

# GOVERNING BOARD TERMS OF REFERENCE

27 Sept 2023



**Downsway  
Primary  
School**

Madeline Fyans

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## Governing Board Terms of Reference

Membership	As per the instrument of government 2017
Attendees	SBM
Election of chair	Appointed annually by the GB.
Quorum	5
Meetings	8 times per annum
Agendas/Papers	To be distributed 7 days in advance
Clerking	Clerk appointed by the GB
Reporting	Minutes to go to next GB meeting
Review process	Terms of reference to be reviewed annually
Voting rights	Members listed above have full voting rights. Attendees have no voting rights. The Chair will have a second or casting vote where there is an equal division of votes.

### Responsibilities and delegated powers

#### Core functions

- To determine a **vision** for the school, including devising a **long term strategic plan** which is reviewed annually
- To devise an **ethos and set of values** for the school.

#### Process of governance

- To review the Governing Board's **Standing Orders** (i.e. procedural workings of the governing body) annually.
- To review the **skills base** of the governing board (using the NGA skills' audit) and recruit based on skills gaps when vacancies arise.
- To publish a welcome letter from governors on the school website which may include an informal review of the previous academic year.
- To provide a **welcome letter and induction pack** for new governors outlining expectations
- To ensure information regarding the **work of the GB** is published on the website including governors' pen profiles
- To maintain a record of **governors' business interest declarations** for publication on the school's website
- To publish details of the **governing board's structure**, individual governors' appointments and responsibilities on the school's website
- To **co-ordinate and plan work** of the GB via an annual planner
- To appoint governors to assist the board in complying with their statutory duties: SEND, Safeguarding, Health and Safety, Pupil Premium.
- To monitor governors' **attendance** at meetings and address any under-performance. To publish annual attendance on website.
- To ensure the DFE's database for governors (**Get information about schools**) is up to date
- To ensure all governors have access to the **DFE's Governance Handbook** (latest version) and are aware of their core functions and duties

- To ensure governors adopt a **Code of Conduct** annually
- To **circulate all agendas** and papers at least 7 days in advance (as per *School Governance (Roles, Procedures and Allowances) (England) Regulations 2013*)
- To create a **mechanism for policy review** and to monitor all school policies (as advised by the Clerk to the Governors)
- To appoint 2/3 governors to form the **Headteacher's Performance Management** Panel on an annual basis (governors to be appropriately trained).
- To provide an annual **performance management** review for the **clerk** to governors (Chair and vice chair)
- To determine **governor training** needs, to identify appropriate providers and agree a **budget**
- To devise an annual **governors' development plan**
- To promote **communication and engagement** with the parents and the wider community
- To set up **working groups** as necessary
- To review a policy for **governors' expenses**
- To agree a programme of **governor visits** linked to key priorities in the School Development Plan (SDP)
- To review and approve a **governor visits policy**
- To ensure at least one member of the governing board has had **safer recruitment training**
- To work with the Headteacher to determine the content of the **HT's report** to the FGB and frequency of reporting
- To appoint a clerk to governors
- To ensure the Governing Board's statutory duties are fully compliant as per School Information regulations 2016 regarding publication of information on school website

### **School self-evaluation and performance**

- To prepare with the Headteacher the school's **self-evaluation report** for Ofsted and school improvement purposes.
- To receive **reports from external advisors** including the school improvement advisor and the literacy advisor
- To review the **school's performance** against schools nationally using external data sources (DFE Raise On Line data, Nexus, FFT dashboard, Ofsted data dashboard)
- To review **emerging developments** from the DfE, Ofsted and other agencies and model the impact on the school
- To review and approve the School's Development Plan
- To monitor and evaluate progress made against priorities in the School's Development Plan
- To monitor progress against the Ofsted areas for improvement (June 2023)
- To set targets for pupil performance for Year 6, Year 4 and Year 2 and EYFS
  - To review and interrogate internal school data on progress and attainment of children in all years twice a year
  - To monitor the school's performance against targets set for progress and attainment for all year

