



Standing Orders

**The Governing Body of
The Crossley Heath School Academy Trust**

To be approved at AGM September 2023

1. Context

These standing orders should be used in conjunction with the general advice issues by the Department of Education.

2. Chair and Vice Chair of the Governing Body

1. **The governing board will elect a chair and vice chair** from its number when either the chair/vice chair's term of office has ended, or s/he has resigned the position.
2. The trust's articles of association state that the term of office for the chair and vice chair will be 1 year. The precise end date of the term of office will be determined before an election takes place.
3. The Governance Professional to the trustees shall give trustees at least three weeks' notice prior to the meeting at which the election is due to take place and request written nominations. These should be submitted to the Governance Professional at least one week before the election and circulated to the governing board with the papers for the election meeting. Candidates may submit up to 250 words in support of their nomination. Nominations on the day will only be accepted where no written nominations have been received prior to the meeting. Trustees who are employed by the school **cannot stand for election**. Trustees may self-nominate, but if you are nominating another trustee, please seek their approval prior to submitting the nomination.
4. The Governance Professional will act as chair during the election of the chair and **will ensure the meeting is quorate**. Each nominated trustee will be invited to speak to the governing board setting out her/his reasons for standing. Candidates will be limited to three minutes. Candidates **must not be present** while a discussion and vote takes place. This will be the case even if there is a single nomination.
5. A vote by secret ballot, which is a voting form handed to the Governance Professional; will be held, even if there is only one nomination. If a person is unable to attend the election in person, they may send their vote in advance to the Governance Professional by email.
6. The Governance Professional will count the votes and announce who has been elected as chair (the candidate who has received a majority of the votes). In the case of a single nomination, the candidate must still receive votes from the majority of the governing board in order to be elected chair. The successful candidate will be invited to take the chair and will oversee the election of the vice chair.
7. In the event of a tie, the nominees will speak again, and another vote will follow. If votes remain tied, the governing board must attempt to reach collective agreement. If agreement cannot be reached, the candidates will draw lots.

The trustees may reject all nominees for chair if they choose. If no candidate has the support of the majority of the governing board, 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 until the next full governing board meeting, at which the election procedure will be repeated. Where a vice chair must also be elected, and the governing board has the quorum to do so, it will proceed with the election.

2.1 Removal of Chair

1. Trustees' may remove the chair during their term of office in the following way.

- 1 The matter of the removal of the chair must be specified as an item of business on the agenda.

- 2 If the motion is carried at the first meeting, then within 14 days, a second meeting must be held to confirm the first resolution, and this item of business must be specified on the agenda.
- 3 “the trustee or trustees proposing the removal of the chair must state their reasons for doing so at each meeting and the chair must be given an opportunity to make a statement in response before any motions are put to the meeting”.

3. Composition of the Governing Body

The Members of the Academy may appoint up to 20 trustees. The current number of trustees is 15 as follows:

4 parent trustees

1 foundation trustee

9 appointed trustees

The Head Teacher where he/she chooses to exercise his/her right to be a trustee.

2 staff representatives (not included in number of trustees as they do not have voting rights)

4. Election or Appointment of Members of the Governing Body

1) Parent Trustees

- (a) The governing body shall inform parents in writing via email or by post where parents do not use email that there is a vacancy for a parent trustee required to be filled by election.
- (b) Parents shall be given details of how to stand and vote in such an election.
- (c) The election, if there is more than one nomination, shall be by secret ballot. Parents shall vote electronically or post ballot papers to the school if they are unable to vote electronically. Vacancies shall be filled in descending order of the total votes cast for each candidate. If there are insufficient nominations for any parent trustee vacancies, the governing body shall appoint a person who would be eligible for election as a parent trustee.

... They may attend full Governing board meetings and, if they are over 18, the Governing board may grant voting rights at committee meetings.

2) Staff Representatives

- (a) Staff at the school shall elect staff representatives to the governing body.
- (b) Staff representatives must be employed at the school at the time of election.
- (c) In the event of there being insufficient nominations for staff representatives, there are no provisions for the governing body to appoint a suitable person.
- (d) Staff representatives will have no voting rights within the full governing body
- (e) Staff (except the Head Teacher) shall not be involved in the consideration of (or voting on) the pay or appraisal of any individual working at the school.
- (f) At least one staff representative must be a teacher, but if no teacher stands for election a member of the support staff can be elected to take that place.
- (g) At least one staff representative must be a member of support staff but if no member of the support staff stands for election a teacher can be elected to take that place.

