegate decisions on dismissing staff to a committee, which contains 3 governors or more. Appeals against decisions made by that committee must be considered by a separate committee with different members. The appeal committee cannot have fewer governors than the first committee. If the full governing body find that they cannot meet the minimum requirement for 3 members for each committee, the staff disciplinary committee can, as a last resort, include 2 governors. In that case, the appeal committee must also include at least 2 governors. Non-governors may be members of these committees but cannot be given voting rights. The Head cannot sit as a member of either committee because he or she is likely to have been involved earlier in the process.

NOTES (1) It is good practice for reserved members to be named for each committee in order that any member or either committee who was unable to attend a particular meeting or who

had an interest that necessitates withdrawal could be replaced without a further full meeting of the governing body.

(2) **No members of either committee should have been involved in prior discussion about the particular member of staff in relation to disciplinary/grievance/redundancy criteria.**

(3) Personnel affairs are particularly complex and it is strongly suggested that LA advice be sought at the outset where any doubt exists as to procedure.

<p>MEADOWSIDE SCHOOLS TERMS OF REFERENCE STAFF DISCIPLINARY <u>APPEAL</u> COMMITTEE Standing Committee</p>
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Membership	No fewer named members of the Governing Body than the Staff Disciplinary Committee with named reserves, cannot include Associate members . No member of the Appeal Committee may have served on the Staff Disciplinary Committee.
Quorum	As per the Staff Disciplinary Committee.
Meetings	As required.
Terms of Reference	To undertake appeals arising from a member of staff against the decisions of the Staff Disciplinary Committee.

NOTES:

(1) It is good practice for reserve members to be named for each committee in order that any member of either committee who was unable to attend a particular meeting or who had an interest that necessitates withdrawal could be replaced without a further full meeting of the governing body.

(2) **No members of either committee should have been involved in prior discussion about the particular member of staff in relation to disciplinary/grievance/redundancy criteria.**

(3) Personnel affairs are particularly complex and it is strongly suggested that LA advice be sought at the outset where any doubt exists as to procedure.

Statutory Terms of Reference

MEADOWSIDE SCHOOL TERMS OF REFERENCE STAFF DISMISSAL COMMITTEE

This, as with all Statutory Committees, is a '**Standing Committee**' in that it does not meet as a matter of course but only when it is needed to fill its specified functions.

STAFF DISMISSAL COMMITTEE

Membership	No less than 3 named members of the governing body, but cannot include the Head Teacher, or Associate members (with named reserves).
Quorum	3 Governors (using named reserved in order).
Meetings	As required.
Terms of Reference	To consider any recommendation that a member of staff be dismissed from employment at the school.
Note	<p>Although a Staff Dismissal Committee will consider a proposal to dismiss a member of staff, it can decide on a lesser sanction such as a final warning in the case of a disciplinary matter.</p> <p>There would be a right of appeal against this decision which would be heard by the Staff Dismissal Appeals Committee.</p> <p>Governing bodies should consider inviting the Borough solicitor (or his representative) to be present.</p>

The governing body must delegate decisions on dismissing staff to a committee, which contains 3 governors or more. Appeals against decisions made by that committee must be considered by a separate committee with different members. The Appeal Committee cannot have fewer governors than the first committee. If the Full Governing Body find that they cannot meet the minimum requirement for 3 members for each committee, the Staff Dismissal Committee can, as a last resort, include 2 governors. In that case, the appeal committee must also include at least 2 governors. Non-governors may be members of these committees but cannot be given voting rights. The Head cannot sit as a member of either committee because he or she is likely to have been involved earlier in the process.

- NOTES**
- (1) It is good practise for reserved members to be named for each committee in order that any member or either committee who was unable to attend a particular meeting or who had an interest that necessitates withdrawal could be replaced without a further full meeting of the governing body.
 - (2) **No members of either committee should have been involved in prior discussion about the particular member of staff in relation to disciplinary/grievance/redundancy criteria.**
 - (3) Personnel affairs are particularly complex and it is strongly suggested that LA advice be sought at the outset where any doubt exists as to procedure.

