



Heston

COMMUNITY SCHOOL

Standing Orders for the Procedural Workings of the Governing Body

'He was uniformly of an opinion which, though not a popular one, he was ready to aver, that the right of governing was not property but a trust.'

Charles James Fox (1749-1806)

1.0 CONTENT

1.1 Standing Orders

These cover:

- Meetings of the Governing Body
- Governors Expenses
- Terms of office of Chairman and Vice-Chairman
- Election process for Chairman and Vice-Chairman
- Term of office for each category of Governor
- Appointment of the Clerk
- Quorum
- Committee membership and Terms of Reference
- Delegation of functions

1.2 Governing Body should compile a Standing Orders File that contains:

- The Governing Body's Standing Orders
- A copy of the School Governance (Procedures) Regulations
- The current Instrument of Government
- The Terms of Reference for Committees
- The Policy on Governors' Expenses

1.3 This should be accessible to all Governors. The Clerk to the Governing Body should also retain a copy for their records. After the new Instrument of Government has been approved following re-constitution, a copy should be filed in the Standing Orders file, replacing the old Instrument.

2.0 Meetings of the Governing Body

2.1 The Full Governing Body must meet at least three times in each school year.

3.0 Terms of Office

3.1 The Governing Body must determine the length of term of office for the Chairman and Vice-Chairman, prior to the election taking place. This must be between one and four years in length.

3.2 Please note that the term of office as Chairman or Vice-Chairman cannot be longer than the remainder of the term of office of the Governor in question. *For example: The Governing Body determine that the Chair's Terms of Office will be three years. The Term of Office of the Governor elected Chair,*

however, ends in two and a half years time, so the newly elected Chair's Terms of Office will also end in two and a half years time.

- 3.3 The Governing Body resolves that:
The Chair of Governors will have a term of office of one year and the term of office will end on the date of the first meeting of the governing body after the first anniversary of his/her election or at the end of his/her term of office as a governor, whichever date is earlier.
- 3.4 The Governing Body resolves that:
The Vice-Chair of Governors will have a term of office of one year and the term of office will end on the date of the first meeting of the governing body after the first anniversary of his/her election or at the end of his/her term of office as a governor, whichever date is earlier.
- 3.5 **The Regulations say that, when the office of Chair or Vice-Chair becomes vacant, the Governing Body must elect a new Chair or Vice-Chair at the next meeting.**
- 3.6 This process would apply, even if an existing Chair or Vice-Chair was re-appointed after a term of office came to an end. The office of Chair or Vice-Chair would be deemed to have become vacant on the date the term of office ended and an election process must be undertaken. This does not, of course, prevent a re-appointed Governor from standing again and being re-elected to the office, if Governors so wish.

4.0 Election of Chair and Vice-Chair

- 4.1 The Governing Body can decide the election process for the Chair and the Vice-Chair. The process must be agreed at a full Governing Body Meeting. The Clerk chairs the meeting for the item to elect the Chair. The Chair takes over the meeting, once elected, including the item to elect the Vice-Chair.
- 4.2 **Please note that a Governor who is paid to work at the School or is a student at the School is not eligible for the office of Chair or Vice-Chair.**
- 4.3 Factors the Governing Body should consider in agreeing their election process are:
- Whether written nominations are to be sought in advance of the meeting
 - Whether a Governor can stand for office if they are unable to be present at the meeting
 - Whether nominations will only be taken at the meeting
 - Whether a candidate will self nominate or be proposed (and seconded if wished) by other governors
 - Whether there will be a secret ballot or a show of hands (and whether this would vary depending on the situation i.e. in all circumstances or only when there is more than one candidate)
 - How the Governing Body would treat a tie in the votes – Would candidates have the opportunity to speak to the governing body about why they want to be Chair and then another vote could be taken, for example, or would you toss a coin, or would you do something else? Although this is an unlikely scenario the procedure should accommodate all potential results.
 - Whether a Governor can be re-elected and whether there should be a limit to the number of terms a Governor could serve
 - Succession planning (Vice-Chair to learn the role and move up to Chair at a later date)
- 4.4 The process must be fair, clear and transparent.
- 4.5 The Governing Body resolves that the following process will apply to the election of Chair and Vice-Chair:
- Governors will be able to submit written nominations prior to the Full Governing Body and verbal nominations at the meeting.
 - A Governor can nominate him/herself for office and does not need to be present at the meeting to be considered.
 - Nominee(s) will be asked to leave the room whilst the election process takes place.
 - If there is more than one nominee, the remaining Governors will take a vote by a show of hands.

