

NENE VALLEY PRIMARY SCHOOL GOVERNING BODY



TERMS OF REFERENCE

Each Governing Body is required to consider the membership and remit of its committees. Each Governing Body must make arrangements for four statutory committees (these are mandatory) dealing with Review (Pay), Discipline, Dismissals, and Dismissal Appeals; each of which have their own separate Terms of Reference.

The Governing Body will therefore review all committees during the summer term each year to ensure that these requirements are met.

Heads and Deputies cannot be awarded a pay increase unless the Governing Body has set performance objectives. Governors who serve on the pay committee will not be able to serve on the Staff Discipline or Staff Appeal Committee where those committees are hearing a grievance regarding pay.

THE STRUCTURE AND WORKING OF THE GOVERNING BODY AT NENE VALLEY PRIMARY SCHOOL

A Strategic Group will consist of the Headteacher, Chair of Governors and Vice-chair of Governors. The work of the Governing body is delegated to focus groups comprising lead governors plus one or more other governors. The number of focus groups and their membership is determined by the Governing Body of Nene Valley Primary School. The focus of each group is determined by statutory requirements, delegated decisions of the full Governing Body and the needs of the school.

The identified focus groups for 2009-10, based on a full governing body meeting in July 2009 are as follows:

- Finance
- Stakeholders
- Premises
- Pupil Welfare
- Personnel
- Curriculum
- Inclusion
- Information and Communication Technology
- Global Dimension

The identified focus groups may be changed during the year according to the needs of the school following agreement at a full Governing Body meeting but will always be reviewed annually during the summer term.

The role of the Strategic Group is to support and guide the focus groups within the overall structure and framework of the Governing Body. Where agreement between the lead governor for a focus group and the Strategic Group cannot be reached decisions will be referred back to the full Governing Body.

To appoint members to a focus group and to determine the remit, the full Governing Body needs a quorum of half (rounded up to a whole number) of the existing members. It should be noted that governors who are employees of the school cannot chair statutory committees but may be delegated lead responsibility within a focus group.

The Governing Body will nominate a minimum of three governors to serve as the Discipline Committee to consider particular exclusions. The Headteacher cannot be a member of this committee. If a governor has a connection with the pupil or incident that could affect their ability to act impartially they should not sit at that hearing.

The Governing Body has to appoint a clerk to the Discipline Committee to provide advice on the exclusions process and handle the administrative arrangements for considering exclusions. The clerk cannot be a governor or the Headteacher.

If the Discipline Committee is called there will be a written note of the order of calling governors. This will help to refute any criticisms about the composition of the committee.

Voting Rights

The Governing Bodies will formally review the establishment, terms of reference, constitution and membership of any committee at least once a year and the majority of members of any committee must be members of the Governing Body. Committees may not be chaired by non-governors or anyone employed to work at the school. The Governing Body will decide whether any non-governor member of a committee should have voting rights. However, no vote can be taken unless the majority of committee members present are governors.

Committee Agendas and Minutes

Committees make important decisions and it is essential that the legal requirements about agendas, minutes and proceedings are followed. Particular attention is drawn to the following:-

- Every committee meeting (apart from those of the Discipline Committee) needs an agenda to be sent to committee members at least 7 days before the date of the meeting;
- Quorum for a committee meeting is 3 members of the Governing Body, which includes the Headteacher or their delegated representative and meetings which do not become quorate should not be held;
- Minutes must be taken, with confidential matters recorded in a separate section. The committee should be chaired by a governor other than the minute taker.

The requirements about governors withdrawing from meetings if they have a personal or financial interest in any matter being discussed also apply to attendance at committees. They are set out in full in the School Government Regulations and the DCSF Governors' Guide to the Law. Any pecuniary interests should be declared at a committee meeting and included in the Register of Pecuniary Interests.

Where functions are delegated to the Headteacher, a focus group or a committee, any decisions or action taken must be reported to the full Governing Body at its next meeting.

