

Lympne C.E. Primary School



Terms of Reference and Standing Orders

The Governing Body will operate at all times in accordance with the requirements of the Education Act, the School Governance Regulations, the Local Authorities Scheme for Financing Schools and all other relevant legislation, and will review these Standing Orders at least annually.

In addition to the requirements set out in legislation, the following procedures will apply to the operation of the Governing Body.

These documents were agreed by the Governing Body at the meeting held on 15 September 2016.

Date	14 th September, 2017
Signed (Chair of Governors)	
Review Date	September, 2018

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1 - Governing Body

The Governing Body has resolved to conduct all its business as a full Governing Body, and to work without committees, meeting 6 times per year, once in each term, without any separate committees. An agenda for each meeting will include all the tasks which the Governing Body is required to consider, and the Governing Body will 'commission' assignments or activities arising from the business of the meeting, which will be recorded in the minutes.

In addition to 'commissioning' activities or actions on their behalf, the Governing Body may wish to delegate monitoring activities to 'monitoring pairs' or 'individuals'. This could apply to statutory functions, and/or the priorities of the School Plan.

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

Operational	<ul style="list-style-type: none"> • The main responsibilities to be managed by the Governing Body are outlined below: • To draw up the Instrument of Government and any amendments thereafter • To elect (or remove) the Chair and Vice Chair • To appoint (or dismiss) the Clerk to the Governing Body • To hold at least three Governing Body meetings each year • To appoint and remove Co-opted Governors and any associate members • To recruit new governors as vacancies arise • To set up a register of Governors' Business Interests • To approve and set up a Governors' Allowances Scheme • To decide which functions of the Governing Body will be delegated • To regulate the Governing Body procedures where not set out in law, and record these as Standing Orders • To suspend a governor • To receive reports from any pair or individual to whom a delegation has been made and to consider whether any further action by the Governing Body is necessary • To review the delegation arrangements annually • To delegate to the Headteacher the functions as described in the Terms of Reference Delegation of Functions to Headteacher Standing Order (attached) • To assign individuals or pairs of governors to monitor the priorities of the School Improvement Plan in accordance with the attached terms of reference • To arrange a suitable induction process and mentoring for newly appointed or elected governors (may have accompanying Standing Order) • To audit individual and collective development needs and promote appropriate training • To ensure the Headteacher provides such reports as requested by the Governing Body to enable it to undertake its role • To receive reports on racial incidents <p>Items in bold cannot be delegated</p>
General	<ul style="list-style-type: none"> • Regularly review the vision and values of the school and ensure that these are shared with all stakeholders • To take an active role in School Self Evaluation, monitoring success in all areas and identifying areas requiring improvement • To update and review regularly the School Improvement Plan • To review regularly how the school is regarded by pupils and parents

	<ul style="list-style-type: none"> • To ensure the school has in place all statutory policies and to keep these under regular review, consulting with representative stakeholders as appropriate. To approve policies on review • To approve all school trips involving an overnight stay away from home • To ensure that the school does not discriminate against pupils, job applicants or staff on the basis of race, religion, gender, age disability or sexual orientation. VA schools are entitled to identify the post of some staff as open to practising members of their denomination only • To discharge duties in respect of pupils with special needs by appointing a 'responsible person' in community, voluntary controlled, voluntary aided and foundation schools • To ensure the school has a Complaints Procedure for Parents and that parents know how to raise concerns and make a complaint • To ensure that the Governing Body complies with all other legal duties placed upon them
Budget	<ul style="list-style-type: none"> • To approve the first formal budget plan each year • To engage in strategic planning • To agree a three year budget • To analyse and recommend the annual budget • To annually review and approve the Finance Policy and recommend levels of delegation • To annually review and approve the Charging and Remissions policy • To make decisions in respect of service agreements and insurance • To review and take account of any consultations to change the LA Finance Scheme
Staffing	<ul style="list-style-type: none"> • To make Headteacher and Deputy Headteacher appointments • (in VA schools) To agree staffing policies which provide for governor involvement in the interests of preserving the school's religious character • To determine the staff complement • To agree a pay policy and pay discretions • To establish a governor panel to hear staff appeals against dismissal and redundancy • To dismiss the Headteacher • To end the suspension of staff or Headteacher • To determine dismissal payments/early retirement • Voluntary and Foundation schools – governors should decide whether the Director of Education/diocesan authority should have advisory rights
Curriculum	<ul style="list-style-type: none"> • To agree (or reject) the curriculum policy • To monitor the curriculum policy • To establish a charging and remissions policy for activities
Performance Management	<ul style="list-style-type: none"> • To establish and review and approve annually a Performance Management Policy • To determine the timing of the performance management review cycle of the Headteacher and appoint two or three governors to act as reviewers
Target Setting	<ul style="list-style-type: none"> • To approve and publish targets for pupil achievement • To monitor pupil achievement against published targets
Discipline / Exclusions	<ul style="list-style-type: none"> • To establish a discipline policy • To review the use of exclusion and decide whether or not to confirm all permanent exclusions and fixed term exclusions where a pupil is either excluded for more than 15 days in total in a term, or would lose the opportunity to sit a public exam. • To direct the reinstatement of excluded pupils
Premises & Insurance	<ul style="list-style-type: none"> • To develop a school buildings strategy or master plan and contribute to LA Asset Management Planning arrangements

