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**FULL GOVERNING BOARD AND COMMITTEE’S TERMS OF REFERENCE**

**January 2024**

**Date of review: January 2025**

**The Role of the Chair of the Governing Board**

* To ensure the business of the Governing Board is conducted properly, in accordance with legal and Council delegation requirements.
* To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making
* To establish and foster an effective relationship with the Headteacher and Senior Leadership Team based on trust and mutual respect for each other’s roles.

The Chair has an important role in ensuring that the Governing Board acts as a sounding board to the Headteacher and provides strategic direction

Disqualification – the Headteacher, Staff, Pupils,

**The Role of the Clerk to the Governing Board**

* To work effectively with the Chair of Governors, the other Governors and the Headteacher to support the Governing Board
* To advise the Governing Board on Constitutional and Procedural Matters, duties and powers
* To convene meetings of the Governing Board
* To attend meetings of the Governing Board and ensure minutes are taken
* To maintain a register of members of the Governing Board and report vacancies to the Governing Board
* To give and receive notices in accordance with relevant regulations
* To perform such other functions as may be determined by the Governing Board from time to time

Disqualification – Governors, Associate Members, the Headteacher

**The Role of the Chair of a Committee**

* To ensure the business of the Committee is conducted properly, in accordance with legal requirements
* To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making
* To track and progress Committee actions in between meetings to maintain progress

Disqualification – none

**The Role of the Clerk to Committees**

* To advise the Committee on procedural and legal matters
* To convene meetings of the Committee
* To attend meetings of the Committee and ensure minutes are taken
* To prepare and circulate relevant documentation pertaining to the agenda for each meeting e.g. policies
* To perform such other functions with respect to the Committee as may be determined by the Governing Board from time to time

Disqualification – the Headteacher

**THE GOVERNING BOARD**

*The Governing Board needs to take a strategic role, act as a critical friend to the School and be accountable for its decisions. It should set aims and objectives and agree, monitor and review policies, targets and priorities*

**Terms of reference:**

* **To agree constitutional matters\*,** including procedures where the Governing Board has discretion
* To recruit new members as vacancies, arise and **to appoint new governors**\* where appropriate
* **To hold at least three Governing Board meetings a year\***
* **To appoint or remove the Chair and Vice Chair\*** (see Appendix 1 for procedure)
* **To appoint or remove a Clerk to the Governing Board\***
* **To establish the committees of the Governing Board and their terms of reference\***
* To appoint the Chair of any committee (if not delegated to the committee itself)
* To appoint or remove a Clerk to each committee\*
* **To suspend a governor\***
* **To decide which functions of the Governing Board will be delegated to committees, groups and individuals\***
* **To receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Governing Board is necessary\***
* To approve the first formal budget plan of the financial year
* To keep the Health and Safety Policy and its practice under review and to make revisions where appropriate
* **To review the delegation arrangements annually\***
* To appoint a Headteacher
* To agree, by early in the autumn term, the programme of work and calendar of meetings for the Governing Board and its committees for the school year, based on known cycles of school improvement, financial management, staffing issues and communicating with parents
* To monitor the progress of work being undertaken by committees and individuals
* To establish and keep under review Critical Incident Policy and procedures
* To consider recommendations made by committees with regard to the working of the Governing Board
* To establish and keep under review a protocol for the Governing Board
* To establish and keep under review arrangements for Governors’ visits to school
* To oversee arrangements for Governor involvement in formulating and monitoring the School Improvement Plan
* To make recommendations to the Governing Board to establish exceptional working arrangements where particular circumstances arise e.g. a joint committee to oversee a building project or a special committee to oversee an Ofsted inspection
* To be available and respond to matters of particular difficulty, sensitivity or emergency and offer advice to the Headteacher

**\*these matters cannot be delegated to either a committee or an individual**

Membership – As per the Instrument of Government

Quorum – Half the number of governors in post, rounded up when not a whole number

Disqualification – as per Regulation 20 and Schedule 6 of the Constitution Regulations

In the event of a tied vote on any issue, then the Chair has the casting vote in addition to their normal vote.

