



Leadership & Governance

Terms of Reference and Standing Orders

(Circle Model – Whole Governing Board)

The Governing Board will operate at all times in accordance with the requirements of the Education Act, the School Governance Regulations, the Local Authorities Scheme for Financing Schools and all other relevant legislation and will review these Standing Orders at least annually.

In addition to the requirements set out in legislation, the following procedures will apply to the operation of the Governing Board.

These documents were agreed by the Governing Board at their meeting held on

Date: 11 July 2018

Review Date:

July 2019

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Circle Model – Whole Governing Board Approach

Outline

The Governing Board works as a 'whole team', meeting 6 times per year, once in each term, without any separate committees. An annual planner and agenda for each meeting will include all the tasks which the Governing Board is required to consider, and the Governing board will 'commission' assignments or activities arising from the business of the meeting, which will be recorded in the minutes. Any 'commissioned' working groups will have Governing board drafted agreed terms of reference.

In addition to 'commissioning' activities or actions on their behalf, the Governing board, in order to ensure its core functions are fulfilled, will delegate monitoring responsibilities to 'monitoring pairs' or 'individuals'. These include the statutory required individual roles and those focused on the priorities of the School Plan.

In each case where a function has been delegated there is a statutory duty to report any action or recommended decision to the Governing board at the next meeting.

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Terms of Reference for the Governing Board

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance. The Governing Board has resolved to conduct all its business as a full Governing board, and to work collectively without committees.

The Board has three strategic core functions:

- **Ensuring clarity of vision, ethos and strategic direction;**
- **Holding Executive Leaders/ Headteacher to account for the educational performance of the organisation/school and its pupils, and the performance management of staff; and**
- **Overseeing the financial performance of the organisation/school and making sure its money is well spent.**

The main responsibilities to be managed by the Governing board are outlined below:

Items in bold cannot be delegated.

Operational

- **To draw up the Instrument of Government and any amendments thereafter**
- **To review the standing order for election of the Chair and Vice Chair including the length of the term of office.**
- **Elect (or remove) the Chair and Vice Chair.**
- **To appoint (or dismiss) the Clerk to the Governing Board.**
- **To hold at least 6 Governing Board meetings each year.**
- **To appoint and remove Co-opted and any associate members.**
- **To suspend or remove a governor.**
- **To decide which functions of the Governing Board will be delegated and to whom.**
- **To appoint the statutory individual required roles of Safeguarding, SEND, Health & Safety and Finance based on skill set and expertise.**
- **To receive reports from any pair or individual to whom a delegation has been made and to consider whether any further action or decision by the Governing Board is necessary.**
- **To review the delegation arrangements annually.**
- **Appoint selection panel for Headteacher/ Executive Leader**
- **To ratify or reject decisions of appointed selection panel**
- **To recruit new governors as vacancies arise ensuring the board has all the necessary skills to be effective.**
- **To set up and publish a register of Governors' Business Interests.**
- **To ensure that statutory requirements for information published on the school website, including details of governance arrangements, are met and updated as necessary.**
- **To ensure the information required for the National Database (GIAS) is collected, uploaded and amended as necessary (for academies within 14 days of any change) and accurate with the details published on the school website.**
- **To approve and set up a Governors' Allowances Scheme.**
- **To regulate the Governing Board procedures where not set out in law and record these as Standing Orders.**
- **To delegate to the Headteacher the functions as described in the Delegation of Functions to Headteacher Standing Order (attached).**
- **To assign individuals or pairs of governors to monitor the priorities of the School Improvement Plan, in replacement of committees, in accordance with the attached terms of reference.**

	<ul style="list-style-type: none"> • To arrange a suitable induction process and mentoring for newly appointed or elected governors (<i>may have accompanying Standing Order</i>). • To consider the DfE recommended appointment of a training and development governor to audit individual and collective development needs and from evaluation promote appropriate training. • To regularly audit and evaluate the impact of governance to inform the structure of the Governing Board • To ensure the Headteacher provides such reports as requested by the Governing Board to enable it to undertake its role.
General	<ul style="list-style-type: none"> • Regularly review the vision and values of the school and ensure that these are shared with all stakeholders. • To take an active role in School Self Evaluation identifying success and areas requiring improvement. • To approve, update and review regularly the School Improvement Plan agreeing a monitoring schedule for the Governing Board. • To determine whether to publish a home-school agreement (no longer a statutory requirement) • To review regularly how the school is regarded by pupils and parents. • To ensure the school has in place all statutory policies and to keep these under regular review, consulting with representative stakeholders as appropriate. • To approve statutory policies, ensuring compliance, on review. • To approve all school trips involving an overnight stay away from home. • To ensure the school has a Complaints Procedure for Parents and that parents know how to raise concerns and make a complaint. • To have regard to the Professional advice given by the Clerk • To ensure that the Governing Board complies with all other legal duties placed upon them as shown and updated within the Governance Handbook.
Inclusion and Equality	<ul style="list-style-type: none"> • To establish and approve a special educational needs (SEN) policy • To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014) • To comply with statutory duties from the SEND code of practice and KCSIE in respect of pupils with special needs by appointing a SEND governor • To ensure that the school does not discriminate against pupils, job applicants or staff on the basis of race, religion, gender, age disability or sexual orientation. • To receive reports on bullying, homophobic and racial incidents.
Safeguarding	<ul style="list-style-type: none"> • To ensure statutory compliance with Keeping Children Safe in Education and its associated policies including adopting and reviewing annually the KCC child protection/ safeguarding policy and relevant procedures • To comply with statutory duties from KCSIE by appointing Safeguarding and Health & Safety governors • To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty into the child protection policy • To complete an annual Safeguarding Review and return to the LA