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### Statutory duties

- To ensure governors' **statutory duties** are discharged and the school is compliant.
- To ensure the school's **website** is compliant with the *School Information regulations 2016 (via an annual audit and ongoing monitoring)*.
- To ensure the school meets its **Public Sector Equality Duty** (under the Equality Act 2010) including publishing **Equalities Objectives** and issuing an annual report on progress made.
- To review the **Accessibility Plan** annually and publish a **report on progress** made against actions.
- To ensure the school meets **SEND requirements** as per section 69 of Children & Families Act 2014 and the SEND code of practice 2015.
- To review and approve the **SEND policy** annually and publish an annual SEND report to parents (**LA Local Offer**).
- To review and monitor the school's **Health and Safety** policy
- To conduct termly Health & Safety monitoring visits using appropriately sourced H&S checklists
- To consider any recommendations arising from any external H&S needs assessment and agree follow up action
- To review the school's **Emergency Plan/Critical incident plan** and ensure contact details are reviewed annually
- To review and monitor the school's **safeguarding policy** and child protection arrangements and to complete an annual review for the LSCB
- To check the **Single Central Record** on a termly basis
- To ensure the school complies with the **Prevent Agenda** and the requirements of the Counter Terrorism Act 2015
- To review the school's **complaints policy**
- To promote **communication and engagement** with parents and the wider community
- To receive reports from the Headteacher/senior leaders on actions to improve parental engagement and to determine actions as appropriate. HT's report.
- To review and approve the **Data Protection Policy** and **Guide to freedom of information**

### Curriculum responsibilities

- To review and monitor curriculum provision to ensure the school provides a **broad and balanced curriculum** that meets the needs of all children.
- To review **pupil exclusions** data identifying any trends or patterns
- To set annual pupil **attendance targets** and to review pupil attendance data on a termly basis
- To approve all **educational visits**
- To receive and discuss reports from the **Inclusion Manager** on the provision for children with Special Educational Needs and Disabilities
- To review and approve all **curriculum related policies** including:

- Curriculum policy
  - Foundation stage policy
  - Supporting pupils with medical needs policy
  - Sex & relationships education policy
  - School uniform policy
- To review and approve the **Behaviour and Exclusions policies** and the **Behaviour principles written statement**.
  - To monitor the **PE and sports grant funding**, publish spending plans and a report on impact of funding on the school's website
  - To review and monitor how the school meets the Spiritual, Moral, Social and Cultural (SMSC) development standards as set out in Government guidance
  - To review and monitor how the school promotes fundamental **British Values** and prepares children for life in modern Britain.

### **Pay responsibilities**

- To determine the appropriate **group size** for the school and appropriate **pay range** for all members of the leadership group.
- To determine, review and approve the **Teachers' Pay policy**, having taken appropriate consultation with staff and in school union representatives.
- To monitor and evaluate the impact of the Teachers' Pay Policy on an annual basis including trends in progression across specific groups of teachers to assess its impact (to ensure compliance with the Equality Act 2010).
- To determine the **salary of the Headteacher** (from 1 September of each year), taking account of the recommendations from the Headteacher's Performance Management Panel.
- To determine the **salaries of the leadership** group from 1 September of each year, taking account of any objectives set for the previous year, and recommendations of the Headteacher.
- To determine the **salaries of all teaching staff** from 1 September of each year, with reference to the current national Pay and Conditions Document and attendant Circular, the school's current teachers' pay policy, and the recommendations of the Headteacher.
- To determine the **salaries of all support staff** from 1 April of each year using the relevant scales, taking account of the recommendations of the Headteacher.
- To determine the remuneration of staff directly supporting the Governing Board (**Clerk to the Governors**) on 1 April each year taking into account the recommendation of the Chair of Governors.

