

# **WEST DERBY SCHOOL GOVERNING BODY**

## **TERMS OF REFERENCE & PROCEDURES FOR MEETINGS**



**DECEMBER 2017**

Next Review due: July 2018 for September 2018

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**Terms of reference:**

**Duties of the Full Governing Body are set out in full in the Guide to the Law for School Governors and will encompass the following:**

1. To annually review and approve the Governing Body Decision Planner (Scheme of Delegation).
2. To annually review the terms of reference for the Full Governing Body.
3. To annually review the terms of reference and membership of committees.
4. To appoint (and remove) the Chair and Vice Chair of the Governing Body.
5. To appoint and dismiss the clerk to the governors.
6. To hold a governing body meeting once a term.
7. To regulate the Governing Body's procedures (where not set out in law).
8. To appoint and remove co-opted and temporary additional co-opted governors
9. To set up and review annually a Register of Governors' Business Interests and to include this as an agenda item at each committee meeting.
10. To appoint a named governor designated for Safeguarding/Child Protection.
11. To set the times of school sessions and dates of school terms and holidays.
12. To ensure the school meets for 380 sessions in a school year.
13. To ratify the approval by the Buildings, Personnel and Finance Committee of the first formal budget plan each financial year.
14. To annually review and approve the school Building Insurance and Personal Liability Insurance cover.
15. To bi-annually review and approve the whole school Health & Safety Policy.
16. To annually review the school's Safeguarding Policy
17. To review the policy and provision for pupils with special needs, ensuring that these are met.

*Full Governors (December 2017)*

## Appraisal Committee

### Terms of Reference:

- To inform the Personnel Committee on decisions regarding the Head Teacher's pay following a performance management review.
- To agree the Head Teacher's objectives with the Head Teacher and the School Improvement Partner.
- To hold an appraisal interview at the end of the review cycle with the Head Teacher and the School Improvement Partner to review the Head Teacher's performance and to set new targets.
- Produce a written appraisal statement within 10 days of the appraisal meeting. This may, on request, be produced by the School Improvement Partner.

*Appraisal (September 2017)*

## Buildings, Finance and Personnel Committee

### Terms of reference:

1. To advise the Governing Body on priorities for the maintenance and development of the school's premises.
2. To oversee arrangements for repairs and maintenance in consultation with the Finance and Resources Manager and in line with the Hard FM Contract.
3. To approve the costs and contracts for soft FM maintenance, repairs and decoration within the budget allocation.
4. To ensure that for all items above the Headteacher's delegated limits, recommendation is made to the Full Governing Body for approval.
5. To regularly monitor all issues relating to health & safety, working closely with the school H&S Representative.
6. For a member of the committee to take a lead role in Health & Safety issues.
7. To review and advise the Governing Body on all matters relating to Community Use.
8. To establish and keep under review the School Emergency & Contingency Plan.
9. To establish and keep under review an Accessibility plan.
10. To monitor and report regularly to the Governing Body on:
  - a) Energy
  - b) Cleaning
  - c) Grounds maintenance
  - d) Security
  - e) General maintenance
11. To establish and review and approve the Buildings, Financial and Personnel policies for adoption by the school, unless they are delegated to the Headteacher.
12. In consultation with the Headteacher, to recommend the first formal budget plan of the financial year to the Full Governing Body for approval.
13. To establish and maintain an up to date 3 year financial plan for approval by the Full Governing Body.
14. To receive feedback from Chairs of any other committees re financial decisions taken which are to be incorporated into the budget plan.
15. To consider information on financial performance at least termly and to report significant anomalies from the anticipated position to the Full Governing Body.

16. To ensure the School operates within the requirements of the Academies Financial Handbook and Funding Agreement which sets out the financial relationship between the Education Funding Agency and the Academy Trust.
17.
  - To advise the Governing Body on the appointment, re-appointment, dismissal and remuneration of the external auditors, the internal audit service and any other service bought in to assess internal controls;
  - To agree a programme of work with appointed auditor to address internal financial control risks;
  - To report findings and recommendations to the Full Governing Body
  - To monitor, within an agreed timescale, the implementation of agreed recommendations;
  - To monitor and advise the Full Governing Body on any alleged fraud and irregularity in the School's financial and other control systems and ensuring that all allegations of fraud and irregularity are properly followed up.
18. To annually review and approve the school Financial Procedures manual.
19. To monitor the Strategic Risk Register and the adequacy and effectiveness of the School's systems of internal control, review arrangements for risk management and the assessment of risk areas.
20. To annually review the Fixed Asset Register.
21. To ensure that the School's systems give value for money at all times and that decision making is good.
22. To report to the Full Governing Body in respect of any decisions taken.
23. To establish committees or panels containing non-board members who may be appointed and/or a joint committee with another school for:
  - Disciplinary hearings and appeals
  - Grievance hearings and appeals
  - Dignity at Work investigations and appeals
  - Attendance Hearings and Appeals
  - Pay Appeals
24. Monitor staff attendance.
25. To draft and keep under review the staffing structure in consultation with the Head Teacher.
26. To oversee the process leading to staff reductions if required.
27. To delegate permanent and temporary recruitment and selection decisions up to and including Assistant Head Teachers to the Head Teacher.
28. To make decisions with regard to the operation of the school's adopted Whole School Pay Policy.
29. To discuss and approve appraisal pay progression for all teaching staff except the Head Teacher.
30. To review staff salaries as required by the Pay and Conditions documents.
31. To review the terms of reference of this committee annually.