<p>MEADOWSIDE SCHOOLS TERMS OF REFERENCE STAFF DISMISSAL APPEAL COMMITTEE Standing Committee</p>
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Membership	No fewer named members of the governing body than the Staff Dismissal Committee, cannot include Associate members , with named reserves. No member of the Appeal Committee may have served on the Staff Dismissal Committee.
Quorum	As per the Staff Dismissal Committee.
Meetings	As required.
Terms of Reference	To undertake appeals arising from a member of staff against the decisions of the Staff Dismissal Committee.

NOTES:

- (1) It is good practice for reserve members to be named for each committee in order that any member of either committee who was unable to attend a particular meeting or who had an interest that necessitates withdrawal could be replaced without a further full meeting of the governing body.
- (2) **No members of either committee should have been involved in prior discussion about the particular member of staff in relation to disciplinary/grievance/redundancy criteria.**
- (3) Personnel affairs are particularly complex and it is strongly suggested that LA advice be sought at the outset where any doubt exists as to procedure.

<p style="text-align: center;">MEADOWSIDE TERMS OF REFERENCE PUPIL DISCIPLINE COMMITTEE Standing Committee</p>
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Membership	The Pupil Discipline Committee shall consist of 3 members of the governing body, but shall <u>not include the Head Teacher, or a non-governor – Associate member</u> (with named reserves).
Quorum	The quorum shall be 3 members of the committee (using named reserves in order).
Meetings	The committee shall meet to consider a <u>fixed term</u> exclusion only when the fixed term exclusion results in a child missing more than 15 school days (in total) in any one term unless the parent makes representation. The maximum time limit for the disciplinary committee to meet to review fixed term exclusions of between 6 and 15 school days (in total) is 50 school days.

The committee shall meet within 15 days of receiving notice of a **permanent exclusion** or any fixed term exclusion of between 16 and 45 school days.

Terms of Reference The following terms of reference are suggested:

- a) To consider representations by parents (or if over 18, pupils) in connection with their child's exclusion from school;
- b) To consider Fixed Term Exclusions which exceed 15 days in any one term or when the pupil would lose the opportunity to take a public examination with a view to determining whether to set as earlier date for the pupils' return to school;
- c) To consider all permanent exclusions in order to determine whether to uphold the exclusion or to reinstate the pupil.

The function of the Disciplinary Committee - The Disciplinary Committee should ascertain:

- 1. the facts of the case establishing whether the pupil was guilty of the behaviour for which he/she was excluded.
- 2. that exclusion was an appropriate response to the behaviour.
- 3. if the exclusion is for a fixed period, whether an earlier date should be specified for reinstatement.

The Disciplinary Committee of the Governing Body is responsible for ensuring that the meetings are conducted properly and fairly. They should be guided by the rules of natural justice. Any suggestion that a member of the committee has an interest in the outcome or has formed a view on the

exclusion before considering all the evidence is likely to invalidate the proceedings and may lead to legal action being taken against the governing body.

The Disciplinary Committee should remember that the Headteacher and the parent appear before them as equal parties. Neither should be given or appear to be given more favourable treatment. They should enter the appeal hearing together and leave together.

Governors should refer to the guide 'Exclusion from maintained schools, Academies and pupil referral units in England' 2015, statutory instrument 2012 No.1033 The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and the summary DfE Behaviour and Discipline in Schools January 2016.

The governing body must also pass on decisions about reinstating excluded (suspended or expelled) pupils to a committee. The committee must consist of either 3 or 5 governors. **Neither the head nor a non-governor (associate member) can be a member of this committee.** Any committee meeting, and vote, must have a quorum of 3 committee members. The chair of the committee has power to take action to reinstate an excluded pupil if the pupil would, in consequence, not be able to take a public examination.

<p style="text-align: center;">MEADOWSIDE SCHOOL TERMS OF REFERENCE PERSONNEL COMMITTEE Statutory</p>

- Membership**
- a) The committee shall consist of not less than **3** named governors (annually elected by the Governing Body), plus the Head Teacher or his/her representative if the governing body agree to such an invitation.
 - b) The committee shall have such co-opted non-voting members as decided by the governing body. The committee may make recommendations for these appointments.
 - c) The committee appoints their own Chair.

Quorum The quorum shall be **2** governors **plus** the Head Teacher or, if the governing body have agreed, his/her representative.
Associate members do not count towards the quorum.

Meetings The committee shall meet once per term and otherwise as required.