### **HR responsibilities**

- To review and approve all **HR policies** including:
  - teacher appraisal
  - capability procedures,
  - grievance policy

- disciplinary policy
  - staff absence
  - whistleblowing
  - equal opportunities policy
  - safer recruitment policy
  - allegations of abuse against staff
  - ill-health capability policy
- To take the lead in the **appointment of the Headteacher and Deputy Headteacher**. *Appointments for all other members of staff are delegated to the Headteacher.*
  - To consider the implications of any changes in **employment legislation** affecting the school.
  - To **quality assure teacher's appraisal** by reviewing an anonymous sample of staff performance management objectives to ensure consistency across the school
  - To receive a report from the Headteacher on the impact and effectiveness of **CPD provision** for all staff on improving the effectiveness of teaching, learning and assessment.
  - To ensure **safer recruitment practices** are adhered to for all recruitment processes

## Finance

- To determine, review and approve **a Financial Management Policy** for public funds and private funds which reflects the requirements of the Local Authority's Financial Management Scheme and Financial Regulations.
- To determine, review and approve **other finance policies** including:
  - Charging and Remissions policy
  - Governors' expenses policy.
  - Staff Travel and Subsistence policy
  - Financial management policy
  - Lettings policy
- To review and approve a detailed **annual budget plan** (revenue/capital expenditure) taking into account priorities in the RAP.
- To monitor **actual spend** against the budget, including reviewing SBM reports on income, expenditure and commitments for all the school's activities for the financial year. To approve action when budget shows **variance** from the agreed plan.
- To agree any **expenditure or virement** (i.e. transfer of money from one budget line to another) beyond the powers delegated to the Headteacher, as determined in the School's Financial Management Policy.
- To review all **short-term and long-term financial planning** (i.e. 3-year budget forecasts) as prepared by the SBM and agree follow up action as necessary.
- To review and approve the school's **staff structure**, including management structure, on an annual basis.

- To establish and review the principles and objectives of the approach to cases of **hardship** and ensure they are accurately reflected in the relevant policies (e.g. Charging & Remissions Policy).
- To review and agree **contracts** for goods and services drawn up by the school in accordance with the school's financial management policy, seeking external professional advice as necessary.
- To monitor and review the processes by which the school achieves **best value** in its use of funding.
- To **benchmark** the school's income and expenditure annually against other similar schools, agreeing any follow up action to improve effectiveness in use of funds.
- To receive and review the **inventory/asset register** on an annual basis
- To ensure the school's **insurance** requirements are adequately covered.
- To monitor **Pupil Premium funding** to ensure money is spent on improving outcomes and publish an impact report. To publish a PP strategy for each academic year.
- To receive and consider reports from the LA's **auditors** and prepare an action plan, as appropriate, in response to audit findings
- To review the school's annual **capital expenditure plan** which identifies priorities based on condition and need
- To review the school's financial management and governance arrangements using the **Schools' Financial Value Standard** (SFVS) document and take action to address any gaps
- To monitor the **private school fund** (income and expenditure).
- To appoint an **external auditor** for the school private fund
- To review governors' policy on surplus funds arising from the main school budget
- To maintain and review a **register of risks**
- To review the **IT investment plan** and strategy on an annual basis

## Headteacher Performance Management Panel

### Terms of reference

Membership	Chair of Governors and two Governors, External advisor (School Improvement Partner). NB Staff governors cannot be appointed
Election of chair	Appointed annually by members of the panel
Quorum	All Governors
Meetings	Review meeting to be convened before October half term each year, Interim review meeting (Spring term)
Minutes	School Improvement Partner
Reporting	Report to GB



Terms of reference	Reviewed annually at the start of the academic year
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### **Responsibilities & delegated powers**

- To discuss and agree the annual Headteacher's performance management targets
- To review performance and decide whether targets have been met
- To make recommendations to GB in respect of pay awards for the successful performance
- To attend training as appropriate

Note: The Governing Board will appoint an external adviser to provide advice and support in relation to the management and review of the performance of the Head teacher