	<ul style="list-style-type: none"> To procure and maintain buildings, including a properly funded maintenance plan To seek advice from the LA, diocese or trustees, where appropriate to ensure adequate levels of buildings insurance and personal liability To receive annual site report
Health & Safety	<ul style="list-style-type: none"> To institute a Health & Safety policy (in Kent the LA have delegated this to the HT of community and voluntary controlled (VC) schools and provided a general policy for schools to adapt) To ensure that Health & Safety regulations are followed and appropriately prioritized To receive Health & Safety Inspection Report three times each year and agree any actions
Admissions	<ul style="list-style-type: none"> To consult annually before setting an Admissions policy (but in community and VC schools only where the LA has delegated this power to the Governing Body)
Collective Worship	<ul style="list-style-type: none"> To ensure that the school provides teaching of religious education for all pupils in accordance with the agreed syllabus or has informed parents of their right to withdraw their child To ensure the school provides an act of daily collective worship in accordance with the denominational nature of the school
School Organisation	<ul style="list-style-type: none"> To set the time of the school sessions and the dates of school terms and holidays (except community and VC schools where this is the LA's responsibility). To publish proposals to change category of school To propose to alter or discontinue voluntary, foundation or special school status
Information for Parents	<ul style="list-style-type: none"> To ensure the requirements to publish information on the school website are met To ensure that the school keeps parents and prospective parents informed by publishing a school prospectus To approve the School Profile To adopt and review home school agreements
Federations / Multi-Academy Trust (MAT)	<ul style="list-style-type: none"> To consider forming a federation / MAT or joining an existing federation / MAT To consider requests from other schools to join a federation / MAT To leave a federation
Extended Services	<ul style="list-style-type: none"> To decide to offer additional activities and agree what form these should take To cease providing extended services provision

To ensure that the school keeps parents and prospective parents informed by publishing a school prospectus

The School Information (England) (Amendment) Regulations 2012 removed the requirement for maintained schools to produce a prospectus.

To approve the School Profile

Requirement removed February 2012

To adopt and review home school agreements

On 1 January 2016, a provision of the Deregulation Act 2015 came into force which removed the requirement for schools to have a home-school agreement. Schools can continue to have a home-school agreement in place if they wish, but there is no requirement to do so.