3) Appointed Trustees

Appointed trustees are appointed by the Trust Members.

4) Foundation Trustee

The foundation trustee is appointed by the Foundation/Sponsor Body.

4. Terms of Office

- 1 Parent, staff and foundation trustee 4 years, from elections taking place and subject to any checks being completed.
Appointed trustee 4 year, from if successful at interview and subject to any checks being completed.
Associate members 4 years
- 2 At the end of the term of office, trustees may be elected or appointed for a further term(s), provided they continue to be eligible, up to a maximum period of 8 years
- 3 Ex officio trustees (e.g. the Head Teacher) hold their position because of their job. They shall continue as trustees for as long as they remain in the job which entitles them to be trustees.
- 4 Any trustee may resign during a term of office.
- 5 Each replacement parent, teacher or staff trustee shall begin a new four-year term of office.
- 6 The length of term of office to fill a vacancy caused by resignation of a foundation trustee shall be determined by the Foundation/Sponsor Body appointing the new trustee. In any case it shall not be more than four years.

5. Removal of Trustees

1. Trustees may be removed from office using the same procedures outlined in Section 2.1.1 for the removal of the chair of trustees.

6. Disqualification of Trustees

- 1 Any person under the age of 18 at the time of election or appointment (this does not apply to Associate members)
- 2 Any person refusing to undertake a DBS check
- 3 Any person liable to be detained under the Mental Health Act
- 4 Any undischarged bankrupt
- 5 Any person subject to a disqualification order under the Company Directors Disqualification Act 1986(a)
- 6 Any person against whom an order under Section 429(2)(b) of the Insolvency Act 1986(b) (failure to pay under County Court Administration Order)
- 7 Anyone barred by the Charity Commissioners or the High Court from serving as a charity trustee
- 8 Anyone prohibited from or restricted in their work with children or young persons
- 9 Anyone prohibited from being a proprietor of an independent school
- 10 Anyone who, within the previous five years, has received a custodial sentence of at least three months without the option of a fine
- 11 Anyone who, within the previous twenty years, has received a custodial sentence of two and a half years or more
- 12 Anyone who has received a custodial sentence of five years
- 13 Anyone convicted of causing a 'nuisance and disturbance on education premises' may not serve as a trustee for five years after the conviction
- 14 Any trustee, other than an 'ex officio' trustee, who fails to attend meetings for 6 months without the consent of the governing body
- 15 A co-opted trustee shall be disqualified if he/she is a student at the school, eligible to be a staff or teacher trustee at the school, or an elected member of the LA.
- 16 A teacher or staff trustee may no longer serve as a trustee when their contract of employment at the school ceases.

7. Governance Professional to the Trustees

- 1 The Governance Professional may not be a member of the governing body.
- 2 The Head Teacher may not be Governance Professional to the governing body.

- 3 The Governance Professional shall be appointed by the governing body.
- 4 The Governance Professional shall have a job description and be paid for their work. The level of remuneration shall be reviewed regularly.
- 5 The Governance Professional shall have the relevant experience/qualification to undertake the role.

The role of the Governance Professional is as follows:

The Governance Professional to the trustees is secretary to the governing body and its committees. In particular they are responsible for:

- 1 convening and minuting all meetings of the governing body and its committees;
- 2 (with the Chair and the Head Teacher) preparation and presentation of agenda together with the appropriate accompanying papers to ensure that members are adequately and promptly informed of matters for their consideration, and minutes of meetings of the governing body and its statutory committees;
- 3 ensuring that all relevant persons are informed of the decisions of the governing body and its committees and that those decisions are implemented; (this will include having copies of minutes available for inspection at the school)
- 4 obtaining such information and maintaining such contacts both within and outside the school as the trustees may require;
- 5 preparing and keeping up-to-date Standing Orders;
- 6 ensuring that all requirements laid on the trustees by statute, the EFA, or other bodies are properly observed;
- 7 acting as Returning Officer for any parent or staff representatives elections;
- 8 keeping trustees informed of all matters which properly affect them;
- 9 holding the Register of Interests;
- 10 acting as librarian for relevant documentation received from the EFA, LA and other such bodies;
- 11 helping with the identification of trustee training needs and the organisation of such training;
- 12 undertaking such other duties relating to the governing body and its committees as the chair of the governing body, the governing body or its committees may require. The Governance Professional will be responsible to the chair of the governing body.