## Governors' Discipline Meeting (GDM)

### Terms of reference

Membership	3 Governors. Staff Governors are not eligible to sit on panels. The Head Teacher does not sit as a member on this panel, but must attend in an advisory capacity. Parent Governors must abstain from a panel if they know the student/family involved.
Election of Chair	Appointed each time by members of the panel
Quorum	All Governors are required
Meetings	To be convened when required, by the Clerk to the Board, in consultation with the Headteacher and Chair. The Clerk will prepare all necessary papers and give at least seven days' notice of the meeting.
By invitation	Clerk to invite representatives from WBC or RBC LA
Minutes	Taken by the Clerk to Governors
Reporting	None. Minutes and letter to parent/s to be approved by all members of the panel. Copies of minutes and letters to be held by Clerk
Terms of reference	Reviewed annually at the start of the academic year
Responsibilities & delegated powers	To review permanent and fixed period exclusions, as detailed below.

- To hear any representations about fixed period exclusions fewer than 5 school days.
- To review any **fixed period exclusion** resulting in a pupil being excluded for between 5 and 15 days in any one term, **where** the parent/carer has expressed a wish to make representations.
- To review **all** permanent exclusions and **all** fixed period exclusions resulting in a pupil being excluded for more than 15 days in any one term, or missing a public examination.
- To be familiar with and to act in accordance with DfE's statutory guidance on exclusions

## STAFFING COMMITTEE

### TERMS OF REFERENCE

Membership	3 Governors (Staff Governors are not eligible)
Election of chair	Appointed by members of the committee
Type of Committee	Statutory Executive
Voting Rights	Only Governors have voting rights
Meetings	As and when required
Clerking	Clerk to the Governors
Reporting	Minutes to be retained by Clerk
Terms of reference	Reviewed annually at start of academic year.

### Role:

- 1 Consider such **staff disciplinary** cases as may be referred to the committee by the Headteacher or as members of the committee may decide according to the school's disciplinary procedures.
- 2 Consider such **staff capability** and **staff ill health capability** cases as may be referred to the committee by the Headteacher or as members of the committee may decide according to the school's capability procedures.
- 3 Consider such **staff redundancy** cases as may be referred to the committee by the Headteacher or as members of the committee may decide according to the school's redundancy procedures.
- 4 Suspend any person employed to work at the school, where in the opinion of the committee or the Headteacher, exclusion from the school is required and be informed of such a suspension where it is undertaken by the Headteacher.
- 5 Determine any suspension including the termination of any suspension where this is considered the appropriate action and inform the Headteacher of this action.
- 6 Terminate the employment of any person employed at the school as requested by the Headteacher or as determined by the committee.
- 7 Suspend the Headteacher for misconduct or other urgent cause.
- 8 Hear any grievance from a member of staff in accordance with school grievance procedures.
- 9 The Staff Committee is to act in accordance with DFE regulations, the School Teachers Pay and Conditions Document (STPCD), the school's staff disciplinary procedures, capability procedures, redundancy procedures and grievance procedures.

## STAFFING APPEAL COMMITTEE

### TERMS OF REFERENCE

Membership	3 Governors (Staff Governors are not eligible), none of whom has served on the relevant Staff Committee. It is recommended that only experienced Governors sit on this committee
Election of chair	Appointed by members of the committee
Type of Committee	Statutory Executive
Voting Rights	Only Governors have voting rights
Meetings	As and when required
Clerking	Clerk to the Governors
Reporting	Minutes to be retained by Clerk
Terms of reference	Reviewed annually at start of academic year.

#### Role:

1. To hear any appeal resulting from a Staff Committee hearing.
2. To resolve any grievance which cannot be resolved by the Staff Committee.
3. To hear any appeal concerning a pay award.
4. To hear any appeal against a teacher's performance management statement.
5. To hear any appeal against the Headteacher's performance management statement.
6. The Staff Appeal Committee is to act in accordance with DfE Regulations, the School Teachers Pay and Conditions Document (STPCD) and the School Discipline, Capability, Redundancy and Grievance Procedures