2 - Headteacher

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

Budget	<ul style="list-style-type: none"> To make miscellaneous financial decisions up to an agreed limit of £5,000 To enter into contracts up to the limit of £5,000 To monitor monthly expenditure To make payments. For orders in excess of £10,000, but less than £50,000, three written quotations are obtained and submitted to the Full Governing Body for approval For orders in excess of £50,000, no fewer than three competitive tenders are sought and submitted to the Full Governing Body for approval
Staffing	<ul style="list-style-type: none"> To appoint teachers and non-teaching staff To establish disciplinary, capability and grievance procedures To suspend staff To dismiss staff
Curriculum	<ul style="list-style-type: none"> To ensure the National Curriculum is taught to all pupils and consider disapplication for pupils as appropriate To establish and implement a Curriculum policy To decide which subject options should be taught To be responsible for standards of teaching To be responsible for each individual child's education To agree the content of any Sex and Relationship Education and to keep up to date a written policy for its delivery To ensure the balanced treatment of political issues and to prohibit political indoctrination
Performance Management	<ul style="list-style-type: none"> To formulate and implement a Performance Management policy
Target Setting	<ul style="list-style-type: none"> To set targets for pupil achievement
Religious Education	<ul style="list-style-type: none"> To provide Religious Education in line with school's basic curriculum In schools with a religious character, to provide Religious Education to the agreed syllabus
Collective worship	<ul style="list-style-type: none"> For maintained schools – to ensure, after consultation with the Governing Body, that all pupils take part in a daily act of collective worship In schools with a religious character, to provide collective worship of a denominational character
Health & Safety	<ul style="list-style-type: none"> To ensure that Health & Safety regulations are followed
School Organisation	<ul style="list-style-type: none"> To ensure that the school meets for 380 sessions in a school year Where determined by the Governing Body, to ensure that school lunch nutritional standards are met
Information for Parents	<p>To prepare and publish the School Prospectus To prepare and publish the School Profile</p> <ul style="list-style-type: none"> To ensure that free school meals are provided to those pupils meeting the criteria To ensure that parents are aware of their rights to withdraw their child from collective worship, RE and Sex and Relationship education To ensure that a report on each child's educational achievement is forwarded to parents /guardians
Extended Schools	<ul style="list-style-type: none"> To put into place the additional services provided To ensure delivery of services provided

3 - Clerk to the Governing Body

The Clerk is expected to work within the following terms of reference. If the Governing Body uses the services of the Kent Clerking Agency, the following tasks are included as part of the Service Level Agreement.

The main responsibilities of the Clerk are:

- To work effectively with the Chair of governors, the other governors and the Headteacher to support the Governing Body
- To advise the Governing Body on constitutional and procedural matters, powers and duties
- To convene meetings of the Governing Body
- To attend meetings of the Governing Body and ensure minutes are taken
- To maintain a register of Business Interests
- To maintain a register of members of the Governing Body and report vacancies to the Governing Body
- To maintain a register of attendance and report non-attendance to the Governing Body
- To give and receive notices in accordance with relevant regulations
- To perform such other functions as may be determined by the Governing Body from time to time
- To undertake appropriate professional development

If the Clerk does not attend a meeting, the governors present at the meeting may appoint a member of the Governing Body (but not the Headteacher) to act as Clerk for that meeting.

4 - Monitoring Pairs

The Monitoring Pairs to whom responsibility has been delegated is expected to work within the following terms of reference.

- To monitor an identified target on the School Plan or a statutory function of the Governing Body and report to the Governing Body. It is expected that a minimum of three monitoring visits will be made to the school during the year. Other forms of communication such as telephone calls, emails etc. may be substituted for one or more visits. A visit does not necessarily have to take place during the time when pupils are in school, and could be just as effective as a meeting between governor(s) and the lead professional at the end of the day as mutually agreed.
- To meet with the lead professional within the school to gain an understanding of the scope of the target and the activities the school is conducting to achieve success
- To undertake any necessary training (in or out of school) to enable effective monitoring of the areas/subject
- To monitor the progress of school activities towards the target or duty
- To evaluate the extent of success at the end of the set timescale

All visits to the school will be arranged with reference to the Headteacher and in accordance with the Governor Visits policy.

Reports will be no more than one side of A4 in length (not including any data), be submitted for approval by the Headteacher and/or any lead professional within the school within 2 weeks of the visit, and then be lodged with the Clerk of governors for distribution as soon as possible.

In addition, a governor will be designated as the SEN and Child Protection Governor. (If this role links with an identified target on the School Plan, this role could be covered as part of an already identified monitoring pair).

See: Schedule of Monitoring Pairs and Governor Special Responsibilities

5 - Monitoring of the School Budget

A minimum of three monitoring visits should be made each year, although at least one of these may be conducted virtually, by emails or by telephone discussion.