**Withdrawal required:-**

**Any person employed to work at the school, other than as the Head Teacher, when the subject for consideration is the pay or performance review of any person employed to work at the school.**

*Buildings, Finance and Personnel (December 2017)*

**Terms of reference:**

1. To consider and advise the governing body on standards and other matters relating to the school's curriculum, including statutory requirements and the school's Curriculum Policy.
  2. To provide and support curriculum development as set out in the Whole School Improvement Plan.
- Monitor the progress against the Whole School Improvement Plan:
    - Evaluate progress towards planned actions
    - Evaluate monitoring reports from the Leadership Group and other leaders as appropriate
    - Evaluate data reports
    - Consider pupil progress and standards report
    - Commission support from School Improvement Liverpool
3. To consider curricular issues which have implications for Finance and Personnel decisions and to make recommendations to the Buildings, Finance and Personnel Committee or the Full Governing Body.
  4. To oversee arrangements for individual governors to take a leading role in specific areas of provision, eg SEN, Literacy, Numeracy. To receive regular reports from them and advise the Full Governing Body.
  5. To review any curriculum and pastoral policies, unless their review has been delegated to the Headteacher.
  6. To review and advise the Governing Body on testing and assessment procedures and arrangements for reporting to parents.
  7. To annually review pastoral support schemes within the school.
  8. Ensure that the school has appropriate Safeguarding/Child Protection procedures in place and these are reviewed and approved annually.
  9. For a named governor to meet termly with the designated Safeguarding/Child protection Co-ordinator and report to the Full Governing Body.
  10. To establish committees or panels containing non-board members who may be appointed and/or a joint committee with another school for exclusions.
  11. To consider the circumstances in which a pupil is excluded.
  12. To consider any representations about the exclusion made by the parent.
  13. To direct reinstatement of excluded pupil.
  14. On advice from the Head Teacher, to review the use of exclusion and to decide whether or not to confirm all permanent exclusions. Fixed term exclusions, where the pupil is either excluded for more than 5 days in total in a term or would lose the opportunity to sit a public examination, can be considered by this committee where the parent has expressed a wish to make a representation.



15. Ensuring that both an admissions register and attendance register are kept at the school and that they are held for three years from the date they were last used. Governors must be told about pupils who do not attend regularly or are absent for long periods of time.
16. To oversee arrangements for educational visits.
17. To have oversight of pupil attendance and issues relating to this.
18. To ensure that for all items above the Headteacher's delegated limits, recommendation is made to the Full Governing Body for approval.
19. To report to the Governing Body in respect of any decisions taken.
20. To review the terms of reference of this committee annually.

*Pupil Progress, Achievement, Welfare and Guidance (December 2017)*

## **Governors Disciplinary Hearing PROCEDURE**

1. Management's Opening Statement of Case.
2. Questions of Management's Opening Statement by the Employee and/or the Representative.
3. Questions by the Disciplinary Panel and/or their Adviser to Management
4. Questions by Management of its Witness(es).
5. Cross-Examination by the Employee or their Representative of Management's Witness (es).
6. Questions by the Disciplinary Panel and/or their Adviser.
7. Re-Examination of Witness (es) by Management.
8. Employee's Opening Statement of Case.
9. Questions of the Employee's Opening Statement by Management.
10. Questions by the Disciplinary Panel and/or their Adviser to Employee.
11. Questions by the Employee or the Representative of his/her Witness (es).
12. Cross-Examination by Management of the Employee's Witness (es).
13. Questions by the Disciplinary Panel and/or their Adviser.
14. Re-Examination of Witnesses by the Employee or the Representative.
15. Summing Up by Management.
16. Summing Up by the Employee or the Representative.
17. Disciplinary Panel retires to deliberate.
18. Decision given in writing within 5 working days.