- The nominee(s) will return to the meeting.
- The Clerk will announce the result with the nominee polling the majority of votes being duly elected.
- If there is a tie, each candidate will be given the opportunity to speak to Governors about their nomination and a further vote would be taken.
- If there is still a tie, a coin will be tossed to decide the election.

5.0 Term of Office for each Category of Governor

- 5.1 The Governing Body must determine the length of term for each category of Governor. The length of term must be the same for all Governors in a category. The length of term can be between one and four years.
- 5.2 The Standing Orders make reference to categories of Governor such as Parent or Community Governor. Some of the category names, definitions and eligibility have changed due to the legislation. This information is available by school type in the statutory guidance and a link to this information is included on the introductory web page for the New Procedures for Governing Bodies.
- 5.3 The Governing Body resolves to have the same terms for all categories of Governor. The agreed term is one year.
- 5.4 The Governing Body can choose whether to appoint Associate Members of the Governing Body, in addition to the agreed Constitution, and would need to agree what voting and attendance rights any associate member was granted. The Governing Body can also agree to allow other persons to attend their meetings. Any agreement in relation to these matters should be clearly minuted at a Full Governing Body Meeting.

6.0 Appointment of the Clerk

- 6.1 The Governing Body is required to appoint a clerk to the Governing Body. The Clerk may not be a Governor, a Staff Member, an Associate Member of the Governing Body or the Headteacher of the School.
- 6.2 The Governing Body resolves that the Clerk to the Governing Body is Mrs Dee Howley.

7.0 Procedural Matters

7.1 There are some procedural matters not detailed in these Standing Orders that are laid down in the Regulations, such as:

- Convening meetings
- The proceedings of meetings
- Removal of the Chair or Vice-Chair from office
- Suspension of a Governor

7.2 The Clerk to the Governing Body should ensure that the work of the Governing Body complies with the Regulations.

8.0 Quorum

8.1 Decisions cannot be taken at a full Governing Body meeting unless a minimum number (quorum) of Governors is present. The Regulations require one half (50%) of the Governors in post to be present before decisions can be made, rounded up to the nearest whole number.

SIZE OF GOVERNING BODY (governors in post)	QUORUM REQUIREMENT
9 or 10 governors	5
11 or 12 governors	6
13 or 14 governors	7
15 or 16 governors	8
17 or 18 governors	9
19 or 20 governors	10

9.0 Committees and Think Tanks

9.1 Definitions

A COMMITTEE of the Governing Body is set up with delegated powers, with the Governing Body deciding its membership, the procedures for appointing its Chair, what powers it will have, whether it will include associate members and, if so, whether they may vote. *This information must be minuted at a Full Governing Body Meeting.* The Governing Body remain responsible for any decisions taken by Committees and these decisions must be reported back to the Full Governing Body at their next meeting. The establishment, terms of reference, constitution and membership of Committees must be reviewed annually. The Chair of each Committee must also be appointed annually.

A THINK TANK of the Governing Body is set up with the Governing Body deciding its membership and the topics it will discuss. A Think Tank cannot

make any decisions nor have any delegated powers. A Think Tank can only bring recommendations to the Full Governing Body (or a relevant Committee if responsibility has been delegated to a Committee) for approval.

9.2 Membership of Committees

The terms of reference of Committees should be included within the Standing Orders File. The membership of Committees is listed below. A Chair and Vice-Chair must be appointed each year to each Committee, elected by the Governing Body or the Committee members, if the Governing Body agree to delegate this task. The Governing Body is required to appoint a Clerk to each Committee. This cannot be the Headteacher but can be another Governor and could be shared between named Governors.

9.3 The Governing Body Committee Structure can be found in the Terms of Reference.

9.4 The Regulations also state that the minimum quorum for Committee Meetings shall be three governors. If a higher quorum is decided upon by the governing body this should be noted.

9.5 In the case of the Staff Dismissal Committee the quorum should be three governors, unless there are not enough governors who have not been involved in any previous action or decision connected with the dismissal, when the decision can be delegated to two governors. This also applies to the Staff Dismissal Appeals Committee but there should be no fewer governors than made the initial decision.

10.0 Recommended Practice for Committee Membership

10.1 A member of staff is not appointed to the Employee Grievance, Staff Dismissal and Staff Dismissal Appeals Committees.

10.2 The Headteacher is not appointed to the Student Discipline Committee.

10.3 A member of staff is not appointed to chair the following Committees:
Personnel
Pay and Performance Management
(Admissions)

11.0 Recommended Practice for Committee Management

- Agenda should be circulated to all committee members at least seven days in advance of the meeting.
- Committee papers should be available to all governors (not just those on the Committee).
- Minutes should be circulated to all Governors (not just those on the Committee) within two weeks of the date of the meeting.
- Minutes should be signed by the Committee Chair at the next Committee meeting to verify that the minutes are a true record.
- Any Governor may attend a Committee meeting but only named Committee members may vote.
- Committee members should feedback at the Full Governing Body on the work of the Committee and any decisions taken.