Curriculum	<ul style="list-style-type: none"> • Ensure NC is taught to all pupils • To ensure the curriculum is broad and balanced • To monitor the curriculum policy if there is one in place. • To establish a charging and remissions policy for activities. • To ensure the British values are embedded within the curriculum, preparing pupils for life in modern Britain • Ensure provision of career guidance for years 8-13
Budget	<ul style="list-style-type: none"> • To approve the first formal budget plan each year. • To engage in strategic decision making. • To agree a 3-year budget. • To analyse and recommend the annual budget. • To annually review and approve the Finance Policy and recommend levels of delegation. • To annually review and approve the Charging and Remissions policy. • To enter into contracts following agreed financial limits • To make decisions in respect of service agreements following agreed delegation of financial limits and insurance • To ensure the school complies to the SFVS guidelines • To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, Year 7 numeracy and math's catch up premium, and the pupil premium) • To appoint a finance governor or monitoring pair • To ensure financial succession planning within the board • To review and take account of any consultations to change the LA Finance Scheme.
Staffing	<ul style="list-style-type: none"> • To make Headteacher and Deputy Headteacher appointments (ratify or reject) following recommendations from the board approved selection panel. • To annually determine the Staff complement. • To annually agree a pay policy and pay discretions following the STCPD. • To annually review the impact of and implementation of the Pay and Reward policy • To establish and review procedures for addressing staff discipline, conduct and grievance • To establish a governor panel to hear staff appeals against dismissal, redundancy or grievances. • To dismiss the Headteacher. • To end the suspension of staff or Headteacher. • To determine dismissal payments/early retirement. • Voluntary and Foundation schools – governors should decide whether the Director of Education/diocesan authority should have advisory rights.
Appraisal and Performance Management	<ul style="list-style-type: none"> • To establish and review and approve annually the Appraisal Policy. • To determine the timing of the Headteacher appraisal review cycle. • To appoint the Headteacher Performance management group consisting of 2 or 3 skilled or trained governors • To appoint the external advisor • To take into account the Headteacher Standards for Excellence • To agree total pay award following recommendation from Pay committee • To agree any pay award for the Headteacher/ Executive Leader following recommendation from the Headteacher performance management panel

Discipline/ Exclusions	<ul style="list-style-type: none"> To establish a statement of behaviour principles on which the school can produce a behavior policy. To review the use of exclusion and decide whether or not to confirm all permanent exclusions and fixed term exclusions where a pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public exam. (This may be delegated to the Chair/Vice Chair in cases of urgency - see Exclusion from maintained schools, Academies and pupil referral units in England Guidance updated Sept 17 page 18 point 57). To direct the reinstatement of excluded pupils.
Premises & Insurance	<ul style="list-style-type: none"> To develop a school buildings strategy or master plan and contribute to LA Asset Management Planning arrangements. To procure and maintain buildings, including a properly funded maintenance plan. To seek advice from the LA, diocese or trustees, where appropriate to ensure adequate levels of buildings insurance and personal liability. To receive annual site report.
Health & Safety	<ul style="list-style-type: none"> To establish a Health & Safety policy (In Kent the LA have delegated this to the HT of Community and VC schools and provided a general policy for schools to adapt) To ensure that Health & Safety regulations are followed and appropriately prioritised. To receive (3x per Year) an annual Health & Safety Inspection Report and agree any actions. To appoint a Health and Safety governor
Admissions	<ul style="list-style-type: none"> All Pupils at this school must have an EHCP or Statement of Special Educational Needs in place. The admissions authority is Kent County Council.
Collective Worship	<ul style="list-style-type: none"> To ensure that the school provides teaching of religious education for all pupils in accordance with the agreed syllabus or has informed parents of their right to withdraw their child. To ensure the school provides an act of broadly Christian daily collective worship. In some maintained schools without a designated religious character, the family backgrounds of some or all pupils may lead the Executive Leader and board to conclude that broadly Christian collective worship is not appropriate. The Executive Leader can apply to the local Standing Advisory Council on Religious Education (SACRE) to have the broadly Christian requirement disapplied and replaced by collective worship distinctive of another faith and should consult the board before doing so.
School Organisation	<ul style="list-style-type: none"> To set the time of the school sessions and the dates of school terms and holidays (except community and VC schools where this is the LA's responsibility). To publish proposals to change category of school. To propose to alter or discontinue voluntary, foundation or special school status.
Information for Parents	<ul style="list-style-type: none"> To ensure that the school keeps parents and prospective parents informed by publishing a school prospectus on their website www.elmschool.org To adopt and review home school agreements.
Collaborations	<ul style="list-style-type: none"> To consider forming or joining a group of schools
Federations	<ul style="list-style-type: none"> To consider forming a federation or joining an existing federation To consider requests from other schools to join a federation. To leave a federation.