**Committee Structure and Terms of Reference**

**There are 2 Governors’ Committees as follows:**

* **Learning and Development**
* **Pay**

In the event of an Appeals Panel or Disciplinary Panel being required, The Bosvigo School Governing Board has agreed that any Governor may be asked to be a member subject to availability and training – this responsibility will not lie with any one particular Committee.

**DELEGATION**

The Governors may delegate to any Governor, committee, the Headteacher or any other holder of an executive office such of their powers or functions as they consider desirable to be exercised by them, except those excluded by the Delegation Planner or specifically referenced in the Terms of Reference. Where such power or function is delegated, that person or committee shall report to Governors in respect of any action taken or decision made at the meeting immediately following the taking of action or the making of the decision.

*Any individual to whom responsibility has been delegated is expected to work within the following terms of reference.*

**Delegation terms of reference:**

* To liaise with the appropriate member(s) of staff
* To visit the school with the purpose of gathering information concerning their area of responsibility and to increase their knowledge of the School
* To regularly report to the Governing Board or appropriate Committee, whichever the Governing Board deems most appropriate, on developments and progress within their area of responsibility
* To raise the profile of the area of responsibility when related matters are considered by the Governing Board
* To attend training as appropriate

Disqualification – The following functions CANNOT be delegated to an individual:

Functions relating to:

* The alteration, closure or change of category of maintained schools
* The approval of the first formal budget plan of the financial year
* School discipline policies
* Exclusions of pupils (except in an emergency when the chair has the power to exercise these functions)
* Admissions

**Guidance on Committee Meetings:**

The establishment, terms of reference, constitution and membership to be reviewed every twelve months.

**Associate Members**

Associate members are appointed by the Governing Board to serve on one or more Governing Board committees and attend full Governing Board meetings. The term of office will be determined at the time of appointment. They are not governors but bring expertise and experience which can add to that provided by the governor membership. They not entitled to vote at Full Governor Meetings, but may be entitled to vote as members of Committees or Panels if approved by at a Full Governor Meeting.

The definition of associate member is wide, and pupils, school staff and people who want to contribute specifically on issues related to their area of expertise (finance, for example) can be appointed as associate members.

**Full Governing Body oversight of operational policies and deliverables**

Operational policies and deliverables will be reviewed by the Full Governing Body at the appropriate time of the academic calendar. The calendar of which will be agreed by the Senior Leadership Team and the Chair & Vice-Chairs of the Full Governing Body.

**Responsibilities and inclusions to the Full Governing Body could include:**

* Consultation with the Headteacher, to draft the first formal budget plan of the financial year
* To establish and maintain an up to date 3-year financial outlook (delegated funding permitting)
* To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the Governing Board
* To support the Headteacher in conducting cost benefit analyses from time to time and to encourage debate within the school about return on investment in line with the School Development Plan and school strategy
* To ensure that the school operates within the Financial Regulations of Cornwall County Council
* To monitor expenditure of all voluntary funds kept on behalf of the Governing Board
* To annually review charges and remissions policies and expenses policies
* To consider and monitor all issues related to school visits, including residentials
* To make decisions in respect of service agreements, where there is a significant change to service or cost
* To make decisions on expenditure following recommendations from other committees
* To ensure, as far as is practical, that Health and Safety issues are appropriately prioritised
* To determine whether sufficient funds are available for pay increments as recommended by the Headteacher
* In the light of the Pay Committee’s recommendations, to determine whether sufficient funds are available for increments
* To establish a Salary Policy for all categories of staff and to be responsible for its administration and review
* To oversee the appointment procedure for all staff
* To oversee the process leading to staff reductions
* To monitor all disciplinary issues affecting employees.
* To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence
* To ensure a culture of Continuous Professional Development is embedded within the school at all levels
* To advise the Governing Board on priorities, including Health and Safety, for the maintenance and development of the school’s premises
* In consultation with the Headteacher, to oversee premises-related funding bids
* To oversee arrangements, including Health and Safety, for the use of school premises by outside users, subject to Governing Board policy
* To establish with Interserve, and keep under review a Building Development Plan
* To establish and keep under review an Accessibility plan
* To monitor all legal issues affecting the school.
* To ensure, as far as possible, that all Governors receive appropriate training and a training plan is kept.
* Any items that the Governing Board may wish to include

Membership – as per the Full Governing Body requirements

In the event of a tied vote on any issue, then the Chair has the casting vote in addition to their normal vote.