8. Meetings of the Governing body

- 1 The governing body shall meet once per term other than in the Autumn term when it will meet twice. The Head Teacher has the right to attend any meeting of the governing body.
- 2 Only the governing body can decide whether anyone other than trustees, the Head Teacher and the Governance Professional may attend meetings. It is accepted that members of the Senior Leadership Team may attend committee meetings and/or meetings of the full governing body in addition to, or deputising for, the Head Teacher. Members of the SLT other than the Head Teacher are not eligible to vote. Associate members are not eligible to vote.
- 3 Trustees should receive from the Governance Professional written notice of any meeting and an agenda, 14 days in advance (but with not less than 7 days' notice), unless the chair decides that matters need urgent consideration at shorter notice. Draft minutes produced by the Governance Professional will be initially checked, approved and returned to the Governance Professional within 2 weeks.
- 4 Any three members of the governing body may submit a written request to the Governance Professional for a meeting of the governing body. The Governance Professional must convene a meeting as soon as is 'reasonably practicable'.
- 5 Meetings of the governing body may only take place if there is a Quorum.
 - a) The Quorum for normal business is one-half (rounded up to a whole number) of the complete membership of the governing body, excluding vacancies. For example: if the full membership is 15 and there are 3 or 4 vacancies, then the quorum for a governing body meeting is 6 trustees.
 - b) The Quorum for the following items of business is one half (see above) (rounded up to a whole number) of the number of serving trustees at that specific time entitled to vote on the respective issues.
 - Appointing a parent trustee, when there have been no nominations for a vacancy
 - Appointing an appointed trustee
 - Appointing members to committees or determining any question relating to committees

- Appointing a selection panel to appoint the Head Teacher or Deputy Head Teacher
- Any vote on the removal of the Chair or/and member of the governing body

9. Proceedings of the Governing Body

- 1 Decisions shall be made by a simple majority by a show of hands. In the event of a tie, the chair shall have an additional casting vote.
- 2 Voting for the selection of chair and vice chair shall be by secret written ballot.
- 3 Minutes shall be taken by the Governance Professional. They shall be approved at the next governing body meeting and signed as correct by whoever chaired the meeting.
- 4 The Governance Professional shall keep a record of members present at each meeting and include this list at the beginning of each set of minutes.
- 5 During governing body meetings, items of a confidential nature may be discussed. The governing body shall determine those items considered 'confidential'. The Governance Professional should advise the governing body on this issue and confirm the status of that part of the meeting that is confidential.
- 6 Any person may see copies of agendas, minutes and associated papers considered at governing body meetings. This does not include confidential items, which must not be communicated to anyone outside the membership of the governing body without the approval of the full governing body. Non-confidential minutes of full governing body meetings will be published on the school website once approved.
- 7 Any trustee ignoring the rules on confidentiality shall personally accept the full legal and financial consequences of any subsequent action taken against him/her as a result of the breach of confidentiality.
- 8 The Agenda for regular governing body meetings shall include:
 - Apologies for absence and attendance*
 - Minutes of previous meetings*
 - Declaration of interest*
 - Elections to offices/committees as appropriate*
 - Correspondence*
 - Head Teacher's report*
 - Items from the Chair*
 - Safeguarding update*
 - Reports of committees (by their chairs)*
 - Agenda items agreed by the chair and Governance Professional (to either of whom items should be referred)*
 - Reports by teaching staff as appropriate*
 - Discussion of educational matters of general interest and of social, premises, and other urgent items as appropriate*
 - Any other business*
 - Date of the next meeting*
- 9 Any trustee may ask the Governance Professional to place an item on the agenda. A trustee making such a request must be prepared to speak to the item at the meeting.
- 10 Any Other Business: Items for 'Any other business' should be brought to the attention of the Governance Professional at the beginning of the meeting. They shall be dealt with in one of three ways:
 - (a) If they are straightforward requests for information, requiring a brief answer, they may be dealt with immediately under Any Other Business.
 - OR
 - (b) The chair may decide to refer the item to a committee which shall then report back at a future full governing body meeting.
 - OR
 - (c) The chair may decide to include the item in a future full governing body meeting agenda.

AOB shall not be allowed to prolong meetings unnecessarily, nor should it be used to 'spring surprises' on an unprepared chair or Head.