Academies	<ul style="list-style-type: none"> To consider approach and time scale to academy conversion To consider forming or joining an existing Multi-academy-trust (MAT)
Extended Services	<ul style="list-style-type: none"> To decide to offer additional activities and agree what form these should take. To cease providing extended services provision.
Membership of the Governing Board 2 x Parent Governors: Nikki Emden, <u>Vacancy</u> 1 Local Authority Governor: <u>Vacancy</u> 1 Staff Governor: Caroline Hughes 1 Headteacher: Juli Timoney 7 x Co-opted Governors: Christine Allen, Alexa Kelly, Sean Mohan, <u>4 vacancies</u> 2 x Foundation Governors: Alex Hadley, Niki Ireland Associate Member: Barbara Shaw	
Agreed by the Governing Board (Date)	11 07 2018
Review Date	07 2019
Quorum: one half of the number of governors in post (rounded up)	4
	Appointment Date
Chair of Governors – Alex Hadley (2 years)	11 2016
Vice Chair - ?? (2 years)	07 2018
Clerk – Wendy Settle (Clerking Service)	09 2017
Safeguarding governor – Niki Ireland	07 2018
SEND governor – Alexa Kelly	07 2018
Health & Safety governor – Chris Allen	09 2017
Finance governors – Nikki Emden & Alex Hadley	07 2018
Training & Development governor - ???	07 2018

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Terms of Reference for the Clerk to the Governing Board

The Clerk is expected to work within the following terms of reference:

The Governing Board uses the services of the Kent Clerking Service; the following principles and tasks are included as part of the Service Level Agreement

Guiding Principles

- The Clerk is accountable to the Governing Board.
- He/she is employed by the Governing Board and line managed by the Chair of Governors, whose responsibility it is to provide induction and conduct an annual appraisal.
- The Clerk will be provided with a contract of employment based on one of the 3 model job descriptions for a Clerk recommended by KCC Leadership and Governance.
- Governors, Associate Members and the Headteacher cannot be appointed as Clerk to the Governing Board.

The main responsibilities of the Clerk are:

- To work effectively with the Chair of governors, the other governors and the Headteacher to support the Governing Board.
- To keep up to date and advise the Governing Board on constitutional and procedural matters, powers and duties as outlined within legislation, statutory guidance and the governance handbook.
- To convene meetings of the Governing Board ensuring they are quorate.
- To produce agendas for the meetings working with the Chair of governors
- To attend meetings of the Governing Board and ensure minutes are taken.
- To ensure the chair receives the draft minutes for approval within one school week
- To ensure the chair draft approved minutes are circulated within two school weeks to all governors
- To create an action list after each meeting and monitor progress to ensure that actions agreed are carried out before the next meeting.
- To maintain a register of Business Interests and ensure is published on the website.
- To maintain the website published requirements for Governing boards by ensuring the information is kept up to date
- To ensure the requirements for governors to publish information online is adhered to
- To collect the required details for the Governors National Database (GIAS) and ensure the relevant staff member for uploading to the database is informed of any changes
- To maintain a register of members of the Governing Board and report vacancies to the Governing Board.
- To keep Kent CPD online up to date with details of the members of the Governing board.
- To maintain a register of attendance to be published on the school website and report non-

attendance to the Governing Board

- To give and receive notices in accordance with relevant regulations.
- To perform such other functions; where outside the service level agreement further costs are incurred, as may be determined by the Governing Board from time to time.
- To undertake appropriate professional development.
- If the Clerk is unable to attend the meeting, the governors present at the meeting may appoint a member of the Governing Board (but not the Headteacher) to act as Clerk for that meeting.