**LEARNING AND DEVELOPMENT COMMITTEE**

**Terms of Reference:**

* To monitor pupil achievement and link to quality of teaching and learning. This should include understanding and reviewing evidence provided by the school to evidence pupil progress and include a robust dialogue about performance
* To ensure effective practice, according to the school’s self-evaluation scheme, in relation to all curriculum matters as well as teaching, learning and pupil progress and achievement.
* To monitor the content, design and fulfilment of the school curriculum, national initiatives and strategies and to monitor the progress of curriculum development and encourage debate on future development.
* To ensure the school is fulfilling its statutory obligations in relation to the National Curriculum and related legislation e.g. that to do with Sex Education, behaviour and discipline, homework and Special Educational Needs, religion, Heathy Schools etc.
* To monitor the quality of teaching and learning from information provided by the Senior Leadership Team and external sources.
* strategy
* To keep the Governing Board informed on all matters to do with the curriculum, pupil progress and achievement.
* To act as the Governing Board’s ‘watchdog’ on the issues related to disadvantaged and vulnerable pupils including SEND and FSM and to monitor the use of the Pupil/Sports Premium funding
* To contribute to the development, monitoring and evaluation of those aspects of the School Development Plan linked to teaching and learning, curriculum and personal development of pupils.
* To monitor the school’s policy and practice in the matter of continuing professional development, and seek to understand enhancements to teaching and teacher contribution based on training provided
* To monitor the school’s progress in the light of external validation and ensure actions resultant from external validation are tracked to completion/fulfilment
* To monitor all complaints to the Governing Board.
* To review all matters to do with pupil discipline (Behaviour Policy), including exclusions and child protection issues; and to monitor the pupil cases at the severe end of emotional and behavioural difficulty.
* To ensure effective communication with parents including the curriculum, pupil progress and achievement, ensuring families and carers have a voice
* To monitor and evaluate progress with Equality and Diversity/Pupil Premium Plan.
* To monitor and review school public relations, marketing and promotion.
* Any items that the Governing Board may wish to include

**Policy Review and Documentation responsibilities in line with the policy matrix.**

Membership – not less than 3 members of the Governing Board

Quorum – 3

In the event of a tied vote on any issue, then the Chair has the casting vote in addition to their normal vote.

**PAY COMMITTEE (Includes Headteacher’s performance review group)**

**Terms of reference:**

* To review the Whole School Pay Policy as appropriate and make recommendations to the governing Board for discussion and ratification;
* To formally acknowledge and make decisions on the head teacher’s recommendations in relation to teacher’s performance related pay, in accordance with the STPCD and the Whole School Pay Policy on an annual basis
* To keep up to date with relevant developments and any legal changes and to advise the Governing Board when the school’s pay policy needs to be revised;
* To advise teachers accordingly of the outcome; including the right to appeal against the committee decisions.
* To minute clearly giving the reasons for all decisions and report these decisions to the next full Governing Board meeting as a confidential item to be received;
* To arrange to meet with the External Adviser to discuss the Headteacher’s performance targets (this may be two governors)
* To decide, with the support of the External Adviser, whether the targets have been met and to set new targets annually (this may be two governors).
* To monitor through the year the performance of the Headteacher against these targets.
* To review the performance management and pay progression of all staff
* To make recommendations to the Operations Committee in respect of awards for the successful meeting of targets set
* To seek professional advice as necessary.
* Any items that the Governing Board may wish to include

Membership – not less than 3 members of the Governing Board

Disqualification – The Headteacher and Staff Governors

Quorum – 3

In the event of a tied vote on any issue, then the Chair has the casting vote in addition to their normal vote.

