



## Standing Orders of the Board of Governors for Swanmead Community School

Board of Governance procedures must comply with the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 and guidance set out in the Governance Handbook. While these regulations and guidance provide a basic framework, the board also needs to agree more detailed ways of working to ensure our business is conducted efficiently and our rules are applied consistently and fairly.

These standing orders set out the procedures which have been agreed for our board and the school. If any issue is not explicit, the regulations will apply. The relevant regulation is indicated in brackets.

<b>Date adopted</b>	20 <sup>th</sup> September 2018	<b>Date of review</b>	September 2019
Signed			

### 1. Roles of the Board of Governors and Headteacher (Part 2, Regulation 6)

The board of governors must operate in accordance with the following principles:

- i. The functions of the board include the following core strategic functions —
  - (a) Ensuring that the vision, ethos and strategic direction of the school/s are clearly defined;
  - (b) Ensuring that the Headteacher performs their responsibilities for the educational performance of the school; and
  - (c) Ensuring the sound, proper and effective use of the school/s financial resources.
- ii. In exercising their functions the board will —
  - a) Act with integrity, objectivity and honesty and in the best interests of the school; and
  - b) Be open about the decisions they make and the actions they take and be prepared to explain their decisions and actions to interested parties.
- iii. The headteachers responsibilities include—
  - (a) The internal organisation, management and control of their school; and
  - (b) The educational performance of their school.
  - (c) The headteacher is accountable to the board for the performance of all their responsibilities and must comply with any reasonable direction of the Board of Governors

### 2. Board of Governors Constitution and Membership

The constitution of the Board of Governors, appointing bodies and terms of office for each category of governor are set out in the Instrument of Government (Appendix B).

- i. All governors are asked to complete a skills audit which informs future appointments and helps identify our training and development needs. The Board of Governors will

review its skills and representation at the first business meeting of the school year and agree a strategy for recruiting to any vacancies.

- ii. This Board of Governors is constituted under the School Governance (Constitution) (England) Regulations 2012 and any subsequent amendments, which enable a Board to address its skills and representation needs through the appointment of Co-opted and Local Authority Governors:
  - a) Co-opted governors are persons “who, in the opinion of the Board of Governors, have the skills required to contribute to the effective governance and success of the school”.
  - b) Local Authority governors are persons who are nominated by the local authority and appointed by the Board of Governors “having, in the opinion of the Board of Governors, met any eligibility criteria that they have set”.
- iii. Procedure for the appointment of a Co-opted governor:
  - a) Candidates will be asked to provide a statement outlining the contribution they can make to the effective governance and success of the school.
  - b) A decision to appoint will be made at a quorate meeting of the full board of governors.
  - c) The agenda for the meeting should include “Appointment of a co-opted governor” as a separate item. The names of candidates should appear on the agenda and copies of their statements circulated with papers in advance.
- iv. Procedure for the appointment of the Local Authority governor:
  - a) On notification of a vacancy the chair / clerk will liaise with the LA over desirable eligibility criteria for a new appointee.
  - b) The chair / other designated governor will meet the LA nominee and if content that the person meets the board’s criteria will propose that person to the next full board meeting with relevant supporting personal details.
  - c) The agenda for the meeting will include “Appointment of an LA governor” as a separate item. The names of candidates will appear on the agenda and relevant supporting information will be circulated in advance.

### **3. Election of Chair / Vice-chair (Part 3, Regulation 7)**

All governors, other than those who are under 18, pupils or paid to work at the school, are eligible to stand as the chair or vice-chair of governors.

- i. Prior to the election of the chair and vice-chair, the Board of Governors must determine the date on which their term of office will end. For this board the term of office will be until the first meeting of the Board of Governors in the autumn term following the third anniversary of his/her election.
- ii. In order to encourage distributed leadership and succession planning no-one will serve as chair or vice-chair for longer than eight successive years, other than in exceptional circumstances.
- iii. Where a vacancy arises before the end of an incumbent’s term, the Board of Governors will elect one of their number to fill that vacancy at their next full board meeting.
- iv. Election procedures:

The appointment of a chair and vice-chair must be made at a quorate meeting of the full board meeting. The clerk will chair that part of the agenda. Candidates must

withdraw during discussion and voting.

- (a) The clerk to governors will invite nominations in advance of an election date.
- (b) The agenda for the meeting will include "Appointment of a chair and vice-chair" as separate items. The names of candidates will appear on the agenda.
- (c) Where there are no advance nominations, the clerk will invite nominations at the meeting.
- (d) Candidates will be invited to make a short statement before withdrawing.
- (e) Voting will be by secret ballot.
- (f) In the event of a tie a decision will be made by tossing a coin.