10. Committees of the Governing Body

- 1 The full governing body shall agree the membership and review the terms of reference of non-statutory committees annually.
- 2 The committees are:
 - Business and Resources
 - Achievement and Welfare
 - Pay Review/HT Performance Management
- 3 Terms of Reference for Non-Statutory Committees:
 - a) Membership of Committee as determined by the full governing body in each case. The Head Teacher and the Chair of Trustees shall have the right to attend the meetings of all committees of the governing body. Each committee may co-opt the services of a senior member of staff to facilitate the business of the committee e.g. SLT member. Each trustee shall sit on at least one committee. Employees of the school, other than the Head Teacher, shall not sit on the Pay Review Committee, which shall be the single committee to deal with all matters relating to employees of the school, except disciplinary issues covered by the Staff Discipline Committee defined in Section 10 (a).
 - b) Chair - each committee shall elect its own chair and vice-chair.
 - c) The Chair will be elected in the Summer term.
 - d) Governance Professional – this will be the Governance Professional to the governing body.
 - e) Quorum - three members of the committee.
 - f) Frequency of meetings - one each per term, the sequence of committees to be determined annually but to precede the meetings of the full governing body. Additional meetings to be in agreement with committee members.
 - g) Agendas – trustees should receive from the Governance Professional written notice of any meeting and an agenda, 14 days in advance (but with not less than 7 days' notice), unless the chair decides that matters need urgent consideration at shorter notice. Draft minutes produced by the Governance Professional will be initially checked, approved and returned to the Governance Professional within 2 weeks.
 - h) Minutes - To be circulated in draft to all committee members after each meeting and to all other trustees prior to full governing body meetings.

Terms of Reference for individual committees

Business and Resources Committee

- To monitor and evaluate the implementation of the school improvement plan in relation to Finance and Premises, ensuring that appropriate policies and decisions are recommended to match aims and objectives.
- To foster and promote business and community partnerships as appropriate, including marketing.
- To agree and recommend the annual budget to the full governing body.
- To advise the governing body on the school's overall financial strategy and policy within the resources available.
- To monitor the school's income and expenditure against the agreed budget figures and to report to the full governing body at least once per term.
- To seek opportunities for income generation and maximising school assets.
- To keep under general review the costs of the staffing of the school and to make recommendations to the full governing body.
- To oversee the school's financial systems and operations to ensure compliance with EFA regulations and procedures.
- To oversee private and voluntary funds.
- To authorise expenditure and virement between heads of expenditure up to £30,000.
- To review and advise the governing body on health and safety issues.
- To review and advise the governing body on the general condition, usage, maintenance and development of the school's site and buildings.
- To be responsible for reviewing the School's Asset Management Plan.

- To be responsible for considering, developing and recommending a Capital Strategy for the school.
- To review the implementation of the Capital Strategy and recommend appropriate revisions from time to time.
- To scrutinise and approve expenditure from the Repair and Maintenance Budget and the school's Devolved Formula Capital.
- Recommend the annual financial statements to the governing body for approval.
- Consider the reports of the auditors and, when appropriate, advise the governing body of material controls issues.
- To ensure compliance with national requirements in relation to policies and procedures associated with employment, pay, recruitment, selection, appointment, promotion, performance management, appraisal, grievance, discipline, remuneration, welfare, and professional development.
- To manage the appointment of the Head Teacher. To set up appointment panels for staff with the exception of the post of Head Teacher. For all other posts the Head Teacher shall organise the drafting of an advertisement, job description, person specification and a selection procedure to include short-listing and interviews. Trustees (at least 1 according to availability) shall be present for interviews for posts of responsibility at middle management level and above.
- To receive, consider and make recommendation to the governing body on the overall staffing provision of the school, including the management structure and associated allowances.
- To receive reports on quality assurance activities from time to time.
- To review progress against equality objectives as per the Equality policy
- To monitor the school improvement plan in relation to Personnel.
To receive reports on personnel issues, including relationships with staff, reports from the consultative committee and the implementation of fair employment policies.
- To review the Pay Policy annually with regard to the current STP&C document and appropriate guidance relating to support staff.
- To ensure that, within budget constraints the Pay Policy meets the needs of recruitment, retention and development of staff and contributes to the resourcing of the School Improvement Plan priorities.
- Review the committee's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience

Audit functions

- Advise the governing body on the adequacy and effectiveness of the Academy Trust's systems of internal control and its arrangements for risk management, control and governance processes, and securing economy, efficiency and effectiveness (value for money)
- Review the statement on internal control and make appropriate recommendations to the governing body
- Agree the programme of internal audit including the checking of financial controls, systems, transactions and risks
- Consider the reports of the auditors and, when appropriate, advise the governing body of material controls issues
- Monitor the implementation of agreed audit recommendations
- Ensure that all allegations of fraud and irregularity are appropriately investigated and controls weaknesses addressed
- Review the committee's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience

Achievement and Welfare Committee

- To monitor and evaluate the implementation of the school improvement plan in relation to the curriculum, ensuring that appropriate policies and decisions are recommended to match aims and objectives.
- To receive reports from the Head and senior members of staff relating to the school curriculum and associated developments and to approve and support plans to improve the school.
- To receive and consider reports on the achievements of students and report to the governing body as appropriate.
- To contribute to the setting of whole school targets.
- To monitor and evaluate the implementation of the school improvement plan in relation to student welfare, ensuring that appropriate policies and decisions are recommended to match aims and objectives.

- To receive and consider reports on the achievement of pupils (including groups eg SEN/PP/gender/ethnic) and report to the governing body as appropriate.
- To receive and consider reports on the attendance and behaviour of pupils and report to the governing body as appropriate.
- To provide a forum for students to contribute to the school's development. Trustees will be invited to Student Council meetings.
- To ensure the school adopts, implements and monitors appropriate policies for student behaviour and welfare and healthy lifestyles.
- To receive reports on extra-curricular and student leadership activities.
- Review the committee's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience

Head Teacher Appraisal Committee

The purpose of the committee is to conduct the Head Teacher's Appraisal in accordance with statutory requirements, set performance objectives and to recommend any revision of the Head Teacher salary to the Pay Review Committee. The Governing Body will appoint a Head Teacher Appraisal Panel, plus an External Adviser for advice and support, and with whom the Panel will consult on the setting of performance objectives for, and the appraisal of, the Head Teacher.

The Appraisal of the Head Teacher will take place on an annual basis, with an interim review within that period as appropriate.

The Head Teacher's performance will be appraised against the Teachers' Standards and National Standards for Head Teachers, and/or performance objectives set at the previous Appraisal.

Pay Review Committee

The Pay Review Committee will comprise at least 3 trustees who should not be employed at the school. The purpose of the committee is:

- To determine matters relating to the pay of all staff in the school.
- To take into account recommendations from the Head Teacher Appraisal trustees when determining the salary of the Head Teacher.
- To act as a first appeals body as appropriate in relation to pay decisions.

Pay Appeals Panel

The Pay Appeals Panel will comprise at least 3 trustees who should not be employed at the school and who are not members of the Pay Review Committee.

The purpose of the panel is:

- Where a member of staff disagrees with the decision of the Pay Review Committee this committee will review decisions in line with procedures laid down in the Pay Policy.

Student Discipline Panel

This committee will meet as required if/when they need to consider parents' representations about an exclusion. Details are in the DfE guidance. The overall purpose of the committee is to carry out the governing body's legal responsibilities in relation to reviewing the exclusion from school of individual students. Exclusion should only be used as a last resort.

Remit

- To hold meetings to consider the circumstances of any exclusion and parental and LA representation in cases where a student has been excluded by the Head Teacher:
 - permanently;
 - for a fixed period totalling more than 15 school days in one school term;
 - for a fixed period totalling more than 5 school days in a school term only where parents request such a meeting; or
 - which would result in a student losing the opportunity to take a public examination.
- To consider written parental representations, where received in relation to other student exclusions.
- To ensure that members of the committee attend relevant training and read relevant DfE/LA guidance.

Membership

Not less than three trustees. The Head Teacher and staff trustees are not eligible. The Head Teacher will attend to present their reasons for the exclusion. No trustee, including the Chair or Vice Chair, should be a

member of this committee when it is considering individual exclusion cases if they have been involved in prior meetings with parents as part of the formal school procedures to modify a student's behaviour or if they have detailed knowledge of the case.

The committee may have an advisor at the meetings but the advisor is not eligible to vote.

Quorum

Three.

Meetings

On an 'as required' basis.

Chair

The committee shall agree a chair for each meeting.