Details of employment:

KCC Clerking Service

Part time, term time only			
	Hours per annum		
Clerk to Governing Board job description Level 1, 2 or 3	3	Kent Scheme Point	KR7

Clerk’s Induction Programme

The key elements of the induction programme include:

- Helping the Clerk to locate essential documentation and information
- Discussing access to a computer (this may include discussion of use of home computer and consumables)
- Discussing use of school reprographics equipment or alternative means of copying documents for governors
- Clarifying the use of email for communication with governors, including the KCC CPD online system
- Clarifying pay and conditions of service
- Agreeing the form of appraisal for the Clerk
- Agreeing release and payment of time for the Clerk’s professional development, including the National Clerks’ Development programme. This includes attendance at Clerk’s briefings, induction training and the annual Clerks’ Conference.
- Ensuring access to the relevant governance legislation, Clerk and Governance competency frameworks and Governance Handbook

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Delegation of Functions to Headteacher/ Executive Leader

The delegation to the Headteacher/ Executive Leader ensures a clear separation between strategic non-executive oversight and operational executive leadership. The Headteacher/Executive Leader is expected to work within the following terms of reference, and to provide the Governing Board with such reports in connection with his or her functions as the Governing Board requires

Budget	<ul style="list-style-type: none"> • To make miscellaneous financial decisions up to an agreed limit of £8,000 as set out in the school's finance policy. • To enter into contracts up to the limit of £8,000 • To monitor monthly expenditure. • To make payments.
Staffing	<ul style="list-style-type: none"> • To appoint teachers and non-teaching staff. • To establish disciplinary, capability and grievance procedures. • To suspend staff. • To dismiss staff - In Elms School the responsibility for dismissal decisions has been delegated to the Headteacher, therefore formal hearings to consider dismissal may be heard solely by the Headteacher. • To produce and maintain a central record of recruitment and vetting checks
Curriculum	<ul style="list-style-type: none"> • To ensure the National Curriculum is taught to all pupils and consider disapplication for pupils as appropriate. • To establish and implement a Curriculum policy. • To decide which subject options should be taught. • To be responsible for standards of teaching. • To be responsible for each individual child's education. • To agree the content of any Sex and Relationship Education and to keep up to date a written policy for its delivery. • To ensure the balanced treatment of political issues and to prohibit political indoctrination. • To promote British values. • To provide clear guidance, informed by statutory guidance, on which a strategy for careers advice and guidance can be based (statutory for secondary)
Appraisal and Performance Management	<ul style="list-style-type: none"> • To formulate and implement an Appraisal policy. • To make pay decisions in line with the pay policy and legal requirements • To carry out appraisal of other teachers on recommendation of line managers in the school
Standard Setting	<ul style="list-style-type: none"> • To set standards and predictions for pupil achievement and progress.
Religious Education	<ul style="list-style-type: none"> • To provide Religious Education in line with school's basic curriculum. • In schools with a religious character, to provide Religious Education to the

	agreed syllabus.
Collective worship	<ul style="list-style-type: none"> • For maintained schools – to ensure, after consultation with the Governing Board, that all pupils take part in a daily act of collective worship. • In schools with a religious character, to provide collective worship of a denominational character.
Health & Safety	<ul style="list-style-type: none"> • To ensure that Health & Safety regulations are followed.
Discipline/ Exclusions	<ul style="list-style-type: none"> • To draft the content of the school behaviour policy and publicise it to staff, students and parents.
Inclusion and Equality	<ul style="list-style-type: none"> • To designate a qualified teacher to be responsible for coordinating SEN provision (the SEN coordinator or SENCO) • To appoint a designated teacher for looked-after children
School Organisation	<ul style="list-style-type: none"> • To ensure that the school meets for 380 sessions in a school year. • Where determined by the Governing Board, to ensure that school lunch nutritional standards are met. • To draft and implement a data protection policy which complies with GDPR and review it at least every two years and register with the Information Commissioner's Office • Maintain a register of pupil attendance • To publish on the website the drafted structure and remit of the Governing Board, including governor appointment details, term of office and attendance record • To submit governor information to the DfE database of governors (GIAS)
Information for Parents	<ul style="list-style-type: none"> • To ensure that the school keeps parents and prospective parents informed by preparing and publishing a school prospectus on their website • To ensure that free school meals are provided to those pupils meeting the criteria. • To ensure that parents are aware of their rights to withdraw their child from collective worship, RE and Sex and Relationship education. • To ensure that a report on each child's educational achievement is forwarded to parents /guardians.
Extended Schools	<ul style="list-style-type: none"> • To put into place the additional services provided. • To ensure delivery of services provided.

