

## Governing Body - Terms of Reference

### Principles

The governing body is responsible for raising standards through its three key roles of setting strategic direction, ensuring accountability, and monitoring and evaluating school performance.

In exercising their functions, the governing body shall adhere to the following principles: They shall act with integrity, objectivity and honesty in the best interests of the school; and be open about the decisions they make and the actions they take and in particular shall be prepared to explain their decisions to interested persons.

### Role and responsibilities of the governing body

At Hebden Bridge Schools Federation, the role of the governing body is to:

- provide strategic direction for the Federation and each federated school
- support the Federation and staff of each federated school in putting into effect the Federation's vision of our community.
- hold the Federation and each federated school to account for the progress our school communities make

The governing body shall establish a strategic framework for the Federation and each federated school by:

- setting aims and objectives for the Federation and each federated school
- setting policies for achieving those aims and objectives
- setting targets for achieving those aims and objectives
- monitoring and evaluating progress in the Federation and each federated school towards achievement of the aims and objectives set and regularly reviewing the strategic framework for the Federation and each federated school in the light of that progress

The governing body shall also with respect of all policies of the Federated schools, including those required by law:

- consider policies formulated by the staff and Executive Head Teacher and adopt them, with or without modifications, or remit them to the Executive Head Teacher for reformulation
- monitor, evaluate and review the implementation of those policies

### Performance Appraisal

Specifically, the governing body shall ensure the school has a written policy (in accordance with regulations) setting out how school teacher appraisal at each federated school is to be implemented. In this instance "school teacher appraisal" means the system of appraisal of head teachers and other school teachers governed by the Education (School Teacher Appraisal) (England) Regulations.

The governing body shall review each performance management policy every school year. Following such review, the governing body shall if they see fit, amend any school's performance management policy.

If directed to do so by the governing body, the head teacher shall consult all other teachers at the federated school about the formulation of a performance management policy or the amendment of the performance management policy. The Executive Head Teacher and the governing body shall implement the policy.

The governing body shall make a copy of the performance management policy available for inspection at each school at any reasonable time by:

- any school teacher employed at the school
- any person involved in the inspection of the operation of the school teacher appraisal system
- any external adviser appointed in accordance with appraisal regulations

In exercising the functions in paragraphs above, the governing body shall:

- (subject to any other statutory provision) comply with any trust deed relating to the school; and
- consider any advice given by the Executive Head Teacher relating to the establishment and review of the strategic framework

The governing body shall act as a "critical friend" to the federated schools - that is to say, they shall support the Executive Head teacher and staff in the performance of their functions giving constructive criticism where appropriate.

## **Constitution and ways of working of the Governing body**

The Governing body shall be formed as defined in the current Instrument of Governance, attached at annex A.

Each member of the Governing Body shall have a vote.

The Governing body shall elect one of its members to be Chair and one of its members to be Vice Chair. The term of office is currently 2 years and shall be decided by a meeting of the full governing body.

Any nominee for these posts will be given the opportunity to present a case to the governing body. The remaining governors will then debate and vote to elect the post holder. The nominees shall not be present for the vote, the debate or the presentation of any other nominee.

The governing body shall elect annually such governors with responsibility for specific areas of school life as it sees fit and as are required by legislation. A list of the current areas of responsibility is attached at annex B.

The governing body shall have the right to co-opt without voting rights any persons it deems appropriate.

Half the number of members of the Governing body rounded up shall form a quorum.

A special meeting of the governing body may be called on request of at least 3 voting members, or by the Chair. A special meeting of the Governing body shall be held as soon as is practicable after the request.

Any governing body agenda item can be adjourned to such a special meeting on request of not less than 3 voting members or by the Chair.

The governing body shall consider any alternative arrangements it wishes to approve for governors to participate or vote at meetings of the governing body including (but not limited to) by telephone or video conference.

Any alternative arrangements considered above must be agreed by resolution of the full governing body before they may be put in place.

### **Role and responsibility of individual governors**

The expectations of individual governors are specified in the attached Code of Conduct for Governors of Hebden Bridge Schools Federation.

Every governor of Hebden Bridge Schools Federation shall sign a copy of the code of conduct to acknowledge that they understand and will abide by the Code of Conduct.

### **Role and responsibilities of governors with responsibility for a specific area**

Governors with responsibility for a specific area shall act as the primary point of contact between staff of the federated schools and the governing body in matters relevant to that area.

They shall take the primary lead in coordinating any monitoring of policy implementation in that area.

They shall act as the initial liaison between governors and the federated schools when policies relevant to their area are reviewed.

They will take the primary responsibility for reporting to governors on matters relating to their area as appropriate.

### **Roles and responsibilities of the Chair and Vice-Chair**

The Chair shall ensure fairness in discussions of the governing body. The Chair shall endeavour to ensure the interests of all parts of the school communities are fairly represented and shall try to build a consensus on issues raised.

The Chair, or in her/his absence the Vice-Chair, shall preside at all meetings of the full governing body and any public or parental meetings called by the governors. In the absence of both the Chair and Vice-Chair a Chair shall be elected from the members present at the meeting.

The Chair, after due consultation with the school communities, the Executive Head Teacher, the Clerk and other governors, will set agendas for meetings of the full governing body.

The Chair shall have a casting vote in the event of an equality of votes at any governor meeting.

The Chair can change the date of a scheduled meeting, for good reason.

The Chair can approve EVA1A/EV1 (forms) on behalf of the Governing Body for all journeys.

The Chair has the delegated power to grant retrospective consent to absence in the event that a governor would have become disqualified if the matter had to wait for the next governors' meeting.