Governance Professional

The Governance Professional shall be the Governance Professional to the governing body. If unavailable a person who is not a trustee, a member of this committee or the Head Teacher can be appointed as Governance Professional for that meeting. Governance Professionals should be mindful when drafting minutes of the meeting that parents are entitled to see them and should be sent if requested. A verbal report, as a confidential item will be given at the next Governing Body meeting it and when the matter has been resolved.

Decisions

The committee cannot increase the severity of the exclusion. It is the duty of the committee where they have been informed of the permanent or fixed term of a student for more than 15 days in one term to:

- consider whether the student should be reinstated immediately, by a certain date or not reinstated;
- where they consider he/she should be reinstated to give the appropriate direction to the Head Teacher.

It is the duty of the Head Teacher to comply with any direction for reinstatement.

- where they consider that he/she should not be reinstated to inform the parents of their decision.

Any decisions shall be made by a simple majority. The committee shall consider its decision in private except for the presence of the Governance Professional and the committee's advisor. Where possible the decision of the committee shall be communicated verbally at the end of the hearing. In any case the decision shall be confirmed in writing to the parents within 5 working days.

Trustees' Complaints Panel

The overall purpose to the panel is to consider any complaints from parents and members of the public in accordance with the Complaints Policy. The aim of the hearing, which needs to be held in private, will be to resolve the complaint and achieve reconciliation between the school and the complainant.

Membership

Not less than three trustees. Trustees employed by the Academy cannot be members of the panel. No trustee may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, trustees need to try and ensure it is a cross-section of the categories of trustee and sensitive to the issues of race, gender and religious affiliation. The trustees sitting on the panel need to be familiar with the complaints procedure. The panel may choose their own Chair. The Governance Professional will ensure that the panel includes a person independent to the school.

Remit

It is assumed that unless the complaint is about the Head Teacher personally, he/she will be expected to be the person to resolve the complaint initially in line with the school's complaint policy. This may be delegated to a senior member of staff. The complaints panel will:

- ensure the previous, more informal stages of the process have been followed;
- review the Head Teacher's decision where the complainant is dissatisfied.

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Restrictions on Delegation to Committees

In compliance with 'The Education (School Government) (England) Regulations 1999' the governing body shall not delegate the following matters to a committee, an individual trustee or the Head Teacher:

- 1 an application to the Standing Advisory Council on Religious Education (SACRE) concerning the requirement for acts of Christian collective worship;
- 2 decisions on the sex education programme to be followed in school;
- 3 any decisions regarding the prohibition of political indoctrination, or decisions regarding the necessity for the balanced treatment of political issues;
- 4 charging policy;
- 5 a change in category – e.g. from community to aided;
- 6 term/holiday dates and times of sessions;
- 7 approval of the budget;
- 8 school discipline policies;
- 9 admissions policy, admission numbers, arrangements for admissions appeals, decisions on whether to object to other admissions authorities' proposals;
- 10 final decision making on the appointment of a Head Teacher or a Deputy Head Teacher;
- 11 decisions about how often the governing body should meet;
- 12 arrangements for appointing the chair and vice-chair;
- 13 arrangements for removing the chair of trustees;
- 14 decisions about delegated powers to committees and the composition of committees;
- 15 appointment, co-opting and removal of trustees;

11. Corporate Responsibility

The governing body of the school shall act with corporate responsibility. This concept protects trustees from action being taken against them in their capacity as private citizens.

Corporate responsibility requires that members of the governing body:

- 1 follow regulations laid down by the EFA and established in Standing Orders;
- 2 seek, consider and act in the light of advice given by those qualified to advise;
- 3 reach their decisions in a democratic manner and then act upon these decisions;
- 4 respect issues of confidentiality as agreed by the members of the governing body; and
- 5 behave in a reasonable manner and in good faith.

12. Register of Interests

- 1 The Governance Professional shall maintain a Register of Interests of the governing body of the school.
- 2 The Register shall be updated at least annually.
- 3 The definition of 'interest' usually refers to pecuniary (financial) interest, but there are other potential conflicts of interest in connection with employment and student welfare.
- 4 Pecuniary (financial) interest:
If a trustee, or relative living with them, could have any direct or indirect financial interest in any contract, proposed contract or other matter which could be considered by the governing body, this should be included in the register. e.g. A trustee, or relative living with him/her, may be a bank employee. As most governing bodies now control their own delegated budgets and make decisions about which bank to use, this 'interest' should be declared on the register.
- 5 If for any reason a trustee realises that they have an interest, the onus is on them to declare it and leave the meeting when the relevant agenda item is reached.
- 6 If the subject of consideration is either the person themselves or a relative, and there is a direct or indirect financial interest, the trustee involved should declare this interest and withdraw whilst the relevant item is discussed.
- 7 If a child or relative of a trustee is being discussed, it may be necessary for the related trustee to withdraw.