*Disciplinary Hearing (September 2017)*

**Governors Disciplinary Appeal Hearing  
PROCEDURE**

- 1. The employee (or representative) will outline his/her case for appeal.**
- 2. The deciding officer (or their adviser) may ask questions of the employee.**
- 3. The appeals panel may ask questions of the employee.**

Witnesses

4. The employee will call his/her first witness who will give evidence.
  5. The deciding officer (or their adviser) may question the witness.
  6. The appeals panel may question the witness.
  7. The employee (or their representative) may re-examine his/her witness.
  8. The witness will leave the meeting unless required to remain by the chair of the appeals panel.
  9. The procedure relating to the first witness will then be repeated for any further witnesses called by the appellant.
- 10. The deciding officer (chair of panel who made previous decision) will outline the response.**
  - 11. The employee (or their representative) may ask questions of the deciding officer.**
  - 12. The appeals panel may ask questions of the deciding officer.**

Witnesses

13. The deciding officer will call his/her first witness who will give evidence.
  14. The employee (or their representative) may ask questions of the witness.
  15. The appeals panel may ask questions of the witness.
  16. The deciding officer (or their adviser) may re-examine his/her witness.
  17. The witness will leave the meeting unless required to remain by chair of the appeals panel.
  18. The procedure relating to the first witness will then be repeated for any further witnesses called by the deciding officer.
- 19. The employee (or their representative) will sum up his/her case.**
  - 20. The deciding officer (or their representative) will sum up his/her case.**
  - 21. Both parties will be advised at the end of the hearing:**

**That detailed consideration is needed and a decision will be communicated within 5 working days.**

*Disciplinary Appeal Hearing Procedures (September 2017)*

## **Dignity at Work/Investigations and Appeals/Grievance Hearing/Grievance Appeal Hearing PROCEDURES**

The procedure for Dignity at Work/Grievance and Grievance Appeal Committee Hearings are as follows:

1. The complainant (who may be accompanied by a trade union representative or colleague) presents their case, outlining the complaint.
2. The Head Teacher (or their representative) (who may also be accompanied – as above) may ask the complainant questions.
3. The grievance committee may ask the complainant questions.
4. The complainant may call a witness in support of the complaint.
5. The Head Teacher (or their representative) may ask the witness questions.
6. The Grievance Committee may ask the witness questions.
7. The complainant may re-examine the witness.
8. The witness will leave the meeting unless required to remain by the chair of the Grievance Committee.
9. The procedure relating to the first witness will then be repeated for any further witness called by the complainant.
10. The Head Teacher (or their representative) will outline the school's response.
11. The complainant may ask the Head Teacher (or their representative) questions.
12. The Grievance Committee may ask the Head Teacher (or their representative) questions.
13. The Head Teacher (or their representative) may call a witness in support of the school's response.
14. The complainant may ask the witness questions.
15. The Grievance Committee may ask the witness questions.
16. The Head Teacher (or their representative) may re-examine the witness.
17. The witness will leave the meeting unless required to remain by the Chair of the Grievance Committee.
18. The Head Teacher (or their representative) will sum up.
19. The complainant will sum up.
20. Both parties will leave the room whilst the panel deliberates.
21. Both parties to be advised that the committee's decision will be communicated in writing to them within 5 working days of the hearing unless it is a complex matter requiring some investigation. In this case agreement will be sought from the member of staff about an appropriate timescale.

*Dignity at Work/Investigations and Appeals/Grievance /Grievance Appeal Committee Hearing Procedures (September 2017)*

## Pay Appeal PROCEDURES

The proceedings for Appeal Committee Hearings is as follows:

1. Any written documentation to be submitted to the appeal committee, should be submitted to the Clerk to the Governing Body for distribution to appeal committee members, the complainant and respondent and any advisor to the committee not less than 5 working days before the hearing.
2. The appropriate committee shall nominate a chair.
3. The complainant (who may be accompanied by a trade union representative or work colleague) presents their case, outlining the complaint.
4. The Head Teacher (who may also be accompanied) may ask the complainant questions.
5. The Appeal Committee may ask the complainant questions.
6. The Head Teacher will outline the school's response.
7. The complainant may ask the Head Teacher questions.
8. The Appeal Committee may ask the Head Teacher questions.
9. The Head Teacher will sum up.
10. The complainant will sum up.
11. Both parties will leave the room whilst the panel deliberates.
12. Both parties to be advised that the committee's decision will be communicated in writing to them within 5 working days of the hearing unless it is a complex matter requiring some investigation. In this case agreement will be sought from the member of staff about an appropriate time-scale.
13. Each committee is required to provide a confidential minute of the record of the decision and of any recommendations of the meeting to the next meeting of the full governing body. This record should refer to "the parties" rather than the individual.

*Pay Appeal Procedures (September 2017)*

# Exclusion Review Meeting

## PROCEDURE

1. Chair to make introductions
2. Headteacher to present his/her case, giving the reason(s) for the exclusion and the circumstances surrounding the decision to exclude. Headteacher should also outline the steps taken to try and avoid the exclusion
3. Parent or parental representative to question the Headteacher on his/her statements to clarify any points
4. Governors may ask questions of the Headteacher
5. Parent or representative may give their statement to support the case
6. The Headteacher and/or Governors may question the parent or their representative and the pupil (if present) in order to clarify any issues raised
7. All parties invited to sum up:
  - Headteacher
  - Parent
8. Chair to close the meeting and all parties, except the governors and the clerk, leave the room. The decision and reasons for the decision to be communicated **without delay**.

*Exclusion Committee Hearing Procedures (September 2017)*