



## Wrockwardine Wood Church of England Junior School

### Terms of Reference 2024-2025

#### School Governing Bodies: Delegation and Committees

This document has been prepared with reference to:

- The Governors' Handbook January 2015.
- The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.
- The National Governors' Association Guidance on committee terms of reference.

There is no longer any statutory requirement for governing bodies in maintained schools to establish any permanent committees, and the DFE considers that governing bodies themselves are generally best placed to decide how they can best work effectively in the light of their own local circumstances.

While academy trusts have similar flexibility in deciding their structures for governance, they **must** establish either a dedicated audit committee, or a committee whose remit includes the functions of an audit committee, to scrutinise the trust's finances in line with guidance in the Academies Financial Handbook 2014.

Many schools are moving towards a governing body with no, or fewer, committees, where monitoring and evaluation activities are delegated to pairs or individuals. Larger pieces of work or specific projects are delegated by the full governing body to 'time limited working parties'. Where this happens, governing bodies should make sure that the remit for, and membership of, the working party is briefly but accurately minuted, including clear timeframes within which the work should take place.

However the Board decides to delegate its functions, the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 make it clear that the Board always acts as a body corporate and remains accountable at Board level in law and to OFSTED for the performance of all its duties and functions, and that it is crucial that the Board as a whole retains oversight of the core functions. For this reason, committees, working parties and individuals **must** report back to the full Board about any activities they have carried out on its behalf.

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. For instance, the Governing Body can decide to move ('vire') money from one budget heading to another in light of changing circumstances, even if the function of approving and monitoring the budget has been delegated to a committee.

Some duties **must not** be delegated.

Functions that **can** be delegated to a **committee**, but **cannot** be delegated to an **individual**, include those that relate to:

- 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 pupils (except in an emergency when the Chair has the power to exercise these functions).
- Admissions - See the Admissions Code for requirements.

The Governing Body **cannot** delegate any functions relating to the:

- Constitution of the Governing Body (unless otherwise provided by the Constitution Regulations).
- Appointment or removal of the Chair and Vice-Chair.
- Suspension of governors.
- Delegation of functions.
- Establishment of committees.

The following examples of terms of reference are designed as guidance for schools to adapt to suit their chosen models and structures for governance.

### **Example 1: Whole Governing Body Approach**

#### **Outline**

The Governing Body works as a 'whole team', meeting 6 times per year, twice in each term, without any separate committees. An agenda for each meeting will include all the tasks which the Governing Body is required to consider, and the Governing Body will 'commission' assignments or activities arising from the business of the meeting, which will be recorded in the minutes. In addition to 'commissioning' activities or actions on their behalf, the Governing Body may wish to delegate monitoring activities to 'monitoring pairs' or 'individuals'. This could apply to statutory functions, and/or 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 decision to the Governing Body at the next meeting.

*(Please note: items in bold below cannot be delegated)*

#### **Operational**

To:

- **Draw up the Instrument of Government and any amendments thereafter.**
- **Appoint (or remove) the Chair and Vice Chair.**
- **Appoint (or dismiss) the Clerk to the Governing Body.**
- **Appoint and remove community, sponsor governors and any associate members.**
- Recruit new governors as vacancies arise.

- Set up a register of Governors' Business Interests.
- Approve and set up a Governors' Allowances Scheme.
- **Decide which functions of the Governing Body will be delegated.**
- **Receive reports from any pair or individual to whom a delegation has been made and to consider whether any further action by the Governing Body is necessary.**
- **Review the delegation arrangements annually.**
- Assign individuals or pairs of governors to monitor the priorities of the School Improvement Plan.
- Arrange a suitable induction process and mentoring for newly appointed or elected governors.
- Audit individual and collective development needs and promote appropriate training.
- Ensure the Headteacher provides such reports as requested by the Governing Body to enable it to undertake its role.
- Receive reports on racial incidents.
- Ensure the school has in place all statutory policies and to keep these under regular review, consulting with representative stakeholders as appropriate; to approve policies on review.
- Ensure that the school does not discriminate against students, job applicants or staff on the basis of race, religion, gender, age disability or sexual orientation. *VA schools are entitled to identify the post of some staff as open to practising members of their denomination only.*
- Review regularly how the school is regarded by students and parents.
- Discharge duties in respect of students with special needs by appointing a 'responsible person' in community, voluntary controlled, voluntary aided and foundation schools.
- Ensure the school has a Complaints Procedure for Parents and that parents know how to raise concerns and make a complaint.
- Ensure that the Governing Body complies with all other legal duties placed upon them.
- Ensure the school website complies with statutory requirements.
- **Set an admissions number/ policy.**