- To maintain an up-to-date 'balanced' 3 year budget plan, which shows clear links to the 'School Improvement' and 'Staffing' plans
- To report monitoring and rollover to the full Governing Body, highlighting any significant variances
- To evaluate any virement recommendations and report to the Governing Body
- Analyse and report on Tenders for Contract Services
- To keep in-school financial procedures under review
- To be actively engaged in LM Scheme consultations
- To benchmark school financial performance against similar schools and report to the Governing Body
- To analyse and recommend the annual Statement of Internal Control and present to the full Governing Body
- To evaluate proposed expenditure following recommendations from the Headteacher and present to the Governing Body
- To ensure that the school has, or is working towards achievement of the School Financial Value Standard
- To ensure that all spending provides 'Value for money' in terms of raising standards in education and make recommendations and present to the Governing Body to sign the annual Statement of Best Value
- To monitor and evaluate the management of the Voluntary Fund and to receive the audited accounts
- To make regular reports to the Governing Body and ensure that key financial decisions are recorded correctly in the minutes

Any additional items which the Governing Body may wish to include.

6 - Panel Hearings

- To make any decisions under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability, where the Headteacher is the subject of the action
- To make any decisions under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability, unless delegated to the Headteacher
- To make any determination or decision under the Governing Body's Complaints Procedure for Parents
- To consider any appeals against a decision to dismiss a member of staff or to a decision short of dismissal e.g. disciplinary, grievance or capability
- To make any determinations on behalf of the Governing Body in relation to staff redundancy and redundancy appeals
- To consider any representations by parents in the case of an exclusion
- To consider the appropriateness of any permanent exclusion or fixed term exclusion which totals 15 days or more in one term or where a pupil is denied the chance to take a public examination

All panels are to be convened by the Clerk to the Governing Body.

Membership [not less than 3: 3 or 5 for pupil discipline]

The Governing Body agreed to the Hythe Hub Joint Panel Terms of Reference (ToR) and a Panel can consist of any three governors from a pool of governors who are:

1. Suitably qualified to undertake the role, and
2. Available on the date specified

The Headteacher is disqualified from serving in this role. Any governor having a connection with either a pupil, a member of staff or the incident in question which could affect their ability to act impartially should not serve on the panel. Any governor who has participated on a panel for a staffing decision, cannot sit on the appeal panel.

7 - Headteacher's Performance Management Group

- To meet annually with the **School Improvement Adviser** (SIA) to discuss and determine the Headteacher's objectives and performance criteria for the coming year (the planning meeting)
- To review, with the support of the SIA the performance of the Headteacher against the agreed criteria and determine the recommendation on pay progression (the review meeting)
- To prepare and agree the Headteacher's performance review statement, and report to the Governing Body
- To monitor through the year the performance of the Headteacher against the agreed criteria and to ensure that appropriate support and development opportunities are provided
- To make recommendations to the **Governing Body** in respect of pay progression

Membership [2 or 3 governors]

In voluntary Aided/Controlled Schools at least one member must be a foundation governor. In Aided Schools, if the membership is three, at least two must be foundation governors.

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

8 - Meetings of the Governing Body

Governors are expected to:

- Arrive in good time for the start of any meeting, having read all the paperwork sent to them in connection with the agenda, and prepared with questions to ask or comments to make
- Bring a copy of the School Plan and be familiar with its contents
- Limit discussion to policies and actions and not people
- Participate in discussion and listen to the views and comments of others
- Be brief and adhere to any time limits placed against agenda items
- Follow up on action points between meetings.

The following persons have the right to attend all meetings of the Governing Body

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

The Deputy Headteacher, members of the senior leadership team, etc. will be invited to attend regular meetings of the Governing Body as appropriate.

Full Governing Body meetings will be held at the school six times each year. The Clerk will prepare a suggested calendar of meeting dates for the following year for approval at the meeting held in Term 6 of each year.

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

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

Voting, where necessary, will normally be taken by a show of hands; however, the Chair may determine a secret ballot where this has been requested by two or more governors.