This committee shall be responsible for ensuring that in fulfilling their terms of reference no employee encounters direct or indirect discrimination regardless of **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation**. This committee should take full account of:

Sex Discrimination Act 1975 (repealed) is up to date with all changes known to be in force on or before **18 September 2023**.

Sex Discrimination (Gender Reassignment) Regs 1999

Race Relations Act 1976, Amendment 2000

The Equality Act will replace the Disability Discrimination Acts 1995 and 2005 Disability Discrimination Act 1995, Amendment 2005

Equal Pay Act 1970 and Amendments 1983

Terms of Reference

- (1) To arrange to consult formally with members of staff as appropriate on Personnel matters.
- (2) To review the staffing structure in relation to the school's overall Development Plan.
- (3) To recommend for adoption by the Governing Body criteria and procedures for dealing with discipline and grievance. See Sections 6 and 7 of the Authority Guidelines on Staffing Procedures.
- (4) To regularly review those criteria and procedures established under (3).
- (5) To review the Performance Management Policy.

THE ROLE OF APPOINTED GOVERNORS IN PERFORMANCE MANAGEMENT

- * The governing body must appoint 2 governors to carry out all aspects of the Head Teacher's performance review. (Governors who are teachers or members of staff at the school must **not** be involved in the Head's performance management objective setting or review).
- * The appointed governors must select and meet with an accredited external advisor within the timescales defined by the Performance Management Policy of the school (which must meet the requirements of the relevant School Government Regulations).
- * The appointed governors must meet with the Head Teacher and external adviser to agree objectives for the coming year within the context of the School Development Plan.
- * The appointed governors should monitor the progress of the Head Teacher towards meeting the agreed objectives through the year.
- * At the end of the cycle (usually one year) the appointed governors should meet with the Head Teacher and the advisor with the object of reviewing the head's performance in the light of the objectives and identified training and development needs.
- * Within 10 days of the meeting the appointed governors must produce a written Appraisal Statement, which may be used to inform decisions about the Head Teacher's pay.
- * If the Chair of Governors is not one of the appointed governors, he/she should act as Review Officer to hear complaints from the Head Teacher about his or her Appraisal Statement.

<p style="text-align: center;">MEADOWSIDE SCHOOL TERMS OF REFERENCE STAFF APPOINTMENT COMMITTEE - Standing Committee HEADTEACHER/DEPUTY HEADTEACHER</p>
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Membership	The governing body may decide to form a Special Interview Panel for these two senior management posts. It is a statutory requirement for a Head Teacher and Deputy Head Teacher appointment that a minimum of 3 governors (excluding the Head Teacher) are involved at <u>all</u> stages of the process.
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If the governing body chooses to use 5 governors for the Special Interview Panel, at least 2 reserved in order should be named and be present at all stages of the interview process to qualify to be present at the actual interview.

Quorum	The agreed size of the Special Interview Panel or at least 3 governors (excluding the Head Teacher).
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Meetings	As required.
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Terms of Reference

See the Authority Guidelines on Staffing Procedures and Governors' Handbook.

<p>MEADOWSIDE SCHOOL TERMS OF REFERENCE CAPABILITY COMMITTEE - Standing Committee</p>
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Membership	The Capability Committee shall consist of not less than 3 members of the governing body (excluding the Head Teacher) who have not previously been involved in the case, or have any other involvement e.g. relationship to the member of staff subject to capability action. At least 2 reserved in order should be named.
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Quorum	The quorum shall be 3 governors.
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Meetings	As and when required.
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Terms of Reference

The committee is involved at the Formal Stage of the Capability Procedures as set out in the Authority Guidelines on Staffing Procedures : Capability Procedures for Teachers (including Deputy Head Teachers).

The procedures are clearly set out for the committee to follow. If the Capability Committee propose that the member of staff shall cease to work at the school; the decision in writing must be referred to the Staff Dismissal Committee.

The member of staff can appeal against the decision of the Capability Committee to terminate their employment if it is upheld by the Staff Dismissal Committee, by appealing to the Staff Dismissal Appeals Committee.

