

Gateshead Council - Education Gateshead

Governor Support

LA Model Terms of Reference for committees - all combinations (maintained)

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Regulations - Guidance note

The following text is from Part 5, pages 9-11 of “The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013” and covers the regulations on committees for governing bodies. Guidance notes are in red.

Application of this Part

21. This Part does not apply to any committee established by the governing body to exercise functions relating to the appointment, grievance, conduct and discipline, capability, suspension or dismissal of individual members of the school staff.

These regulations do not apply to panels that are put together to consider complaints, exclusions or staff disciplinary, capability or grievances. Whilst they should still be followed where possible, some items are not applicable - for example, a complaints panel doesn't need a Terms of Reference, nor would you be able to elect a Chair to the panel at the start of the academic year, as the nature of such a committee would be ad hoc and you wouldn't necessarily know who would be available to sit on the panel until such time as it needed to be convened.

Establishment of committees of the governing body

22.—(1) The governing body must determine the constitution, membership and terms of reference of any committee they decide to establish and review them annually.

(2) The quorum for any meeting of a committee must be determined by that committee, but in any event must be not less than three governors who are members of the committee.

(3) A chair must be appointed annually to each committee by the governing body or elected by the committee, as determined by the governing body.

(4) The governing body may remove the chair to any committee from office at any time.

Governors appoint committee members (committees can't appoint governors to themselves) and adopt Terms of Reference (as governing bodies have to decide what they are delegating to committees, rather than committees deciding what is being delegated to them) annually. Governing bodies or committees can both elect a committee Chair, this is for the governing body to decide whether or not to delegate that responsibility to the committee. Only governors who are appointed to the committee count towards a quorum (i.e. if only two committee members are present, you can't bring a governor not on the committee into the room to make the meeting quorate). We'd recommend leaving the quorum for a committee at 3 - committees typically have 5 or 6 governors on them, so raising the quorum unnecessarily will make it harder for you to be quorate and make decisions if you have apologies.

Clerks to committees

23.—(1) This regulation is without prejudice to any rights and liabilities which the clerk may have under any contract with the governing body or with the local authority.

(2) The governing body must appoint a clerk to each committee established by it, who must not be the head teacher of the school.

(3) Notwithstanding paragraph (2), the committee may, if the clerk fails to attend a meeting of theirs, appoint any one of their number (who is not the head teacher) to act as a clerk for the purposes of that meeting.

(4) The governing body may remove any clerk appointed to any of their committees from office at any time.

(5) A clerk appointed to a committee of the governing body must—

(a) convene meetings of the committee;

(b) attend meetings of the committee and ensure that minutes of the proceedings are drawn up; and

(c) perform such other tasks with respect to that committee as may be determined by the governing body from time to time.

If schools don't buy into having committees clerked by Gateshead Governor Support, they must appoint someone as clerk to their committees. The Headteacher can't clerk, and a governor can but only if the clerk doesn't show up for the meeting.

Associate members

24.—(1) The membership of any committee may include associate members.

(2) Subject to paragraph (3), an associate member has such voting rights in a committee to which that person is appointed as are determined by the governing body.

(3) An associate member may not vote on any business transacted by any committee unless the associate member is aged over 18.

(4) An associate member may be removed from office by the governing body at any time.

The governing body decides whether to add Associate Members to committees, with or without voting rights.

Rights of persons to attend meetings of committees

25.—(1) Subject to regulation 16 and to Schedule 1 the following persons are entitled to attend any meeting of a committee—

(a) any member of the committee, provided that the member of the committee is not a governor who has been suspended in accordance with regulation 17;

(b) the head teacher of the school, whether or not that person is a member of the committee;

(c) the clerk to the committee; and

(d) such other persons as the governing body or the committee may determine.

(2) A committee may exclude an associate member from any part of its meeting which the associate member is otherwise entitled to attend when the business under consideration concerns an individual member of staff or pupil.

As with a governing body, a committee can invite anyone along to a meeting on an ad hoc basis. Headteachers have a right to attend even if they are not on the committee - although they almost always are on committees.