Terms of Reference for Individuals or Monitoring Pairs

Any individual to whom a governor monitoring responsibility has been delegated is expected to work within the following terms of reference in conjunction with the protocols and procedures set out in the Circle Monitoring Visit Policy

To monitor an identified area on the School Plan or a statutory function of the Governing Board and report to the Governing Board, ensuring the challenge and support of the committee the monitoring is replacing is captured. It is expected that 3 monitoring visits will be made to the school during the year, unless school circumstances necessitate more. A visit does not necessarily have to take place during the time when students/pupils are in school and could be just as effective as a meeting between governor(s) and the lead professional at the end of the day as mutually agreed. SKILL SET

- To meet with the lead professional within the school to gain an understanding of the scope of the area/target and the activities the school is conducting to achieve success.
- To ensure holding to account by the questions which would have been asked as part of a committee meeting are undertaken within the visit with the answers documented.
- To undertake any necessary training (in or out of school) to enable effective monitoring of the areas/subject.
- To monitor the progress of school activities towards the priority milestone or duty.
- To evaluate the extent of success at the end of the set timescale.

All visits to the school will be arranged with reference to the Headteacher and in accordance with the Circle Model Governor Visits policy.

Reports will be submitted for approval by the Headteacher and the Chair within the school within one week of the visit, and then be lodged with the Clerk of governors for distribution as soon as possible, at least seven days before the next Governing board meeting.

The following designated statutory governor roles need to be appointed by the Governing board.

- Safeguarding
- SEND
- Health & Safety
- Finance

And to focus on the development needs of the Governing board

- Training and development

Before undertaking any monitoring, governors will read the Monitoring policy, Governing Board code of conduct and the school staff code of conduct

Having designated/ delegated governors does not reduce the collective accountability of the board for all its functions. The board will need to ensure that its agenda and reporting mechanisms enables ALL board members to have strategic overview and responsibility to enable effective decision making

School Plan Priorities		
	Governor	School Lead
Leadership & Management HR, Staffing & Pay Review	Chair Vice-Chair	Juli Timoney Clare Eldridge
Finance	Alex Hadley Nikki Emden	Juli Timoney Clare Eldridge
Learning, SEN	Alex Hadley Alexa Kelly	Juli Timoney Ryaeden Fernell
Holistic Approach, Post 16 Pathways	Alex Hadley Alexa Kelly	Andy Bennett Frazer Elinor Sean Mohan
Development	Nicki Emden Caroline Hughes	Juli Timoney Ryaeden Fernell
Community	Sean Mohan Nicki Emden	Amanda Falluto Clare Eldridge
Business, Premises Health & Safety	Alex Hadley Chris Allen	Clare Eldridge
Safeguarding Governor (including Child Protection)	Niki Ireland	Amanda Falluto
SEND Governor	Alex Hadley	Juli Timoney
Health & Safety Governor	Chris Allen	Clare Eldridge
Training & Development Governor		

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Terms of Reference for the Monitoring of the School Budget

A pair of governors or an individual will be assigned to strategically monitor the financial management of the school on behalf of the Governing Board.

Three monitoring visits should be made each year, ensuring all financial questions and answers are captured within the subsequent report to enable collective decision making. The visits and reports should include monitoring of the following

- To maintain an up-to-date 'balanced' three-year budget plan, which shows clear links to the 'School Improvement' and 'Staffing' plans.
- To report monitoring and rollover to the full Governing Board, highlighting any significant variances.
- To evaluate any virement recommendations and report to the Governing Board.
- Analyse and report on Tenders for Contract Services in accordance with board delegated limits.
- To keep in-school financial procedures under review.
- To benchmark school financial performance against similar schools and report to the Governing Board.
- To evaluate proposed expenditure as set out within the delegated limits following recommendations from the headteacher and present to the Governing Board.
- To draft the **Schools Financial Value Standard**, following discussions with the bursar, using the support tools, for Governing Board approval before 31st March
- To ensure that the school is working within the guidance of the **SFVS** recommendations.
- To ensure that all spending provides 'Value for money' in terms of raising standards in education and is wisely spent.
- To monitor benchmarking both locally and nationally and report to the Governing Board.
- To monitor and evaluate the management of the Voluntary Fund and to receive the audited accounts.
- To monitor the spend of extra funding such as pupil premium, sports premium, year 7 literacy and numeracy catch up, ensuring its use has impact.
- Review finance policy; lettings policy; Whistle blowing policy; Governor allowance policy; making recommendations to the board
- Ensure annual Governor financial skills audit is undertaken and evaluated
- Review the business continuity plan making recommendations to the Governing Board
- Review compliance audit reports, ensuring the board follows recommendations and actions
- To make regular reports to the Governing Board and ensure that key financial decisions are recorded correctly in the minutes.

Any additional items which individual Governing bodies may wish to include

Names of Monitoring Pair or Individual

Alex Hadley, Nikki Emden

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Terms of Reference for Panel Hearings

- To make any decisions under the Governing Board's personnel procedures e.g. disciplinary, grievance, capability, where the Headteacher is the subject of the action.
- To make any decisions under the Governing Board's personnel procedures e.g. disciplinary, grievance, capability, unless delegated to the Headteacher.
- To make any determination or decision under the Governing Board's Complaints Procedure for Parents.
- To consider any appeals against a decision to dismiss a member of staff or to a decision short of dismissal e.g. disciplinary, grievance or capability.
- To make any determinations on behalf of the Governing Board in relation to staff redundancy and redundancy appeals.
- To consider any representations by parents in the case of an exclusion (parents/guardians do not have to be invited).
- To consider the appropriateness of any permanent exclusion or fixed term exclusion which totals 15 days or more in one term or where a pupil is denied the chance to take a public examination (parents/guardians must be invited).
- All panels are to be convened by the Clerk to the Governing Board.