<p style="text-align: center;">MEADOWSIDE SCHOOL TERMS OF REFERENCE FINANCE/PREMISES AND HEALTH AND SAFETY COMMITTEE Statutory Committee</p>
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| Membership | <p>a) The committee shall consist of not less than 3 named governors (annually elected by the Governing Body) plus the Headteacher or his/her representative if the governing body agree to such an invitation.</p> <p>b) The committee shall have such co-opted non-voting members as decided by the governing body. The committee may make recommendations for these appointments.</p> <p>c) The committee appoints their own Chair.</p> |
| Quorum | <p>The quorum shall be 2 governors plus the Head Teacher or, if the governing body have agreed, his/her representative.</p> <p>Associate members do not count towards the quorum.</p> |
| Meetings | <p>The committee shall meet once per term and otherwise as required.</p> |

Terms of Reference

- (1) The LA Formula allocates income for a financial year and the committee compiles a forward expenditure plan to cover that allocation and its position within the financial strategy of the school. In looking at long term planning, it is advised that the committee restricts itself to a 3 year projection.
- (2) The annual budget plan is submitted at an early date via the Chair of the Finance Committee to the full Governing Body for acceptance, modification and consideration within the context of the overall school Development Plan, and its final form should be available as and when required by the Director of children's Services.
- (3) Day-to-day control of expenditure against the approved budget shall be the responsibility of the Headteacher.
- (4) The 'Account Summary' showing projected expenditure up to the end of the year shall be updated by the Headteacher at least once per term and circulated to each member of the Finance Committee.
- (5) Prior to each general meeting of the Governing Body the Finance Committee will submit via the Chair an up-to-date statement projecting expenditure for the year.
- (6) At each general meeting of the Governing Body, review of the financial position will be a standing agenda item.

(7) The Finance Committee shall submit plans to the full Governing Body as to the use of any available income, including School Fund accounts, over and above formula allocation, plus possible measures to enhance the income of the school.

(8) Review Charging/Letting/Schedule of Charges policy.

(9) Ensure adhere to School Standing Orders established by the Governing Body.

Implement the governing body's 'Whole School Pay Policy'.

(i) to work to meet the aims of the Whole School Pay Policy;

(ii) to ensure that the policy relating to teachers' salaries complies with the legislation and that the policy relating to non-teaching staff takes account of national and local conditions of service';

(iii) to ensure that the requirements of legislation to equal opportunities are met;

(iv) to try to ensure that the Pay Policy meets the needs of the school to recruit, retain, develop and motivate staff;

(v) to decide how information concerning temporary and acting allowances, vacant posts and all other allowances and enhancements to salary shall be made known to staff;

(vi) to have regard to the need for proper pay relatively within the school;

(vii) to recognise, within the salary structure, increased responsibility, whether temporary or permanent;

(viii) to determine the policy in relation to discretionary payments and to identify criteria to be used when discretionary payments are made. Such payments will be made in fair, equitable and consistent manner;

(ix) to ensure that clear job descriptions exist;

(x) to ensure that the reasons for discretionary awards are clearly minuted;

(xi) to ensure that detailed records are kept of all matters relating to salaries;

(xii) to ensure that staff are aware of the procedures for presenting their case for review to the Pay Committee;

(xiii) to inform staff that discretionary supplements will only be awarded at the time of the annual review of salaries, unless exceptional circumstances justify an awards at another time;

(xiv) to ensure that the staff know the procedure whereby an appeal may be made to the Appeal Committee;*

(xv) to work closely with the Finance Committee in agreeing the annual salary budget, ensuring that when new appointments are awards are made, costs remain within the budget;

- (xvi) to arrange the annual review of staff salaries as required by legislation, for staff not covered by the Performance Management Process;
- (xvii) to arrange for the annual review of the Pay Policy in full consultation with the staff;
- (xviii) to minute and report with comment or discussion to the next meeting of the governing body and a confidential item decisions or recommendations of the Pay Committee; (In order to protect the appeals procedure)
- (xix) coincidental to providing salary notices to all staff, to advise that a staffing structure describing each post, its salary range and pay point is available for perusal;
- (xx) to direct the Headteacher to advise the governing body and staff that the staffing structure and organisation have been finalised for the school year following the conclusion of any appeals;
- (xxi) to ensure that procedures required by The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 are compiled with, especially with regard to agenda and minutes.

Implement and monitor the School's Health and Safety Policy.