Meetings of committees

- 26.—(1) Meetings of a committee are to be convened by the clerk to that committee who, when exercising this function, must comply with any direction given by—
- (a) the governing body;
 - (b) the chair of the committee, so far as such direction is not inconsistent with any direction given under sub-paragraph (a).
- (2) Subject to any direction given in accordance with paragraph (1), at least seven clear days in advance the clerk must give to each member of the committee and to the head teacher (whether or not that person is a member of the committee)—
- (a) written notice of the meeting; and
 - (b) a copy of the agenda for the meeting, provided that where the chair of the committee so determines on the ground that there are matters demanding urgent consideration, it will be sufficient if the written notice of the meeting states that fact and the notice and agenda are given within such shorter periods as the chair directs.
- (3) The proceedings of a committee will not be invalidated by—
- (a) any vacancy among their number; or
 - (b) any defect in the appointment of any member of the committee.
- (4) No vote on any matter may be taken at any meeting of a committee unless the majority of members of the committee present are governors.
- (5) Every question to be decided at a meeting of a committee must be determined by a majority of the votes of the members of the committee present and voting on the question.
- (6) Where there is an equal division of votes the person who is acting as chair for the purposes of the meeting will have a second or casting vote, provided that such person is a governor.
- (7) Minutes of the proceedings of a meeting of a committee must be drawn up by the clerk to the committee or the person acting as the clerk for the purposes of the meeting; and must be signed (subject to the approval of the committee) by the chair at the next meeting of the committee.
- (8) Subject to paragraph (9) the committee must, as soon as reasonably practicable, make available for inspection by any interested person a copy of—
- (a) the agenda for every committee meeting;
 - (b) the signed minutes of every such meeting; and
 - (c) any report or other paper considered at any such meeting.
- (9) The committee may exclude from any item required to be made available in pursuance of paragraph (8) any material relating to—
- (a) a named person who works, or who it is proposed should work, at the school;
 - (b) a named pupil at, or candidate for admission to the school;
 - (c) any other matter that, by reason of its nature, the committee is satisfied should remain confidential.

As with a governing body, the clerk should give a copy of the agenda to committee members 7 clear days (8 days) before a meeting. Committees (governing bodies) have to make available to anyone who asks for them a copy of the non-confidential agenda, papers and signed minutes of the previous meeting (only 'approved' minutes have to be given out).

CURRICULUM & STANDARDS / CURRICULUM & ACHIEVEMENT (delete as applicable) COMMITTEE - TERMS OF REFERENCE

1. Membership

The membership of the Committee shall be not less than three governors.

2. Quorum

The quorum for meetings of the Committee shall be three governors, who are members of the committee.

3. Frequency of Meetings

The Committee shall meet at least once per term.

4. Delegated Functions

4.1 To review, monitor and evaluate the curriculum offer.

4.2 To monitor school based, local and national performance data and reports, evaluating achievement and progress, and analysing the performance of different groups and subjects including any underachieving groups.

4.3 To monitor and evaluate the impact of the priorities identified in the School Improvement Plan which relate to the committee's areas of operation.

4.4 To monitor and evaluate the impact of quality of teaching on rates of pupil progress and standards of achievement.

4.5 To monitor the provision for and evaluate the progress and attainment of vulnerable groups e.g. children eligible for FSM, looked after children, young carers, to ensure all their needs have been identified and addressed, and to evaluate the effectiveness of intervention strategies.

4.6 To ensure that the requirements of children with special educational needs are met, as laid out in the Code of Practice, and receive termly reports from the Headteacher and/or SENCO.

4.7 To ensure that the school meets the General and Specific Equality Duties in relation to teaching and learning, curriculum, achievement and progress.

- 4.8 To monitor and review pupil attendance and exclusions information, and to evaluate strategies to improve these areas.
- 4.9 To ensure that Relationships Education, Relationships and Sex Education (RSE) and Health Education lessons are effective and ensure that the school can fulfil its legal obligations, and that clear information is provided for parents on the subject content and the right to request that their child is withdrawn.
- 4.10 To advise the Resources committee on the relative funding priorities necessary to deliver the curriculum.
- 4.11 To oversee the school's contribution to pupil well-being, including the extent to which pupils feel safe, adopt healthy lifestyles and contribute to the school and wider community.
- 4.12 To monitor and evaluate the engagement of parents with the school, parental views and how these are taken into account and consider ways in which home-school links can be further developed, making appropriate recommendations.
- 4.13 To monitor and evaluate the effectiveness of communications with parents including statutory requirements such as the complaints procedure.
- 4.14 To monitor community links and community use of the school, and evaluate the school's contribution to promoting community cohesion.
- 4.15 To be satisfied that the school is compliant in following the statutory guidance on the cost of school uniforms, particularly if/when developing and implementing a non-statutory School Uniform Policy.
- 4.16 To ensure all statutory requirements for reporting and publishing information in an accessible way on the school website are met, and to review and monitor the school website to ensure that it is kept up-to-date.
- 4.17 To monitor the provision of the Early Years Foundation Stage, and to ensure that the required policies and procedures for both learning and development and safeguarding and welfare provision for children from birth to five are in place (separate policies for EYFS are not required where procedures are already covered in existing whole school policies).
- 4.18 To monitor the range of the extended school offer and evaluate its impact.
- 4.19 To oversee arrangements for educational visits, including the appointment of a named co-ordinator, and to approve high risk educational visits.
- 4.20 To monitor and review safeguarding incidents and practice within the school, including how the Child Protection Policy adopted by the governing body is being implemented, and the impact of any changes in safeguarding personnel.
- 4.21 To review and monitor the school's self-evaluation form.