NB Any governor who has participated on a panel for a staffing decision, cannot sit on the appeal panel

Membership [not less than 3]

Any three governors from a pool of governors [comprised of the whole Governing Board], who are:

1. Suitably qualified to undertake the role, and
2. Available on the date specified

The Headteacher is disqualified from serving in this role.

Any governor having a connection with either a pupil, a member of staff or the incident in question which could affect their ability to act impartially should not serve on the panel.

Recommendation for Joint Panel agreement as found on Kelsi

Joint Panel Agreement with the Governing board(s) of the Kent SEN Trust

Agreed by the Governing board on		01	2018
Review Date		07	2018

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Terms of Reference for the Headteacher Appraisal Group

- To meet annually before the 31st December with an independent advisor to discuss and determine the headteacher appraisal objectives for the coming year (the planning meeting).
- To review, with the support of the independent advisor, the performance of the headteacher against the agreed appraisal objectives and determine the recommendation on pay progression (the review meeting).
- To prepare and agree the Headteacher appraisal review statement, and report to the Governing Board.
- To monitor through the year, including a mid-year review meeting, the performance of the Headteacher against the agreed objectives and to ensure that appropriate support and development opportunities are provided.
- To make recommendations to the Governing Board in respect of pay progression.

Membership [2 governors]

Neither the Headteacher nor staff governors may serve on this group.

1. Alex Hadley

2. Alexa Kelly

3. Any governor from a pool of governors [comprised of the whole Governing Board], who are:

- Suitably qualified to undertake the role, and
- Available on the date specified

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Terms of Reference for the Pay Committee

The Governing Board will delegate all pay decisions with the exception of decisions relating to the pay of the Leadership team to the Headteacher. All decisions relating to the pay for members of the Leadership team, including the Headteacher will be taken by a Committee of the Governing Board.

Terms

- To ensure the achievement of all the pay policy objectives and principles in a fair, reasonable and equitable manner
- To undertake an annual pay review for all staff and reach decisions through the application of any relevant criteria measured by the School's performance appraisal process
- To consider fully all recommendations for pay progression and any other relevant information made available
- To ensure all members of staff are informed individually of the outcome of the annual pay review in writing within ten working days of the decision being made
- To observe all statutory and contractual obligations
- To recommend to the Governing Board changes to the policy and to consult with staff and recognised unions on those proposed changes
- To seek advice from the Local Authority where appropriate
- To maintain an accurate written record of all meetings and, having due regard to confidentiality, to report its decisions to the Governing Board
- To recommend to the Governing Board the annual budget for pay and to ensure that sources of external funding for pay are accessed to maximum effect.
- All decisions made by the Pay Committee will take due account of the appraisal statement and all relevant information available from an appraisal or other review of an employee's skills, abilities, performance and any other factors deemed to be relevant. This will include any recommendation made by an employee's appraiser.
- All decisions regarding pay progression for teachers, including the Leadership Group should be made without undue delay. These should be completed prior to or on 31st October for teaching staff.

Membership [2 governors]

Membership of the Pay Committee will not be open to anyone who could benefit financially, directly or indirectly from such membership or any of the decisions of the committee

Neither the Headteacher nor staff governors may serve on this group. Schools/academies will need to consider carefully the membership of the committee and appeals committee to ensure the right composition. In particular they should avoid both the Chair and Vice Chair of Governors being members of the Pay Committee as this will inhibit one of these key, senior roles being available for any pay appeals that may arise.

1. Chair of Governors

2. Vice-Chair of Governors

Standing Order for Meetings of the Governing Board

Governors are expected to:

- Arrive in good time for the start of any meeting, having read all the paperwork sent to them in connection with the agenda, and prepared with questions to ask or comments to make.
- Bring a copy of the School Plan and be familiar with its milestones and priorities.
- Limit discussion to policies and actions and not people, ensuring challenge, support and celebration is captured within the minutes.
- Participate in discussion and listen to the views and comments of others.
- Work collectively as a team acting with integrity, objectivity and honesty and in the best interests of the school.
- Be brief and adhere to any time limits placed against agenda items.
- Follow up on action points between meetings.

The following persons have the right to attend all meetings of the Governing Board

- Headteacher
- Clerk
- any governor
- associate members (unless the Governing Board requires them to leave for items relating to individual members of staff or pupils).