Emergency Powers of the Chair/Vice Chair of Governors

In normal circumstances all decisions should be taken by the full Governing Body or one of its committees with delegated authority. Only in an emergency, where the delay involved in calling a meeting could cause serious problems for a pupil, parent, staff member or the school, the Chair of Governors (or Vice Chair in their absence) has the power to make a decision. This power only extends to those functions which may be delegated by the Governing Body in ordinary circumstances.

Equal Opportunities

Governors may wish to consider that the membership of committees should be a reasonable reflection of the membership of the whole Governing Body and that the membership of the full Governing Body aims to be reflective of the school community

REQUIREMENTS FOR STATUTORY COMMITTEES

Specific requirements apply to the composition of review (pay), staff dismissal, dismissal appeal and pupil discipline committees.

Staff Dismissal Committees

Since the member of staff may appeal against a committee decision, the *Governing Body* should be prepared to appoint two committees:

- The Staff Dismissal committee to consider the dismissal and
- The Dismissal Appeal committee to consider any appeal. (The Appeal Committee cannot have fewer governors than the first committee)

There must be at least 3 members of the *Governing Body* on each committee.

To meet the requirements above there must be a minimum of 6 governors available - 3 to sit on the first committee, and 3 for the appeal committee. In some extreme circumstances the full *Governing Body* may determine that they cannot meet the requirement for a minimum of 3 governors for each committee. If so, the staff dismissal committee can include 2 governors: the number of governors on the appeal committee will then have to be at least 2. Non-governors may be members of these committees. The Headteacher should not act as a member of these committees as he/she is likely to have been involved earlier in the discipline process.

Pupil Discipline Committees

The committee must consist of either 3 governors, and must not include the Headteacher or anyone who is not a governor, but the *Governing Body* may nominate a pool of governors from which three will serve as the committee for a particular exclusion.

Any committee meeting, and vote, must have a quorum of 3 committee members.

If exclusion causes a pupil to miss sitting a public exam, the pupil discipline committee should try to meet before the exam. Exceptionally, if the chair of the committee does not consider it practical for the committee to meet, he or she may consider the exclusion and decide whether to reinstate the pupil.

NENE VALLEY PRIMARY SCHOOL GOVERNING BODY

TERMS OF REFERENCE OF THE STAFF DISMISSAL COMMITTEE (STATUTORY)

Membership

Any three governors not disqualified by being members of staff, or having an interest requiring them to withdraw. The Headteacher cannot be a member.

Quorum

Three governors.

Meetings

The committee shall meet as required. The LA shall be informed and consulted whenever it is necessary to convene a meeting.

Chair

The chair of the committee shall be elected at each meeting.

Standing Orders

The agenda for the meeting shall be distributed at least seven days before the meeting.

Minutes must be taken, with confidential matters recorded in a separate section. The committee should be chaired by a governor other than the minute taker.

Where there is an equality of votes for and against a particular resolution the matter will be referred back to the next full meeting of the Governing Body.

A report of proceedings of meetings of the staff dismissal committee shall be circulated with the papers of the next full meeting of the governing body.

Terms of Reference

To consider and make any initial decisions about matters relating to staff capability, discipline and dismissal of staff in accordance with LA procedures.

NENE VALLEY PRIMARY SCHOOL GOVERNING BODY

TERMS OF REFERENCE OF THE STAFF DISMISSAL APPEAL COMMITTEE (STATUTORY)

Membership

All 'qualified governors who have not taken part in the proceedings of the first committee. The Head cannot be a member.

Quorum

Three governors.

Meetings

The committee shall meet as required. The LA shall be informed and consulted whenever it is necessary to convene a meeting.

Chair

The chair of the committee shall be elected at each meeting.

Standing Orders

The agenda for the meeting shall be distributed at least seven days before the meeting.

Minutes must be taken, with confidential matters recorded in a separate section. The committee should be chaired by a governor other than the minute taker.

Where there is an equality of votes for and against a particular resolution the matter will be referred back to the next full meeting of the Governing Body.