- 4.22 To consider recommendations from external reviews of the school (e.g. Ofsted or local school improvement advisers), agree actions as a result of reviews and evaluate regularly the implementation of the plan.
- 4.23 To monitor the implementation of, and evaluate the outcomes of, the Behaviour Policy.

5. Policies

- 5.1 To ensure a statutory Accessibility Plan is established and adopted and is reviewed and re-adopted every three years.
- 5.2 To ensure a statutory Behaviour Principles Written Statement is established and adopted.
- 5.3 To ensure a statutory Complaints Policy is established and adopted.
- 5.4 To ensure a statutory Sex & Relationships Education Policy is established and adopted (not required for Nursery schools).

6. Reporting to the Governing Body

- 6.1 The Committee clerk will send the minutes (or draft minutes) of its meetings to the clerk of the Governing Body for inclusion with the agenda of the next meeting of the Governing Body.
- 6.2 The Committee Chair (or, if the Committee Chair is not present at the full Governing Body meeting, any other member of the Committee who was present at the Committee meeting) shall report to the Governing Body on any actions undertaken by the committee, as delegated to the Committee by the Governing Body, including but not limited to the approval of any policies.

RESOURCES COMMITTEE - TERMS OF REFERENCE

1. Membership

The membership of the Committee shall consist of not less than three governors.

2. Quorum

The quorum for meetings of the Committee shall be three governors, who are members of the committee.

3. Frequency of Meetings

The Committee shall meet at least once per term.

4. Delegated Functions

Finance

- 4.1 To oversee the preparation of the annual budget plan and ensure it links to the school development plan priorities, and to approve the annual budget.
- 4.2 To establish and maintain a three-year financial plan, taking into account priorities identified in the School Improvement Plan, the impact of potential changes in the number of pupils on roll, and any central government or local authority initiatives.
- 4.3 To receive at least three budget monitoring reports each year from the Headteacher and/or the school's finance officer, monitoring income and expenditure against the annual budget plan.
- 4.4 To ensure any expenditure, or any virements between budget heads, are in accordance with the levels set and in accordance with the LA's Scheme for Financing Schools and the School's Scheme of Delegation.
- 4.5 To approve Service Level Agreements that exceed the Headteacher's delegated expenditure limit.
- 4.6 To ensure the school meets the Schools Financial Value Standard (SFVS) and that the return is submitted to the Local Authority, and to undertake any remedial action identified as part of SFVS.

- 4.7 To monitor the impact of the use of any additional grants, including but not limited to P.E. & Sports Premium, Pupil Premium, Recovery Premium and School-led Tutoring Grant funding.
- 4.8 To review any local authority audit report and to act upon any issues identified or recommendations made in such reports, and to then monitor the implementation of the agreed audit recommendations.
- 4.9 To review value for money and benchmarking information on an annual basis.

Premises, Health & Safety

- 4.10 To provide support and guidance for the governing body and the Headteacher on all matters relating to the maintenance, development and repair of equipment and the premises and grounds, including health and safety issues.
- 4.11 To comply with and support the Headteacher to implement competent health and safety advice.
- 4.12 To receive and review reports in order to ensure the school is compliant with statutory health and safety regulations.
- 4.13 To review the premises elements of the Accessibility Plan.
- 4.14 To ensure that an annual inspection of the premises and grounds takes place and a report is received identifying any issues, and to monitor the completion of any priorities for maintenance and development.
- 4.15 To arrange professional surveys and emergency work as necessary (the Headteacher is authorised to commit expenditure without the prior approval of the committee in any emergency where delay would result in further damage or present a risk to the health and safety of pupils or staff - in this event the Headteacher would normally be expected to consult the committee Chair at the earliest opportunity).
- 4.16 To ensure that an annual fire risk assessment review is carried out.
- 4.17 To ensure that the Corporate, Education and school's own Health & Safety policy is brought to the attention of the committee.
- 4.18 To be aware of any safety alerts that are issued to schools and ensure that appropriate action is implemented.
- 4.19 To be aware of any significant incidents that have occurred in the school, and support the Headteacher with managing these.