**Policy Review and Documentation responsibilities in line with the policy matrix**

**HEARINGS PANEL**

**Terms of reference:**

* To make any determination to dismiss any member of staff (unless delegated to the Headteacher)
* **To make any decisions under the Governing Board’s personnel procedures e.g. disciplinary, grievance, capability where the Headteacher is the subject of the action\***
* To make any decisions relating to any member of staff other than the Headteacher, under the Governing Board’s personnel procedures (unless delegated to the Headteacher)
* To make any determination or decision under the Governing Board’s General Complaints Procedure for Parents and others
* To make any determination or decision under the Governing Board’s Curriculum Complaints Procedure, in respect of National Curriculum disapplication’s, and the operation of the Governing Board’s Charging Policy
* Any items that the Governing Board may wish to include

**\*cannot be delegated to an individual**

Membership – not less than 3 members of the Governing Board

(NB. The number appointed to this panel directly affects the number required for an Appeal Committee)

Disqualification – The Headteacher

(It is suggested that only experienced governors be appointed to this panel and that the Chairman of Governors, due to probable prior knowledge, should not be a member)

**APPEALS PANEL**

**Terms of reference:**

* **To consider any appeal against a decision to dismiss a member of staff made by the Hearings Committee\***
* **To consider any appeal against a decision short of dismissal under the Governing Board’s personnel procedures e.g. disciplinary, grievance, capability\***
* **To consider any appeal against selection for redundancy\***
* Any items that the Governing Board may wish to include

**\*cannot be delegated to an individual**

Membership – no fewer members than the Hearings Committee

Disqualification – The Headteacher / Any members of the Hearings Committee

(It is suggested that only experienced governors be appointed to this committee and that the Chairman of Governors, due to probable prior knowledge, should not be a member)

**PUPIL DISCIPLINE PANEL**

**Terms of reference:**

* To consider representations from parents in the case of exclusions of 5 days or less (Committee may not re-instate) To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (meeting to be held between 6th and 50th school days after receiving notice of the exclusion)
* To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (meeting to be held between 6th and 15th school days after receiving notice of the exclusion)
* To ensure that the guidance contained in the ’Improving Attendance and Behaviour’ document is practised in the school, with specific reference to the role assigned to the Governing Board.
* To review the School Behaviour Policy, and make recommendations on changes to the Governing Board or relevant committee

Membership – 3 or 5

NB. The Governing Board may nominate a pool of governors from which three or five will serve as the Discipline Panel to consider particular exclusions. If a governor has a connection with the pupil or the incident that could affect their ability to act impartially they should not serve at the hearing. If, through non-attendance of a governor, four members consider an exclusion, the chair has the casting vote.

Disqualification – The Headteacher / Any Governor with prior knowledge of the pupil or the incident.

(It is suggested that a member of staff, due to probable prior knowledge, should be a member)

Appendix 1

Procedure adopted by Bosvigo School for the Election of Chair/Vice Chair

1. The governing body will elect a chair and vice-chairfrom its number when either the chair/vice chair’s term of office has ended or s/he has resigned the position.
2. The governing body of Bosvigo School has decided that the term of office for chair and vice chair will be one year.
3. The election will take place during the last meeting of the academic year with the chair/vice chair taking the responsibility from the beginning of the following academic year.
4. The clerk to the governors shall give governors at least three weeks’ notice prior to the meeting requesting written or electronic nominations. These should be submitted to the clerk at least one week before the election. Nominations on the day will only be accepted where no written/electronic nominations have been received prior to the meeting. Governors who are employed at the school as a teacher or as another member of the school’s staff **cannot** stand for election. Governors may self-nominate, but if nominating another governor please seek their approval prior to submitting the nomination.
5. The clerk will act as chair during the election of the chair and will ensure the meeting is quorate. Each nominated governor will be invited to speak to the governing body setting out her/his reasons for standing. Candidates will be limited to three minutes. All candidates must leave the room while a discussion and vote takes place. This will be the case even if there is a single nomination.
6. A secret ballot will be held, even if there is only one nomination.

The clerk will count the votes and announce who has been elected as chair. The outgoing chair will continue chair the meeting and will oversee the election of the vice-chair unless nominated as vice chair in which case the clerk will oversee the election.

1. In the event of a tie, the governing body will re-run the ballot. If it remains a tie, the tied candidates will draw lots.
2. The governors may reject all nominees for chair if they choose. If no candidate has the support of the majority of the governing body, another candidate will be sought from the floor. If this candidate does not receive majority support, the vice-chair will take on the role of acting chair at the beginning of the academic year until the next full governing body meeting, at which the election procedure will be repeated.