A report of proceedings of meetings of the staff dismissal appeal committee shall be circulated with the papers of the next full meeting of the governing body.

Terms of Reference

To consider and decide on any appeals against the decision of the first committee in accordance with LA procedures.

NENE VALLEY PRIMARY SCHOOL GOVERNING BODY

TERMS OF REFERENCE OF THE PUPIL DISMISSAL COMMITTEE (STATUTORY)

This is to hear appeals from pupils and parents on permanent or temporary exclusions. The Headteacher cannot be a member. It can also meet if there is concern about the numbers of temporary exclusions a particular pupil has received, or the pupil is likely to miss public examinations due to the exclusion.

Membership

Members of the Governing Body who have not got previous knowledge or know personally the parents or pupils involved.

Quorum

Not less than three governors.

Meetings

As required to hear exclusion appeals.

Chair

The chair of the committee shall be elected at each meeting.

Standing Orders

The agenda for the meeting shall be distributed at least seven days before the meeting.

Minutes must be taken, with confidential matters recorded in a separate section. The committee should be chaired by a governor other than the minute taker.

Where there is an equality of votes for and against a particular resolution the matter will be referred back to the next full meeting of the Governing Body.

A report of proceedings of meetings of the pupil dismissal committee shall be circulated with the papers of the next full meeting of the Governing Body.

Terms of Reference (as defined by DCSF Guidance)

- a) To review the use of exclusion within the school;
- b) To periodically review the school discipline policy and make recommendations for amendments to the full Governing Body;
- c) To seek the views of the parent of an excluded pupil, enabling them to give representation at an exclusion meeting, and to appeal the decision of the exclusion panel;
- d) To decide whether or not to confirm exclusions of more than 5 school days or those where a pupil would miss an opportunity to take a public examination; where appropriate, to discuss with the LA whether extra short term support would help to ensure successful re-integration;
- e) To follow the guidance and procedures from the DCSF and the LA Policy Guidelines on Exclusions from Schools.

NENE VALLEY PRIMARY SCHOOL GOVERNING BODY

DELEGATED DUTIES

The delegated duties of the Governing Body of Nene Valley Primary School are outlined in Appendix 1 'Delegation Decision Planner'.

Limitations of delegated duties, particularly in reference to financial decisions are noted within Appendix 1 'Delegation Decision Planner'.

Terms of Reference - Specifically relating to Finance

In line with the Financial Management Standards in Schools regulations the full Governing Body of Nene Valley primary School has decided to include the following specific guidance within the overall Terms of Reference.

The finance focus group exists to oversee the school's financial planning, allocation of funds and budgetary performance. The group will have responsibility for financial decision-making within limits set by the full Governing Body as outlined in Appendix 1 'Delegation Decision Planner'. The Delegation Decision Planner records the budgetary limits set by the full governing body. The focus is to ensure compliance and best practice in areas such as budget planning and monitoring, contract renewal, FMSIS and relevant school policies.



Delegation Decision Planner

The Governing Body has decided at what level each task should be handled:

- Level 1: decision to be taken by full Governing Body
- Level 2: decision to be delegated to a committee of the Governing Body
- Level 3: decision to be delegated to an individual governor
- Level 4: decision to be delegated to the Headteacher.
- Level 5: Headteacher day-to-day management.