#### **4. Functions of the Clerk (Part 3 Reg 11)**

The board must appoint and have regard to advice from the clerk on the exercise of its functions. The clerk must not be a governor or the headteacher. However, if the designated clerk fails to attend a meeting, an associate member or a governor who is not the headteacher may act as clerk for that meeting.

The clerk is responsible for:

- Ensuring the efficient functioning of the board.
- Convening meetings of the board.
- Issuing notices of meetings, agendas and associated papers at least seven clear days in advance of meetings to all governors
- Attending board meetings; producing draft minutes for agreement by the chair within 5 days of the meeting, ensuring that minutes are agreed and signed by the chair at the next meeting and that signed minutes are securely stored at the school
- Maintaining a register of governors and associate members and reporting vacancies
- Maintaining a record of governor attendance at meetings and reporting on non-attendance to the board
- Providing advice to the board on the exercise of its functions
- Additional administrative support for board functions by agreement.

#### **5. Meetings and Proceedings (Part 4 Regs 12 - 16)**

- i. The number of full board meetings per annum will be 9.
- ii. The board will set a schedule of meetings, including those of committees, at the final meeting of the previous school year.
- iii. Meetings are convened by the clerk. Agendas and papers will be distributed at least seven clear days before the meeting. If an extraordinary meeting has been called the chair / vice-chair may allow shorter notice to be given.
- iv. The agenda will be prepared by the clerk in consultation with the chair and headteacher. Any governor may contact the clerk in writing to request that an item be placed on the agenda not less than 12 working days before the meeting. The clerk will include the request in the draft prepared for consultation with the chair and headteacher. The final decision on the agenda is for the chair.
- v. Any other business: will appear as the final item on the agenda and should be notified to the clerk 48 hours in advance of the meeting. The board will decide whether any such item is to be discussed or dealt with in an alternative way. In general, only "for information" items will be accepted; issues which require a report

or decision will not be dealt with as A.O.B.

- vi. The quorum for a meeting of the board is one half - rounded up - of the membership of the board, excluding vacancies. The quorum for any committee meeting is at least three governors who are members of the committee.
- vii. The time of arrival and departure of any governor who is not present at the beginning or end of a meeting will be recorded in the minutes.
- viii. Absence / apologies: a governor or associate member ceases to hold office if s/he is absent without permission from all meetings over six months, calculated from the date of the first missed meeting.

Where a governor is absent and has sent apologies to the clerk or the chair, the minutes will record the board's consent or otherwise to the absence; or

Where a governor is absent and has sent apologies to the clerk or the chair, the minutes will simply note receipt and a governor will cease to hold office after six months continuous absence. If an absent governor wishes to remain on the board s/he should inform the clerk of this fact in writing and the board will decide whether or not to agree his / her continuation at their next meeting; or

Where a governor is absent and has sent apologies to the clerk or the chair a reason for nonattendance must be given, and after one accepted absence further non-attendance will automatically incur refusal of apologies other than in exceptional circumstances.

- ix. All decisions are made at a full Board of Governors meeting unless an individual or a committee has delegated authority to deal with a specific issue. The Board of Governors will receive and note a report on any decision which it has delegated to a committee or an individual.
- x. Participation in meetings by telephone, video conference or other remote means: is not permitted; or  
A governor may participate in meetings by telephone or video conference provided that:
  - a. S/he has given notice of their intention to do so by detailing the telephone number or other contact details on which s/he can be reached or from which s/he will take part at least 48 hours before the meeting.
  - b. The governors present at the meeting have access to the appropriate equipment.
  - c. If after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting will still proceed provided it is still quorate.
- xi. The only people entitled to attend a meeting of the board are governors, the headteacher, the clerk and where appropriate, associate members. If the headteacher is absent a senior member of staff could attend in his place but will have no vote, unless s/he has been formally designated as acting headteacher.
- xii. Members of the Senior Leadership Team may be invited to attend meetings of the Board of Governors and relevant committees as observers, as part of their

professional development.

- xiii. Minutes and papers: Within 2 - 5 days of the meeting, the draft minutes will be sent by the clerk to the headteacher for factual accuracy in the information contained within the minutes and to the chair for checking on the recording of the meeting intent accurately. Once agreed, the draft minutes will be sent to all members of board within 7 - 10 days of the meeting.
- xiv. The approval of the minutes of the previous meeting should be on the agenda of every meeting. Once agreed the minutes will be signed and dated by the chair.
- xv. The original signed minutes will be kept in a binder on consecutively numbered pages, each page initialled by the person signing them as a true record. They will be stored in a secure place in the school.
- xvi. A copy of the agenda, signed minutes, reports and papers for meetings (excluding confidential items) will be made available for inspection by any interested person.
- xvii. Copies of the minutes will be placed on the school website.
- xviii. All incoming correspondence to the board, other than any concerning a complaint, or a named pupil, parent or staff member or any other confidential matter is for the attention of the full board. It may however be more expediently dealt with by the chair, member of staff or by an appropriate committee with delegated authority.
- xix. The clerk will log all correspondence to the board and may allocate it to an appropriate individual / committee. It will either be dealt with at the next meeting or that meeting will receive a report from whoever has dealt with the issue.
- xx. Correspondence which concerns a complaint, or a named pupil, parent or staff member or any other confidential matter will be forwarded to the appropriate individual dealing with the issue, to be dealt with through the relevant school policy and procedure, with appropriate confidentiality protocols.