## **Budget**

To:

- **Approve the first formal budget plan each year and agree a 3 year budget.**
- Analyse and recommend the annual budget.
- Annually review and approve the Finance Policy and recommend levels of delegation.
- Annually review and approve the Charging and Remissions Policy.
- Make decisions in respect of service agreements and insurance.
- **Approve annually the Best Value Statement.**

## **Health and Safety/ Safeguarding**

- **Adopt and approve Health and Safety and Safeguarding Policies in line with statutory requirements.**

- Carry out regular monitoring to ensure that the Single Central Record (SCR) is up to date and complies with current statutory requirements.

## Staffing

To:

- **Make Headteacher and Deputy Headteacher appointments.**
- Determine the staff complement.
- **Agree a Pay Policy and pay discretions.**
- **Establish a Staff Discipline Procedure.**
- **Arrange the Headteacher's performance management review and appoint an external adviser.**
- Establish and review a Pay and Performance Management Policy for all staff.

## School Improvement/ Performance

To:

- Regularly review the vision and values of the school and ensure that these are shared with all stakeholders.
- Take an active role in School Self Evaluation, monitoring success in all areas and identifying areas requiring improvement.
- Update and review regularly the School Improvement Plan, ensuring that key priorities for improvement are identified.
- Review, monitor and evaluate the curriculum offer.
- Approve the school's Self-Evaluation Form (SEF), the School/Academy Improvement Plan and targets for school/academy improvement.
- Monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups e.g. disadvantaged pupils and Children in Care.
- Set priorities for improvement and monitor and evaluate the impact of improvement plans.
- Develop and review policies identified within the school's policy review programme and in accordance with its delegated powers (e.g. sex education and pupil behaviour/discipline).
- Monitor and evaluate the effectiveness of leadership and management.
- Monitor and evaluate the impact of quality of teaching on rates of pupil progress and standards of achievement.
- Monitor and evaluate the impact of continuing professional development on improving staff performance.
- Ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive termly reports from the Headteacher / SENCO and an annual report from the SEN Governor.
- Regularly review and develop the Assessment Policy and ensure that the policy is operating effectively.
- Consider recommendations from external reviews of the school (e.g. Ofsted or local school improvement advisers); agree actions as a result of reviews and evaluate regularly the implementation of the plan.

***(Please note: items in bold above cannot be delegated)***

Where governing bodies choose to retain committees, we recommend that governors follow the advice of the National Governors' Association (NGA) regarding terms of reference as follows:

## **Example 2: Delegation to Committees**

### **Committee Terms of Reference - General Guidance**

#### **Membership**

- The Governing Body must determine the membership, proceedings and terms of reference of any committee, and must review these annually.
- The membership of a committee may include associate members, provided that a majority of members of the Committee are governors.
- Each committee must have a chair and a clerk – the Governing Body will decide whether to appoint the Chair or whether the Committee should do this.
- The Headteacher / Principal cannot be the clerk to a committee, but a governor can. The NGA strongly recommends that it is better practice to have an independent professional clerk.
- Even when not a member, the Headteacher is entitled to attend all committee meetings.

#### **Quorum**

- Committees are free to determine their own quorum, but as a minimum this must be not less than three governor members of the Committee.

#### **Meetings**

- Governing bodies are free to determine how often their committees meet – this may be left to the discretion of the individual committees and may depend on the circumstances of the school at any given time. Committee meetings will not be open to the public, but minutes shall be made available. Information relating to a named person, or any other matter that the Committee considers confidential, does not have to be made available for inspection.
- In the absence of the Chair, the Committee shall choose an acting chair for that meeting from among their number.
- In the absence of the Clerk, the Committee shall choose a clerk for that meeting from among their number (someone who is not the Headteacher / Principal).
- The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full Governing Body and will be presented at that meeting by the Chair (or in his/her absence another member of the Committee).
- Any decisions taken must be determined by a majority of votes of committee members present and voting – but no vote can be taken unless a majority of those present are governors.