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

Each meeting will commence at 7.00 pm and will be limited to 2 hours in duration. Where business has not been completed within the agreed time, those governors present may resolve to continue the meeting in order to complete the agenda. Any business not completed will form part of the agenda for the next meeting.

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

9 - Election of Chair and Vice Chair

The Governing Body resolves that the following process will apply to the election of Chair (and vice chair) of the Governing Body (provide a brief outline of the role see overleaf):

- The Chair and Vice Chair will serve for a period of 2 years.
- The Clerk will take the Chair to conduct the election of the Chair and the newly elected Chair will conduct the election for the Vice Chair using the same procedure.
- The Clerk will invite Governors to self-nominate by a closing date no later than 2 weeks before the date of the meeting at which the election is to be held.
- The Clerk will include the names of all candidates for election on the agenda for the meeting at which the election is to be held, and send it to governors at least 7 days in advance of the meeting.
- The candidates will be asked to leave the room whilst the election takes place and the outcome discussed.
- Governors will take a vote by secret ballot conducted and counted by the Clerk.
- Candidates will be allowed to vote (including for themselves) before leaving the room.
- In the event of a tie, each candidate will be given the opportunity to address the Governing Body before a further vote is taken. (If a candidate cannot attend the meeting, a supporting statement may be requested in advance of the meeting.)
- If no advance nominations have been received for the office of Chair, the Clerk may seek nominations at the meeting.

If no Chair is duly elected, a Governor MUST be appointed to Chair the remainder of the meeting and to act as a temporary Chair until the next meeting.

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

10 - Appointment of Co-opted Governors

Co-opted governors are appointed by the governing body. They are people who in the opinion of the Governing Body have the skills required to contribute to the effective governance and success of the school.

Governors are invited to nominate suitable candidates to the Governing Body.

Prospective Co-opted Governors will be asked to prepare a brief statement of no more than 100 words, explaining their background and why they wish to be appointed. Where possible these statements will be circulated to all members of the Governing Body prior to the meeting at which any appointment will be considered.

Governors will be invited to vote by show of hands if there is a sole candidate. Where there are multiple nominations, governors will take a vote by secret ballot, managed by the Clerk. In the event of a tie, the governors will again discuss the nominations and take a further vote.

The Clerk will announce the result, with the candidate polling the most votes being duly appointed.

The Clerk will notify the Diocese and LA of the appointments.

~~1. The community is defined as ('any person, organisation or group having an interest in the education of children at this school'). You may want to be more specific in your description and identify any community partners.~~

~~2. Nominations will be sought from all members of the community defined above.~~

~~3. Vacancies will be made known within the community by the distribution of governor recruitment materials, including posters, leaflets and brochures provided by KCC School Governance Unit. We will advertise the vacancy broadly to reach all areas identified as being part of our community. Priority may be given to candidates with particular skills if this expertise would enable the Governing Body to work more effectively. In these cases this would be clearly stated when notifying the vacancy.~~

~~4. Where two or more names are put forward, prospective community governors will be asked to prepare a brief statement of no more than 100 words, explaining their background and why they wish to be appointed. Where possible these statements will be circulated to all members of the Governing Body prior to the meeting at which any appointment will be considered.~~

~~5. At the next meeting of the Governing Body, governors will be invited to vote by show of hands if there is a sole candidate. Where there are multiple nominations, governors will take a vote by secret ballot, managed by the Clerk.~~

~~6. In the event of a tie, the governors will again discuss the nominations and take a further vote.~~

~~7. The Clerk will announce the result, with the candidate polling the most votes being duly appointed.~~

11 – Confidential minutes

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The Clerk will present the Confidential Minutes of the Governing Body for approval by the Chair of Governors and the Headteacher by email.

Once approved, the Confidential Minutes will be printed on green paper.

The Confidential Minutes will be circulated to all members of the Governing Body at the next meeting.

Once adopted by the meeting a copy of the Confidential Minutes will be signed by the Chair and the Clerk will file the Minutes in a separate Confidential Minute File.

All other copies of the Confidential Minutes will be collected by the Clerk at the end of the meeting for shredding.