The following persons will be invited to attend regular meetings of the Governing Board, Deputy Headteacher, members of the senior leadership team, subject leaders, bursar, etc

Full Governing Board meetings will be held at the school **6 times each year**, in terms [1, 2, 3, 4, 5 and 6]. The clerk will prepare a suggested calendar of meeting dates for the following year for approval at the meeting held in term 6 of each year, following evaluation of impact of the structure.

The Clerk to the Governing Board will prepare a draft agenda, which will be finalised and approved by the chair. Governors wishing to place items on the agenda should give notice to the clerk and provide a copy of any supporting papers.

Items of 'Any Other Business' will be taken at the beginning of the meeting and either added to the agenda, delegated to a pair, or placed on the agenda of the next meeting.

Voting, where necessary, will normally be taken by a show of hands; however, the Chair may determine a secret ballot where this has been requested by two or more governors. Where there is an equal division of votes the Chair will have a second or casting vote

All meetings will be convened by the Clerk. Any 3 members of the Governing Board may request a meeting by giving written notice to the Clerk, which includes a summary of the business to be transacted. The Clerk will then prepare an agenda to call a meeting.

Each meeting will commence at **3.30pm** and will be limited to **2 hours** in duration. Where business has not been completed within the agreed time, those governors present may resolve to continue the meeting in order to complete the agenda. Any business not completed will form part of the agenda for the next meeting.

Draft minutes will be approved for email circulation by the Chair within 2 weeks of the meeting, before being formally approved by the Governing Board at the next meeting.

ELMS SCHOOL

Standing Order for the Election of Chair and Vice Chair

Guiding Principles

- The Governing Board **MUST** elect a chair and a vice chair.
- When the office of Chair or Vice Chair becomes vacant, the Governing Board must elect a new Chair or Vice Chair at their next meeting.
- There are no regulations covering the process of election with the exception of the need for the candidate(s) to withdraw from the meeting when a vote is taken.
- Governors who are paid to work at the school, for instance the Headteacher and the staff governors cannot be elected as Chair or Vice Chair.
- The process must be fair, open and transparent.

The role of the Chair of the Governing Board

- To ensure the business of the Governing Board is conducted properly in accordance with legal delegation requirements.
- To ensure that meetings are run effectively, act as a role model, focusing on the priorities and making best use of the time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making
- To establish and foster an effective relationship with the Headteacher based on trust and mutual respect for each other's roles.
- To establish and foster a good relationship with the Clerk based on professional respect for each role.

ELMS SCHOOL - Election Process

- The Governing Board resolves that the following process will apply to the election of Chair (and vice chair) of the Governing Board.
- The Chair and Vice Chair will serve for a period of 2 years. The Chair and Vice Chair can be re-elected. There will be no limit as to the times a governor can stand as Chair or Vice Chair.
- Governors may stand for office even if they are not able to attend the meeting
- The Clerk will take the Chair to conduct the election of the Chair and the newly elected Chair will conduct the election for the Vice Chair using the same procedure.
- The Clerk will invite Governors to self-nominate with a preferred closing date no later than 2 weeks before the date of the meeting at which the election is to be held.
- The Clerk will include the names of all candidates for election on the agenda for the meeting at which the election is to be held.
- In the event of a vote taking place the candidates will be asked to leave the room, having outlined the skills they have for the role, whilst the election takes place and the outcome discussed.
- Governors will discuss the skillset of nominees for the role prior to taking a vote.
- Candidates will be allowed to vote (including for themselves) before leaving the room.
- In the event of a tie, each candidate will be given the opportunity to address the Governing Board before a further vote is taken. (If a candidate cannot attend the meeting, a supporting statement may be requested in advance of the meeting.)
- If no advance nominations have been received for the office of Chair, the Clerk may seek nominations at the meeting.

If no Chair is duly elected, a Governor **MUST** be appointed to Chair the remainder of the meeting. The Board **MUST** then elect a Chair at its next meeting. If no Chair is duly elected at its next meeting, concerns will be raised on the capacity of Leadership and Governance.

Following the election of the Chair, the new Chair will conduct the election of a Vice Chair using the same procedure.

ELMS SCHOOL

Standing Order for the Appointment of Co-opted Governors

Guiding Principles

The Governing Board will consider this process annually as part of the review of the terms of reference.

□ The process will be fair, open and transparent.