## **General Terms**

To:

- Act on matters delegated by the full Governing Body.
- Liaise and consult with other committees where necessary.
- Contribute to the School / Academy Improvement Plan.
- Consider safeguarding and equalities implications when undertaking all committee functions.

## **Terms of Reference for the Resources Committee**

### **Financial Policy and Planning**

To:

- Review, adopt and monitor a Finance Policy - which includes the local scheme of delegation for spending and budgetary adjustments (virements) for the Committee, the Headteacher and other nominated staff.
- Review, adopt and monitor all additional financial policies, including a Charging and Remissions Policy.
- Establish and maintain a three year financial plan, taking into account priorities of the School/Academy Improvement Plan, roll projection and signals from central government and, if applicable, the LA, regarding future years' budgets, within the constraints of available information.
- Draft and propose to the Governing Body for adoption an annual school budget, taking into account the priorities of the School / Academy Improvement Plan.
- Make decisions in respect of service level agreements.
- Ensure that sufficient funds are set aside for pay increments as set out in the Pay Policy and as recommended by the headteacher.

### **Financial monitoring**

To:

- Monitor the income and expenditure throughout the year of all delegated and devolved funds against the annual budget plan.
- Receive at least termly budget monitoring reports from the Headteacher.
- Report back to each meeting of the full Governing Body and to alert them to potential problems or significant anomalies at an early date.
- Meet with other committees and provide them with the information they need to perform their duties.
- (Subject to the local scheme of delegation) Approve any budgetary adjustments that will from time to time be necessary in response to the evolving requirements of the school.

(For Local authority maintained schools)

- Review, complete and submit the School Financial Value Standard (SFVS) and to:
  - Undertake any remedial action identified as part of the SFVS.
  - Receive and act upon any issues identified by a local authority audit.

(For Academies)

- Prepare the Trustees' Report to form part of the Statutory Accounts of the Governing Body and for filing in accordance with Companies Act requirements.
- Receive auditors' reports and to recommend the Governing Body act as appropriate in response to audit findings.
- Recommend to the full Governing Body the appointment or reappointment of the auditors of the Academy.

## **Premises**

To:

- Provide support and guidance for the Governing Body and the Headteacher on all matters relating to the maintenance and development of the premises and grounds, including Health and Safety.
- Ensure that an annual inspection of the premises and grounds takes place and a report is received identifying any issues.
- Inform the Governing Body of the report and set out a proposed order of priorities for maintenance and development, for the approval of the Governing Body.
- Arrange professional surveys and emergency work as necessary.
  - *The Headteacher is authorised to commit expenditure without the prior approval of the Committee in any emergency where delay would result in further damage or present a risk to the health and safety of pupils or staff. In this event the Headteacher would normally be expected to consult the Committee Chair at the earliest opportunity.*
- Create a project committee where necessary to oversee any major developments.
- Establish and keep under review an Accessibility Plan and a Building Development Plan.
- Review, adopt and monitor a Health and Safety Policy.
- Ensure that the Governing Body's responsibilities regarding litter, refuse and dog excrement are discharged according to Section 89 of the Environmental Protection Act 1990, so far as is practicable.

## **Staffing**

To:

- Ensure that the school is staffed sufficiently for the fulfilment of the school's development plan and the effective operation of the school.
- Establish and oversee the operation of the school's Appraisal Policy - including the arrangements and operation of the school's appraisal procedures for the Headteacher.
- Establish a Pay Policy for all categories of staff.
- Be responsible for the administration and review of the Pay Policy.
- Ensure that staffing procedures (including recruitment procedures) follow current equalities legislation.
- Annually review procedures for dealing with staff discipline and grievances and make recommendations to the Governing Body for approval.
- Monitor approved procedures for staff discipline and grievance and ensure that staff are kept informed of these.

- Recommend to the Governing Body staff selection procedures, ensuring that they conform with safer recruitment practice, and to review these procedures as necessary.
- In consultation with staff, to oversee any process leading to staff reductions.
- Establish the annual and longer-term salary budgets and other costs relating to personnel, e.g. training.