The Chair has the delegated power to determine in advance of a meeting whether any items should be deleted from the copy to be made available at the school.

Under the The School Governance (Roles, Procedures and Allowances) (England) Regulations 2012 the Chair or Vice-chair are granted the power to carry out functions of the governing body if a delay in exercising a function is likely to be seriously detrimental to the interests of the federated schools, a pupil at the federated schools or their parents, or a person who works at the federated

schools. This power excludes matters related to the alteration and closure of schools, change of school category, change of school name, approval of the budget, discipline policies and admissions. Any action taken under this power must be reported to the governing body.

The Vice-Chair shall act as the Chair in the latter's absence.

Where the governing body decide to create a specific committee to manage a short-term issue the governing body will decide upon a Chair for that committee. The Chair of any committee shall, in respect of that specific committee, act in accordance with the Chair's roles and responsibilities as specified.

### **Removal of the Chair or Vice-Chair from office**

The governing body can remove the Chair or Vice-chair from office unless the Chair has been nominated by the Secretary of State for Education under Section 67 of the Education and Inspections Act 2006.

A motion to remove the Chair or Vice-chair must be an agenda item for a governing body meeting and the agenda must be circulated to governing body members at least seven clear days in advance of the meeting.

The governor(s) proposing the removal must state their reasons for doing so at the meeting. The Chair or Vice-Chair must be given the opportunity to make a statement in response before s/he withdraws from the meeting and the governing body votes on the proposal to remove the Chair or Vice-Chair from office.

### **Role and responsibilities of the Executive Head Teacher**

The Executive Head Teacher shall be responsible for the internal organisation, management and control of the federated schools, and the implementation of the strategic framework established by the governing body.

The Executive Head Teacher shall advise the governing body in relation to the establishment and review of the strategic framework, and in particular the Executive Head Teacher shall:

- formulate aims and objectives for the federated schools, for adoption, with or without modification, or rejection by the governing body
- formulate policies including a policy for secular curriculum for the federated schools for achieving those aims and objectives, for adoption, with or without modification, or rejection by the governing body and
- formulate targets for the achievement of those aims and objectives for adoption, with or without modification, or rejection by the governing body
- in particular, review the curriculum policies every school year and shall formulate any necessary changes to the curriculum policies for adoption by the governing body
- ensure that the policies adopted by the governing body are implemented
- the Executive Head Teacher shall report at least once every term to the governing body on the progress made towards achieving the aims and objectives set - in particular towards meeting specific targets set.

The Executive Head Teacher shall comply with any reasonable direction of the governing body in performing any function delegated to them by the governing body.

### **Role and responsibilities of the Clerk**

The Clerk needs to work effectively with the Chair of Governors, the other governors and the Executive Head Teacher to support the governing body. The Clerk should be able to advise the

governing body on constitutional and procedural matters, duties and powers. The Clerk is accountable to the governing body.

### **Appointment of the Clerk to the governing body**

The governing body must appoint a Clerk to the governing body. Governors, Associate Members and the Executive Head Teacher of the Federation's schools cannot be appointed as Clerk to the governing body.

If the Clerk does not attend a meeting, the governors present at the meeting can appoint a member of the governing body (but not the Executive Head Teacher) to act as clerk for that meeting.

### **Functions of the Clerk**

It is the responsibility of the Clerk of the governing body to:

- convene meetings of the governing body
- attend meetings of the governing body and ensure minutes are taken
- maintain a register of members of the governing body and report vacancies to the governing body
- maintain a register of attendance and report this to the governing body
- give and receive notices in accordance with relevant regulations
- perform such other functions as may be determined by the governing body from time to time

### **Removal of the Clerk**

The governing body can remove its clerk from office by resolution at a governing body meeting. If a school does not have a delegated budget, the LA may dismiss the Clerk and appoint a substitute, but the Authority must consult the governing body before doing so.

### **Minutes and Papers**

The Clerk must ensure that minutes are drawn up, approved by the governing body and are signed by the Chair at the next meeting.

The governing body must make available for inspection, to any interested person, a copy of the agenda, signed minutes and reports or papers considered at the meeting as soon as is reasonably practical. The governing body is obliged to make this information available upon request under the Freedom of Information Act 2000, unless any other of the specific exemptions in that Act apply. Therefore, the governing body will only be able to withhold information that constitutes personal data or confidential information, in each case, within the meaning of the Freedom of Information Act.

As far as possible the Clerk will endeavour to circulate paper 10 days prior to any meeting. Where this is not possible the papers will be circulated as close as is practicable to 10 days in advance of the meeting and in any event 7 clear days prior to any meeting.

### **Delegation of the governing body's functions**

The governing body can delegate any of its statutory functions to a committee, a governor or the Executive Head Teacher, subject to prescribed restrictions. Delegation of functions shall be reviewed annually. The governing body will remain accountable for any decisions taken, including those relating to functions delegated to a committee or individual.

Functions that can be delegated to a committee but cannot be delegated to an individual include those that relate to:

- the alteration, discontinuance or change of category of maintained schools
- the approval of the first formal budget plan of the financial year
- school discipline policies
- the exclusion of pupils (except in an emergency when the chair has the power to exercise these functions)
- admissions.

The governing body cannot delegate any functions relating to:

- the constitution of the governing body (unless otherwise provided by the Constitution Regulations);
- the appointment or removal of the Chair and Vice-Chair
- the suspension of governors
- the delegation of functions
- the establishment of committees.

Any individual or committee to whom a decision has been delegated must report to the governing body in respect of any action taken or decision made. The governing body can still perform functions it has delegated.

Signed: \_\_\_\_\_ Executive Head Teacher. Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Chair of Governors. Date: \_\_\_\_\_