- 8 If there is any dispute whether a trustee should withdraw during discussion of a specific item, the governing body should vote upon the matter.

13. The Powers of the Chair

In cases of urgency, the chair or in their absence, the vice-chair, may take action only as follows:

If the chair considers that a delay in exercising their powers would be likely to be seriously detrimental to the interests of the school, a student at the school, or their parent, or an employee of the school, then they may exercise any function which can be delegated to them under regulation 41(1) of the School Government Regulations.

(‘Delay’ is defined in paragraph 43(3) of the School Government Regulations as meaning a period longer than the earliest day on which it would be practical to hold a meeting of a committee or of the full governing body.)

The chair shall report on their action at the next meeting of the governing body.

14. Governance and Management

Trustees have responsibility for setting policies and ensuring that these policies are followed. The Head Teacher has the day-to-day responsibility for implementing these policies in practice. The Head Teacher also has the responsibility for the management and deployment of staff and the delivery of the curriculum. The Head Teacher is accountable to the governing body in all these areas. Trustees have no statutory right to be present in classrooms whilst teaching is taking place. They may attend by invitation of the Head Teacher and with the agreement of the teacher, but they should be aware that they have no ‘inspectorial’ role within school.

15. Staff Appointments

- 1 The Head Teacher must inform the trustees’ Business and Resources committee of senior staff vacancies and gain their approval for replacements.
- 2 Headship appointments must be advertised nationally. Although it is not a legal requirement to advertise Deputy Head appointments nationally it is good practice. Other posts will be advertised as the Head Teacher or the Business and Resources Committee decide. This may include national advertising, local advertising, internal advertising or occasionally no advertising at all, e.g. in the event of covering a temporary vacancy with supply staff already associated with the school.
- 3 The governing body shall form an appointments panel of at least 1 trustee for all posts at or above middle management level. The Head Teacher shall be a member of appointment panels. Where non-trustees (e.g consultant) are co-opted to an appointments panel, they shall not vote in the final selection process. At least one member of the panel should have undertaken Safer Recruitment training.

16. Amendments to Standing Orders

Standing Orders may only be amended if the proposal to amend is included in the agenda of a full governing body meeting.

17. Trustees’ Queries

Trustees with particular concerns or issues to raise should follow the procedure outlined below:

- Trustee is aware of an issue. They telephone and informs the Head Teacher.
- Trustee has a query. They contacts the Chair of the appropriate committee who will respond either immediately or following a conversation with the Head Teacher after seeking further clarification.
- The Head Teacher may themselves research the question and secure an answer or explanation or direct the trustee to the staff member best placed to assist. Trustees should not approach other staff members directly.
- If there are policy issues, the matter should be referred to the appropriate committee as an agenda item for the next meeting.

- If the committee feels that the issues raised are controversial or far-reaching in significance, then the chair is responsible for referring the matter to the Governance Professional to the trustees as an agenda item for the next full trustees' meeting.
- When a trustee feels that the explanation received or action taken is unsatisfactory, s/he should ask the Head or the Chair of Trustees to include the matter as an agenda item at the next full meeting.
- Questions should not be dealt with formally before the staff concerned have had an opportunity to research and respond on an individual basis.
- Anecdotes or evidence relating to individual children should not be discussed at trustees' meetings. All questions about individual students should be raised privately with the Head Teacher or appropriate senior staff before any reference is made to the matter in a formal context.
- All business should originate with the committees; any other business is not designed as a route to avoid the committee structure or to deal with matters in an ad hoc fashion.

18. Self-evaluation

Trustees undertake the following self-evaluation:

- The Chair will participate in a 360 degree feedback exercise within their term of office, but not within the first 12 months. This is part of the evaluation of effectiveness of governance.
- Review of the Self-evaluation tool for Governing Bodies.
- Skills audit.
- Trustee Day - Trustees spend one day in school in the Autumn Term.