1. The Co-opted governors are appointed by the Governing Board. They are people who in the opinion of the Governing Board have the skills required to contribute to the effective governance and success of the school.
2. The Governing Board may choose to advertise the vacancy broadly to reach as wide an area as possible. Priority may be given to candidates with particular skills if this expertise would enable the Governing Board to work more effectively. In these cases, this would be clearly stated when notifying the vacancy.
3. Where two or more names are put forward, prospective Co-opted governors will be asked to prepare a brief statement of no more than 100 words, explaining their background and why they wish to be appointed. Where possible these statements will be circulated to all members of the Governing Board prior to the meeting at which any appointment will be considered.
4. At the next meeting of the Governing Board, governors will be invited to vote by show of hands if there is a sole candidate. Where there are multiple nominations, governors will take a vote by secret ballot, managed by the Clerk.
5. In the event of a tie, the governors will again discuss the nominations and take a further vote.
6. The Clerk will announce the result, with the candidate polling the most votes being duly appointed.

ELMS SCHOOL

Standing Order for the appointment of an Associate Member

Guiding Principles

Governing boards can benefit from being able to draw on particular skills or experience from outside their formal governor membership. The definition of associate member is wide and can include pupils, school staff and persons who want to contribute specifically on issues related to their particular area of expertise, for instance finance.

Associate members are

- Appointed for a period of four years and can be reappointed at the end of their term of office. They can be removed from office by the Governing board at any time. They are not governors and are not recorded on the Instrument of Government
- Associate members cannot be given voting rights at Governing Board meetings.
- Associate members may be excluded from any part of a meeting when the item of business concerns an individual pupil or member of staff or other confidential items.
- Associate Members are recommended for appointment following an interview with the Chair of Governors and Headteacher to determine their skill set in meeting the needs of the Board.
- Associate Members will be provided with the papers necessary for fulfilling their designated duties

The Governing Board resolves that the following will apply to the appointment of associate members of the Governing Board

To have regard to the Terms of Reference, Governing Board Code of Conduct and other Standing Orders of the Governing Board

To undertake appropriate governor training

To agree to complete the legal governor declaration and declaration of business interest forms and for relevant information to be published on the school website in accordance with legislation.

ELMS SCHOOL

Code of Conduct for School Governing Boards

This code sets out the expectations on and commitment required from school governors, trustees and academy committee members in order for the governing board to properly carry out its work within the school/s and the community. It can be amended to include specific reference to the ethos of the particular school. Unless otherwise stated, 'school' includes academies, and it applies to all levels of school governance.

This code can also be tailored to reflect your specific governing board and school structure, whether that is as a maintained school or academy, either as a single school or group of schools. Where multiple options are given, i.e. lead executive/headteacher and governor/trustee/academy committee member, please amend to leave the option relevant to your governing board.

The governing board has the following core strategic functions:

Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school(s)/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the lead executive/headteacher
- Monitoring progress towards targets
- Performance managing the lead executive/headteacher
- Engaging with stakeholders
- Contributing to school self-evaluation

Ensuring financial probity, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring value for money is obtained, with the money well spent
- Ensuring risks to the organisation are managed

As individuals on the board we agree to the following:

Role & Responsibilities

- We understand the purpose of the board, the skillset required to perform our core functions and the role of the lead executive/headteacher.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- Upon communicating formally within our governing role we will ensure any comments reflect the school/organisation policy even if they differ from our personal views
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing board.

- We will actively support and challenge the lead executive/headteacher.
- We will accept and respect the differences between the strategic board role and the staff day to day operational and management role, avoiding actions that may undermine these arrangements.
- We agree to adhere to the schools' rules and the policies and procedures we approve as a board as set out by the relevant governing documents and law
- We will agree to abide by the school/ organisation e- safety protocols for social media and when communicating in a private capacity will strive to uphold the reputation of the school /organisation.

Commitment

- We acknowledge that accepting office as a governor/trustee/academy committee member involves the commitment of significant amounts of time and energy and in addition we accept that we must comply with the GB request for an enhanced criminal records certificate within 21 days of gaining office.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/s well and respond to opportunities to involve ourselves in school activities.
- We will visit the school/s, with all visits arranged in advance with the lead executive/headteacher and undertaken within the monitoring visit framework, including policy and schedule, established by the governing board.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open government, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website.
- In the interests of transparency, we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (GIAS) with updates to any changes made as soon as possible. (For Academies, we accept that information relating to governors/trustees/academy committee members and any changes will be collected and logged on the DfE's national database of governors within 14 days of the change.)

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/trustees/academy committee members and the clerk to the governing board.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the lead executive/headteacher, staff and parents, the trust, the local authority and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.

- We will ensure all confidential documentation is securely stored and disposed of appropriately.
- Conflicts of interest
- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the school/trust's website.
 - We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
 - We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.
 - **Breach of this code of conduct**
 - If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal, ensuring statutory guidance, procedures and regulations are followed, as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
 - We understand we are expected only to exercise the power to remove an elected governor, with a five-year disqualification term, in exceptional circumstances where the actions or behaviour of the elected governor warrants removal rather than suspension.
 - Should it be the chair that we believe has breached this code, another governing board member, such as the vice chair, will investigate.

The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Adopted by the governing board of: **ELMS School**

On: 11 July 2018