12.0 Delegation of Functions

- 12.1 A Governing Body can delegate any of its statutory functions to a committee, a Governor or the Headteacher, subject to the restrictions described below. The Governing Body must review the delegation of functions annually. A Governing Body will remain accountable for any decisions taken, including those relating to a function delegated to a committee or individual.
- 12.2 The following functions cannot be delegated:
- The Constitution of the Governing Body
 - The appointment or removal of the Chair or Vice-Chair
 - The appointment of the Clerk
 - The suspension of Governors
 - The establishment of Committees and delegation of functions
- 12.3 The following functions can be delegated to a committee but cannot be delegated to an individual, even in urgent cases:
- The alteration, discontinuance or change of category of maintained schools
 - The approval of the first formal budget plan of the financial year
 - School Discipline Policies
 - The exclusion of students (except in an emergency when the Chair has the power to exercise these functions)
 - Admission matters
- 12.4 The Governing Body can still perform functions it has delegated. This enables the Governing Body to take decisions on matters that are discussed at meetings on functions that have been delegated.

- 12.5 **Please note that any individual or committee to whom a decision has been delegated must report to the Governing Body in respect of any action or decision made.**
- 12.6 The Governing Body agrees the delegation of the functions as described in the Terms of Reference for each Committee.
- 12.7 The Chair of Governors may also act in cases which may be deemed urgent, ie where a delay in exercising the function would be seriously detrimental to the interests of the School, a registered student, their parent/carer or a person employed to work in the School. The Vice-Chair may also act in the same circumstances, if the Chair is unable to exercise this function for some reason. (Delay means 'delay for a period extending beyond the earliest date on which it would be practicable for a meeting of the governing body or of a committee to which the function in question has been delegated, to be held'.)
- 12.8 The expectation is that the Headteacher will lead in determining staff appointments outside of the appointment of Deputy Headteacher and all initial staff dismissal decisions with advice from the Chair or Vice-Chair of the Governing Body and Human Resources representative.
- 12.9 In exceptional circumstances an individual governor or group of governors, with or without the Headteacher, will deal with staff appointments outside of the appointment of Deputy Headteacher and initial staff dismissal decisions.

The exceptional circumstances are as follows:

- The Headteacher is unwilling to perform these functions and whose previous history of service at the school did not include any such responsibilities. This gives an existing Headteacher the option of preserving their current working arrangements but when the Governing Body considers a new appointment for the Headteacher post the normal expectation for the Headteacher to undertake these responsibilities should apply.
- Where the Headteacher has been directly involved in disciplinary procedures leading to dismissal, has instigated a proposal to dismiss, or is witness of particular conduct giving grounds for the dismissal in question. The arrangements for delegating initial dismissal decisions will therefore need to be considered on a case by case basis in the light of circumstances.
- Appointments of support staff outside of the Strategy and Leadership Group who are required to act in a senior management capacity. This ensures that the Governing Body may also lead in the appointment of support staff with senior management responsibilities.

- The Headteacher is subject to suspension, disciplinary procedures (including capability), or disciplinary sanction.
- Where the LA has made representations to the Chair of the Governing Body on grounds of serious concerns about the performance of the Headteacher.
- Where the Headteacher has failed to abide by financial limits agreed by the Governing Body for any school purpose.

12.10 In the exceptional circumstances, outlined above, the following arrangements will apply:

The Finance and general Purposes Committee will be responsible for staff appointments and the Staff Dismissal Committee will be responsible for initial staff dismissal issues.

12.11 Appointment of Headteacher and Deputy Headteacher

The Governing Body will be responsible for selecting an appointments panel for the Headteacher and Deputy Headteacher.

12.12 Appointment of Assistant Heads

The Governing Body will delegate responsible for deciding how such posts are filled, to the Headteacher who may involve Governors in the appointment process.

12.13 Freedom of Information Act

The Governing Body agreed to delegate to the Headteacher the day-to-day responsibility for the Freedom of Information Act and the provision of advice, guidance, publicity and interpretation of the school's policy.

DECLARATION

The Governing Body, at its meeting on _____ resolved to adopt the Standing Orders. A copy has been forwarded to the Clerk to the Governing Body for the formal Governing Body records and a copy has been retained at the school for reference.

Signature: _____
(Chair)

Date of signature: _____