### **Terms of Reference for the Curriculum / Standards Committee**

To:

- Review, monitor and evaluate the curriculum offer.
- Recommend for approval to the full Governing Body the Self-Evaluation Form (SEF), the School / Academy Improvement Plan, targets for school/academy improvement to the Governing Body.
- Monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups.
- Set priorities for improvement, and monitor and evaluate the impact of improvement plans which relate to the Committee's area of operation.
- Develop and review policies identified within the school's policy review programme and in accordance with its delegated powers (e.g. sex education and pupil behaviour/discipline).
- Monitor and evaluate the effectiveness of leadership and management.
- Monitor and evaluate the impact of quality of teaching on rates of pupil progress and standards of achievement.
- Monitor and evaluate the impact of continuing professional development on improving staff performance.
- Monitor and evaluate provision for all groups of vulnerable children (e.g. looked after children) and ensure all their needs have been identified and addressed, and to evaluate their progress and achievement.
- Ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive termly reports from the Headteacher / SENCO and an annual report from the SEN Governor.
- Regularly review and develop the Assessment Policy and to ensure that the policy is operating effectively.
- Consider recommendations from external reviews of the school (e.g. Ofsted or local school improvement advisers), agree actions as a result of reviews and evaluate regularly the implementation of the plan.
- Ensure that all children have equal opportunities.
- Advise the Resources Committee on the relative funding priorities necessary to deliver the curriculum.
- Monitor the school's publicity, public presentation and relationships with the wider community.
- Identify and celebrate pupil achievements
- Oversee arrangements for educational visits, including the appointment of a named coordinator.



## **Committees for Certain Functions**

### **a) Staff discipline committees/panels and complaints**

The DfE guidance outlines that governing bodies are required to have a process in place for dealing with staff discipline matters and staff discipline appeals and complaints. However, it is for governing bodies to determine the processes they will follow and they are not required by law to set up committees for these matters.

# COMMITTEE FRAMEWORK DOCUMENT

SCHOOL

COMMITTEE

## 1. Terms of Reference

The Committee's responsibilities in relation to *(subject\*)* are set out in schedule 1.

The Committee's responsibilities in relation to *(subject\*)* are set out in schedule 2.

*(and so on, as needed)*

## 2. Membership

The membership of the Committee will be:

*\*Ex officio – Title (e.g. Chair and/or Vice Chair of the Governing Body, and / or Headteacher)*

*\*(number) governors*

(Insert the following if the Committee has been given several schedules / responsibilities, but for one or more of these schedules a fewer number of governors is required)

*Where matters under Schedule No(s) X are considered the membership will consist of the following named governors / any three members of the Committee, who are not otherwise ineligible.*

(Insert the following where the Committee membership does not include the Headteacher (or other governor/s) but some responsibilities do require the Headteacher (or other governor/s) to be present:

*When the Committee deals with its (-----) responsibilities the membership of the Committee will be extended to include the Headteacher as an additional ex officio member/other named governors.*

## 3. Appointment

Except for any ex officio members, members will be appointed annually at the *(autumn\*)* term meeting of the Governing Body.

Should a vacancy arise, a successor will be appointed by the Governing Body at its next meeting and members so appointed will serve until the next annual review.

Unless the Governing Body has decided otherwise, the Committee will elect its own chair (and vice-chair if appropriate) annually.

The Governing Body will appoint the Clerk to the Committee who cannot be the Headteacher.

#### **4. Reserves**

*Named reserves (number)*

*or the following statement can be inserted*

*The Committee, when necessary, can call upon any governor, who is not otherwise ineligible, to fill any gaps in the normal membership.*

#### **5. Quorum**

The quorum for any meeting of the Committee shall be *three*.

#### **6. Meetings**

The Committee will meet as and when necessary to fulfil its responsibilities.

Meetings of the Committee will be convened by the Clerk to the Committee and seven days notice will be given with an explanation of the purpose of the meeting. The Chair of the Committee may agree shorter notice as necessary on occasions.

#### **7. Proceedings**

The Committee shall be conducted in accordance with the School Governance (Procedures) (England) Regulations 2003 and with any other regulations, amendments or directions as may be issued from time to time.

Minutes shall be kept of each meeting which shall be presented to the next meeting of the Committee for approval and signature by the Chair of the Committee. These minutes shall be kept in the Committee's minute book. A copy of the minutes will be submitted to the next meeting of the Governing Body.

#### **8. Review**

The Committee will meet in the *(summer\*)* term each year to review its: establishment, constitution, membership and terms of reference. It will report its recommendations to the *(autumn\*)* term meeting of the Governing Body to assist