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Gov Body Full	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
STRATEGIC	To ensure that the school meets for 380 sessions in a school year.				√	
	To prohibit political indoctrination and ensuring the balanced treatment of political issues				√	
	To approve off-site visits and activities of up to 1 day				√	
	To approve off-site visits and activities of more than 24 hours or which involve a hazardous pursuit or journey by air or sea.				√	
	In all maintained schools to ensure that all pupils take part in a daily act of collective worship (after consulting GB)					√
	To make application to the Standing Advisory Council for Religious Education (SACRE) to disapply the Christian requirements for collective worship (after consulting GB)				√	
	To make arrangements for collective worship in schools without religious character (after consulting GB)					√
	To research and review the opportunities/challenges arising from extended school provision (from a pupil learning perspective)	√				
	To research and review the opportunities/challenges arising from extended school provision (from a premises and resources perspective)	√				
	To decide to offer additional activities under extended schools provision - or to cease provision.	√				
	To put into place additional services provided.				√	
	To ensure delivery of services provided.	√				
	To ensure that recommendations following OFSTED inspection are incorporated into the School Plan	√				
	To prepare and review a strategy for school improvement on the following outcomes: <ul style="list-style-type: none"> Stay safe Be healthy Enjoy and achieve Achieve economic well-being Make a positive contribution 			√		
	To agree priorities for the School Improvement Plan/School Development Plan	√				
	To approve School Improvement Plan/School Development Plan	√				
	To appeal against Local Authority directions to admit pupil(s)	√				

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
STRATEGIC	To draw up instrument of government and any amendments thereafter	√				
	To agree proposals to change category of school	√				
	To consider forming, joining or leaving a federation	√				
	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 appoint and remove community governors.	√				
	To appoint and remove associate members	√				
	To set up a Register of Governors' Business Interests	√				
	To approve and set up an Expenses Scheme	√				
	To consider whether or not to exercise delegation of functions to individuals or committees	√				
	To regulate the GB procedures (where not set out in law) e.g. Standing Orders	√				
	To establish and Review Committees annually	√				
	Agree a policy and protocol for governor visits to the school	√				

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
CURRICULUM	To ensure National Curriculum (NC) is taught to all pupils (monitoring curriculum)				√	
	To draft curriculum policy				√	
	To agree or reject curriculum policy	√				
	To implement curriculum policy					√
	To monitor and review implementation of the curriculum policy			√		
	To ensure that only approved external qualifications and syllabuses are offered to pupils of compulsory school age.				√	
	To monitor standards of teaching					√
	To take responsibility for individual child's education					√
	To make and keep up to date a written policy on Sex Education	√				
	To set and publish targets for pupil achievement	√				
	To review and amend curriculum policies				√	
	To ensure that the Headteacher sends the Foundation Stage Profile assessments and Key Stage 1 teacher assessments results to the LA.				√	
	To monitor pupil achievement against set targets.			√		
	To provide RE in line with school's basic curriculum. (Implementation)					√
	To ensure provision of RE in line with school's basic curriculum. (Monitoring)			√		

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
INCLUSION	To consider any disapplication from National Curriculum for pupil(s)				√	
	To review (amend) and monitor the school's SEN policy.	√				
	To discharge other duties in respect of pupils with special educational needs.				√	
	To review (amend) and monitor the governing body's other policies to ensure inclusion (in regard to gender, social disadvantage, race equality and disability discrimination).	√				
	To exclude a pupil for one or more fixed terms (not exceeding 45 days in total in a year) or permanently					√
	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions (and fixed term exclusions where necessary)		√			
	To direct reinstatement of excluded pupils		√			
	To review the overall pattern and use of exclusions within the school.		√			

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
FINANCE	To prepare the first formal budget plan				√	
	To approve the first formal budget plan each financial year	√				
	To monitor monthly expenditure.					√
	To receive & consider monitoring reports at least 3 times per year	√				
	To approve the writing off of irrecoverable debts and the disposal of surplus and damaged equipment up to £2500.			√		
	To enter into contracts above £5000	√				
	To enter into contracts below £5000				√	
	To approve/make payments according to approved system					√
	To establish and review ordering and payment systems			√		
	To set a charging and remissions policy	√				
	To ensure provision of free school meals to those pupils meeting the criteria (where delegated by LA to GB)				√	
	To approve transfer between budget headings (virement) in excess of £5000	above	√		below	
	To receive, and where appropriate respond to reports from the Local Authority's auditors			√		
	To ensure that school fund is properly audited for presentation to the GB				√	
	To agree the Statement of Internal Control following appropriate internal system checks.			√		
	To agree the Best Value Statement ensuring that best value for the school is achieved.			√		
	To agree the surplus balance return as part of the balance control mechanism.	√				
	To ensure that school spending is appropriately compared to those schools of a similar nature through financial benchmarking.			√		
To ensure that school meets Financial Management Standards	√					