- a. To promote co-operation between all employees at the school to achieve and maintain a safe and healthy work place for the staff, pupils, parents and visitors.
- b. To review school health and safety policy, reporting on this regularly to the full governing body.
- c. To consider and make recommendations arising from new health and safety documentation issued by LA, DfE, HSE etc.,
- d. To monitor accident reports and fire drills.
- e. To report progress to the governing body on areas of concern identified under previous headings.
- f. To examine safety inspection reports and make recommendations to the governing body where remedial action is required.
- g. To ensure Risk Assessments are carried out by persons as defined in the school's Health and Safety Policy and reviewed as stated by the assessment or when new practices etc are introduced and up to date records are kept.
- h. To ensure fire and emergency procedures are communicated to appropriate people and appropriate testing is carried out.
- i. To ensure first aid arrangements meet appropriate regulations and accidents are recorded and reported appropriately.

- j. To ensure all school trips and visits are organised as specified by LA policy and approved by the Educational Visits Co-ordinator.
 - k. To identify health and safety training for all employees to ensure that the Health and Safety policy can be implemented.
 - l. To ensure that all matters relating to the Health and Safety of premises are assessed prior to building works taking place.
10. Ensure adhere to Schools' Financial Value Standard (SFVS).

LIMITS OF AUTHORITY

Whilst the objective shall be to work within (i.e. not exceed) the budget and each area of account, some flexibility is necessary in order to facilitate the smooth and efficient running of the school; also to avoid unnecessary frequent calling of meetings.

With the exception of staff salaries, the Headteacher is authorised to use savings in one item of amount of the approved budget to cover additional expenditure on another item of the budget (e.g. savings in grounds maintenance to pay for additional stationery etc.,) The Headteacher shall have the authority to vire between budget headings and commit expenditure on proper school business up to an agreed amount of **1% of the indicative budget**, but beyond this figure approval must be sought from the Finance Committee Chair or, in the case of unavailability, another non-school member of the committee.

The Finance Committee shall have authority to vire between budget headings and commit expenditure on proper school business up to an agreed amount of the **10% of indicative budget**, beyond this figure approval must be sought from Chair of the governing body or, where unavailable, the Vice Chair.

Notes

1. Details of virement decisions are to be forwarded to the LA for information.
2. An annual audited statement of school fund accounts should be submitted to the Director of Education. Funds available over and above the formal allocation (largely voluntary donations) should be treated with the same probity as public finances.

EXAMPLE LA WORKING TERMS OF REFERENCE

TITLE	FINANCE COMMITTEE
PURPOSE	<p>WORKING IN PARTNERSHIP WITH THE HEADTEACHER TO BE RESPONSIBLE TO THE FULL GOVERNING BODY FOR -</p> <ul style="list-style-type: none"> • OVERSEEING THE SCHOOL'S FINANCES AND RESOURCES • ENSURING ADHERENCE TO THE LOCAL AUTHORITY'S FINANCIAL REGULATIONS AND THE SCHOOL'S FINANCIAL POLICIES AND PROCEDURES.
MEMBERSHIP	Not less than three named members, elected annually by the Management Committee, plus the Headteacher.
QUORUM	Two members, including the Headteacher.
CHAIR	To be elected at the first meeting in the academic year.
VOTING	Where appropriate, questions/proposals/decisions to be determined by a majority of votes. The Chair to have a casting vote.
FREQUENCY	A minimum of one meeting per term.
REPORTING PROCESS	Written minutes to be produced and agreed at the next Finance Committee Meeting and presented at the next meeting of the full Governing Body.