- 4.20 To approve the school's annual Health & Safety performance review and action plan, and ensure that it has been signed by the Chair of Governors and submitted to the Gateshead LA Health & Safety team.
- 4.21 To ensure they receive regular reports on compliance with the school food standards as well as take-up of school lunches and financial aspects of school food provision.
- 4.22 To check that the school is compliant in following statutory guidance for ensuring a good education for children who cannot attend school because of health needs.

Staffing

- 4.23 To approve and review the staffing structure (both teaching and non-teaching) for the school, and to ensure that the school is staffed sufficiently to meet the requirements of the School Improvement Plan and the effective operation of the school (taking into account the financial position of the school).
- 4.24 The Governing Body delegates to the Headteacher the appointment of staff, except to the posts of Headteacher and Deputy Headteacher - a selection panel must be appointed by the full Governing Body in accordance with statutory regulations for these vacancies.
- 4.25 To ensure that, where applicable, an appropriately qualified and experienced member of staff undertakes the responsibilities within the school to promote the educational achievement of looked-after and previously looked-after children on the school's roll, and to ensure that the designated teacher undertakes training that is appropriate to carrying out this duty.
- 4.26 To ensure that the school's Single Central Record is up-to-date, and that it is monitored by a governor periodically.
- 4.27 In consultation with staff, to oversee any restructure process leading to staff reduction or redundancy.
- 4.28 To consider requests made in line with staffing policies (secondment, flexible working, leave of absence, compressed hours).
- 4.29 To monitor staff attendance and staff absence levels.
- 4.30 To ensure that provision is made for the continuing professional development (CPD) of staff.
- 4.31 To ensure that the school is compliant in following the Statutory Induction Guidance for early career teachers.
- 4.32 To monitor the outcomes of the performance management process for staff, including the Headteacher.

Pay

- 4.33 To carry out an annual salary review of teaching staff (and if appropriate other staff) working at the school.
- 4.34 To consider and determine recommendations for performance pay awards for teaching staff, the Headteacher and Deputy/Assistant Headteachers.

5. Policies

Statutory

- 5.1 To ensure a Charging & Remissions Policy is established and adopted.
- 5.2 To ensure a Governors' Allowances Policy is established and adopted.
- 5.3 To ensure a Statement of Procedures for Allegations of Abuse Against Staff is established and adopted.
- 5.4 To ensure a Staff Capability Policy is established and adopted.
- 5.5 To ensure a Staff Capability Policy (sickness absence) is established and adopted.
- 5.6 To ensure a Teacher Appraisal Policy is established and adopted.
- 5.7 To ensure a Financial Scheme of Delegation that clearly defines the responsibilities of the Governing Body, Headteacher and school Staff for the financial, human and asset resource management of the school is established and adopted, and is reviewed and re-adopted every year.
- 5.8 To ensure a Health & Safety Policy is established and adopted, and is reviewed and re-adopted every year.
- 5.9 To ensure an Equality Information & Objectives Statement is established and adopted, and is reviewed and re-adopted every four years.
- 5.10 To monitor the implementation of the Pay Policy, and where appropriate to recommend any changes to the governing body (the Pay Policy can only be adopted or re-adopted by the governing body).

Non-statutory

- 5.11 To ensure a Non-teacher Appraisal Policy is established and adopted.

Gateshead Audit

- 5.12 To ensure an Asset Management Plan is established and adopted, and is reviewed and re-adopted every year.

- 5.13 To ensure a Dinner Money Debt Policy is established and adopted, and is reviewed and re-adopted every year.
- 5.14 To ensure a Lettings Policy is established and adopted, and is reviewed and re-adopted every year.
- 5.15 To ensure a Business Continuity Plan is established and adopted, and is reviewed and re-adopted every two years.
- 5.16 To ensure an ICT Policy is established and adopted, and is reviewed and re-adopted every two years.
- 5.17 To ensure a Whistle Blowing Policy is established and adopted, and is reviewed and re-adopted every two years.

6. Reporting to the Governing Body

- 6.1 The Committee clerk will send the minutes (or draft minutes) of its meetings to the clerk of the Governing Body for inclusion with the agenda of the next meeting of the Governing Body.
- 6.2 The Committee Chair (or, if the Committee Chair is not present at the full Governing Body meeting, any other member of the Committee who was present at the Committee meeting) shall report to the full Governing Body on any actions undertaken by the committee, as delegated to the Committee by the Governing Body, including but not limited to the approval of any policies.