## **6. Conduct and suspension / removal of governors (Reg 17 / Constitution regulations)**

- i. The board has adopted a Code of Conduct for Governors (Appendix G). The code will be reviewed as an Appendix to these Standing Orders, each year at the first meeting of the autumn term. Every governor will be asked to sign a copy as part of their Induction programme.
- ii. Significant breaches of the Code could be grounds for suspension or removal if they are inconsistent with the ethos of the school, or likely to bring the school or the board or office of governor into disrepute. In these circumstances the Board of Governors will follow the procedures for suspension of a governor as set out in the regulations and guidance.

## **7. Delegation arrangements (Regulation 18, 19 and 20)**

The board may delegate many of its functions to a committee, an individual governor or to any of the headteachers. It must review delegation arrangements annually. Delegation arrangements agreed by this board are shown within the board of governors' scheme of delegation (Appendix C) and are available to view on the school's website.

- i. No action may be taken by an individual governor unless authority to do so has been delegated formally or is taken under Chair's Action in an emergency.

- ii. The board will receive and note a report on any decision which it has delegated to a committee or to an individual.
- iii. Staff appointments: the delegation arrangements for staff appointments are:
  - Support staff: the headteacher
  - Teaching staff: the headteacher
  - Senior staff: the headteacher and at least one governor from the board
- iv. Staff grievance, conduct and discipline, capability, suspension or dismissal; salary appeals; headteacher appraisal; exclusions; complaints: the Board of Governors will adopt procedures set-out in relevant policies.

**8. Committees (Part 5 Regulations 21 - 26)**

- i. The board determines the constitution, membership and terms of reference of any committee and must review these annually, as appendices to these Standing Orders. This Board of Governors has the following committees:
  - a. Finance
  - b. Headteachers Pay and Performance Management
  - c. Appeals
  - d. Staff Disciplinary and Capability, Pupil Discipline and Complaints
- ii. Associate Members: An AM is a person who is appointed by the board as a member of any committee but who is not a governor. The board decides whether or not the AM has voting rights on the committee. An AM may attend full board meetings without a vote and may be excluded from any part of a meeting which concerns an individual member of staff or pupil.
- iii. The board has agreed the following arrangements for Associate Members:
  - candidates will be asked to provide a statement outlining the contribution they can make to a particular committee
  - a decision on appointment and voting rights on the committee will be made at a quorate meeting of the full Board of Governors
  - The agenda for the meeting will include "Appointment of an associate member to the..... committee. The names of candidates will appear on the agenda and copies of their statements will be circulated with papers in advance
  - Associate Members will not serve on committees which deal with individual named pupils, members of staff, governors or families and will withdraw from any part of a meeting where named individuals are discussed.

**9. Collaboration with other schools (Schedule 2 reg. 4)**

The School Governance Collaboration Regulations 2003 and School Staffing Regulations 2012 allow boards to collaborate with other schools and to make arrangements for their functions to be jointly discharged. This school has agreed reciprocal arrangements with the boards of governors within the Crewkerne and Ilminster Schools Partnership, whose governors may be called on if there are insufficient governors available from this board.

**10. Governors' Allowances (Part 6 regs. 27 – 30)**

The board of governors has agreed to reimburse a governor or associate members for expenditure necessarily incurred to perform his / her duty, subject to the restrictions set out in the Governor Allowances policy, available to view at the school, and to be made on provision of a receipt for the relevant amount. All claims are subject to audit scrutiny.

**11. Pecuniary Interests / restrictions on taking part in meetings** (Schedule 1; Reg16)

A governor must declare an interest – direct or indirect, financial or personal and withdraw from a meeting and not vote on the issue. Candidates for appointment or election must also withdraw and not vote. Staff members must withdraw from discussion of any pay or appraisal issue concerning another member of staff. If there is a dispute about whether a person should withdraw the board or committee will decide on the matter (optional) in addition members of staff will be asked to withdraw if the appointment of their successor is being discussed

Declaration of Interests will be a standard item on full board and committee agendas. A register of Declared Interests has been established and is available to view on the Governors page of the school website.

**Appendices:-**

- A. Board of Governors – List of members and their terms of office
- B. Instrument of Government
- C. Scheme of delegation
- D. Committee terms of reference and membership
- E. Link Governor Protocol & Link Governors
- F. Register of declared interests
- G. Code of Conduct