TERMS OF REFERENCE

To

- monitor, review and evaluate financial aspects of the School Improvement Plan.
- establish, maintain and update a three-year financial plan.
- review and agree the School's Financial Policies and Procedures ensuring compliance with the Scheme for Financing Schools, the Schools' Financial Value Standard and Wirral Council's Financial Regulations.
- recommend the annual budget for ratification by the full Governing Body and submission to the LA in line with statutory guidance and timescales
- determine the limits of authority and for virement between budget headings
- determine the limits of authority for headteacher, Finance Committee & Full Governing Body
- determine the limit for the petty cash imprest account, and petty cash transactions / cheque book imprest account
- monitor the school's revenue and capital budget at each termly meeting and bring any major variations or discrepancies to the immediate attention of the Full Governing Body
- monitor and evaluate expenditure of income generated by the school, including grants and unofficial funds ensuring that spending provides best value and is linked to the school's agreed priorities
- ensure adherence to the Schools Financial Value Standard [SFVS]
- respond to the questionnaire on SFVS and submit to the Local Authority by 31 March each year
- review reports by the internal audit service on the effectiveness of the school's financial procedures and controls and ensure all recommendations are actioned promptly.
- examine & monitor the School Fund / Voluntary Fund account, arrange for an annual independent audit, and submit the audit report and certificate to the Full Governing Body
- report to the Full Governing Body on the adequacy of resources [including IT provision] available to the students.
- authorise and monitor the use of devolved formula capital funds
- review, monitor and advise the Full Governing Body on support services and contracts, including service level agreements, curriculum support and supply insurance cover, ensuring they are fit for purpose and deliver good value for money
- provide financial information to the LA as required
- ensure the school maintains an up to date Assets Register
- ensure the school maintains a register of interests for members of the Governing Body and members of staff.
- liaise with the Personnel and Pay Committee to determine the staffing structure according to the needs of the school, and make recommendations to the management committee.
- consider submissions by other committees for the allocation of resources.

Membership: 3 Governors plus the Headteacher
Quorate: 2 Governors plus the Head Teacher

PAY APPEAL COMMITTEE - Standing Committee
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Membership: 3 Governors plus the Headteacher
Quorate: 2 Governors plus the Head Teacher

For managing appeals against the decisions of Pay Committee, there must be a separate committee of equal membership numbers. The rules governing whether the meeting is quorate should remain the same as in the Personnel Committee.

MEADOWSIDE TERMS OF REFERENCE CURRICULUM COMMITTEE - Statutory Committee

Membership	<p>a) The committee shall consist of not less than 3 named governors plus the Head Teacher or his/her representative if the Governing Body agree to such an invitation.</p> <p>b) The committee shall have such co-opted non-voting members as decided by the governing body. The committee may make recommendations for these appointments.</p> <p>c) The committee appoints their own Chair.</p>
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Quorum	<p>The quorum shall be 2 governors plus the Head Teacher or, if the governing body have agreed, his/her representative.</p> <p>Associate members do not count towards the quorum.</p>
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Meetings	<p>The committee shall meet once per term and otherwise as required.</p>
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Terms of Reference

- To offer a standing invitation to any members of the Governing Body to attend Curriculum Committee meetings as their interests determine.
- To consider school policy on any matters relating to the school curriculum; to recommend new policy and any amendments to existing policies to the Governing Body.
- To receive reports from the Headteacher or appropriate member of staff on any matters relating to the organisation and content of the school curriculum.

- To ensure that the curriculum policies met the needs of all pupils and that where necessary equipment and resources are modified for pupils' needs.
- This would be in relation to:
-

Equal Opportunities 2010

Accessibility (Education Act 1998)

Special Educational Needs and Disability Act 2016

The Race Relations Act 1976 (Amendment) Regulations

Curriculum Policy (Education Regs 2000)

Health & Safety (inc. Risk Assessment) (Regs 1999)

- To consider any local or national reports affecting the curriculum, identifying any implications for school policy and practice.
- To review the information about school performance required to be published.
- To make recommendations to the Finance Committee on resource levels for curriculum implementation.
- To recommend to the full Governing Body for approval statutory targets for pupils' performance.

RECORDING OF MINUTES OF MEETINGS

Date:	Location:
Time:	Group/Purpose:

Present: Here you can record the names of all the people who attended the meeting; also include their titles i.e. chair, secretary, treasurer etc.,

Apologies: Here you can record the names of people who are absent from the meeting - they may have given you prior notice.

(Only complete this section if this is not the first meeting that the group has held)

Copy of the last minutes distributed?	Yes	No
Are they a true and accurate record of the previous meeting?	Yes	No
If no, what amendments need to take place?		

Matters Arising

Here you can record any issues that rise from the minutes of the last meeting. Perhaps in the previous meeting action needed to be taken on certain points and feedback needs to be given this is where such items need to be discussed.

Here you have space to put the initials of people who contributed to the meeting or agreed to do something.

Agenda Items

Here items discussed on the current agenda are recorded.

Any Other Business

Here any items that were discussed that were not on the agenda can be recorded.

Date and Time of Next Meeting

Has the date, time and venue of the next meeting been agreed?			Yes	No
Venue	Date	Time		