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
PERSONNEL	To ensure that the school appoints a Special Educational Needs Coordinator (SENCO)				√	
	To develop, review and oversee implementation of the governing body's personnel policies (with reference to Local Authority policies and guidance)	√				
	To appoint Headteacher (on recommendation of selection panel)	√				
	To appoint Deputy Head (on recommendation of selection panel)	√				
	To appoint other teachers					√
	To appoint teachers to leadership group (as defined by governors) TLR or Above			√ Panel		
	To appoint non teaching staff outside the leadership group				√	
	To draft/amend and review whole school pay policy	√				
	To decide on recommendations relating to the pay of all members of staff.		√			
	To implement disciplinary procedures					√
	To agree disciplinary/capability procedures NB <i>Will usually be based on LA models agreed with unions</i>	√				
	To dismiss Headteacher (GB must act through Dismissal Committee)		√			
	To dismiss other staff (GB must act through Dismissal Committee but normally delegated to head)					√
	To suspend head			√C		
	To suspend staff (except head)					√
	To end suspension (head)		√			
	To end suspension (except head)		√			
	To determine staff complement	√				
	To approve applications for early retirement, secondment and leave of absence not covered by local agreements	√				
	To establish and maintain a performance management policy	√				
	To implement the performance management of staff					√
	To implement the performance management of head		√			
	To draft and review a policy on absence management.				√	
	To agree and monitor a training strategy for teachers and support staff.					√
	To agree and monitor a training strategy for governors. (new task)			√		

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Full Gov Body	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
PREMISES	To obtain buildings insurance - GB to seek advice from Local Authority, diocese or trustees where appropriate			√		
	To develop a school buildings strategy (including budgeting for repairs etc.) and contributing to Asset Management Planning arrangements				√	
	To procure and agree a maintenance strategy for new buildings including developing a properly funded maintenance plan	√				
	To review security of school premises and equipment.				√	
	To agree level of maintenance service the school will buy from service providers.				√	
	To research and be involved in drawing up an Accessibility Plan for the school				√	
	To recommend a hiring policy to the governing body and to oversee its implementation.				√	
	To approve hiring policy and charges			√		
	To implement health and safety arrangements					√
	To monitor health & safety arrangements		√			
	To ensure that suitable risk assessments are prepared and action taken to minimise risk.				√	
	To monitor accident book and agree appropriate action			√		

		DESCISION LEVEL				
		1	2	3	4	5
FOCUS GROUP	TASKS (Key Functions)	Gov Body Full	Committee	Individual Governor	Delegate to Headteacher	Headteacher Day-to-day
GD	Ensure that the curriculum contributes to community cohesion			√		
	To ensure that the school contributes to community cohesion	√				
PUPIL WELFARE	To decide a discipline policy	√				
	Headteachers have powers to search, with or without consent; a pupil whom they reasonably suspect is carrying a knife or other weapon.					√
	To monitor and review pupil attendance				√	
	To set attendance targets	√				
	To ensure that school policy and procedure for Looked After Children are consistent with measures set out in the statutory guidance.			√		
	To decide whether to appoint a designated governor for Safeguarding Children or to retain as a full governing body task	√				
	To carry out annual review of Safeguarding Children and Child Protection policy and procedures and report to the Local Authority			√		
To ensure that school lunch nutritional standards are met.				√		
STAKEHOLDERS	To decide whether parenting contracts should form part of the school's attendance policy					√
	To implement parent contracts					√
	To publish the School Prospectus	√				
	To draft text in School Profile				√	
	To approve and publish the School Profile annually	√				
	To plan and coordinate strategies by which the governing body can demonstrate its accountability and consult parents and community			√		
	To adopt and review home-school agreements					√
To consider matters relating to the role of the school in the community, including public relations.	√					