

# SUTTON COLDFIELD GRAMMAR SCHOOL FOR GIRLS

## GOVERNING BODY PROCEDURES AND TERMS OF REFERENCE 2017-18

DATE OF APPROVAL: DECEMBER 2017

NEXT APPROVAL DATE: DECEMBER 2018

The Governing Body has a strong focus on three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the Headteacher to account for the educational performance of the school and its pupils; and
- Overseeing the financial performance of the school and making sure its money is well spent. (*The Governors' Handbook*)

### Procedures common to all committees

- 1) Sub-committees meet at least three times a year.
- 2) The quorum will be three governors who are voting members of the Committee, excluding the Headteacher.
- 3) Any additional meetings will be called as necessary. At least seven days' notice must be given when calling a Committee meeting.
- 4) The Headteacher is responsible for drawing up the agenda in consultation with the Chair of the Committee. The agenda will be sent to committee members at least seven days before the meeting.
- 5) The Clerk takes the minutes on behalf of the Committee. In the absence of the Clerk, the Committee can appoint a member (but not the Headteacher) to act as Clerk to the meeting. Draft minutes of the previous meeting will be distributed at least 7 days prior to the next meeting together with any supporting papers.
- 6) A proper record (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. In the case of the Pay Committee, First Committee, Complaints Committee and Appeals Committee, this meeting should be held on the day of the next meeting of the Governing Body. These minutes shall be kept in the committee's Minute Book.
- 7) The Committee will elect a Chair annually, usually at the first meeting of the academic year.
- 8) In the absence of the appointed Chair, the Committee can appoint another member of the Committee to act as Chair for the meeting.
- 9) The Chair of each sub-committee will report to the full Governing Body on main decisions taken and any recommendations on which the Governing Body needs to vote.
- 10) Where there is a conflict of interest between the interests of any governor and the interests of the Governing Body, that governor must declare the interest and withdraw from the meeting. If there is any dispute as to whether a governor must withdraw from a meeting under the regulations on Governing Body procedures, the other governors present at the meeting will decide on the matter.
- 11) Committees will work with external advisors in order to ensure best practice. This includes accountants, HR advisors and external consultants eg in the review of the Headteacher's performance.
- 12) All Terms of Reference and membership of committees will be reviewed by the Governing Body in the Autumn term.

### Terms of reference common to all committees

Each sub-committee (as appropriate) will:

- 1) Contribute to the School Development Plan.
- 2) Manage effectively the budget allocated to that committee in order to ensure best value.
- 3) Approve relevant policies and procedures.
- 4) Report regularly and submit resolutions for approval to the Governing Body.
- 5) Maintain up-to-date market intelligence as it relates to the school.
- 6) Scrutinise the school's Critical Incident Plan / School Business Continuity Plan as relevant to the sub-committee.
- 7) Represent the school at external events as required.
- 8) Undertake training to keep up to date with national and local trends and policies.
- 9) Undertake other relevant responsibilities as required.

### **Curriculum Committee**

1. Ensure compliance with the statutory requirements of the curriculum from Years 7 -13.
2. Determine, implement and monitor all policies relating to the Governing Body's responsibility for the school's curriculum. This includes assessment, careers, educational visits, homework, literacy and numeracy.
3. Co-ordinate and monitor curriculum development in order to ensure an appropriate curriculum to meet the needs of all students. This includes an annual review of the curriculum for all year groups.
4. Monitor extra-curricular provision. This includes approving residential visits and evaluating other enrichment opportunities offered.
5. Evaluate the school's examination results in relation to targets set.
6. Agree targets for students achievements based on prior data and monitor performance against those targets as appropriate.

### **Finance and Premises Committee**

#### **Financial policy and planning**

- 1.1 Ensure that the school achieves transparency, with particular reference to the governance arrangements and financial management roles and responsibilities.
- 1.2 The Committee delegates responsibility for the preparation of the draft Annual Budget to the Headteacher and the Business Manager. It will establish formal procedures and timetables for planning the budget and will require the Headteacher and / or Business Manager to produce estimates of expenditure and income sufficiently in advance of each financial year, even if the details of the school's funding have not been finalised, so it can determine priorities in accordance with the School Development Plan.
- 1.3 Work within the indicative budget for the forthcoming year and indicate clearly any use that it is proposing to make of contingency reserves and any surplus balances carried forward from previous financial years so that where appropriate, the Governing Body is fully informed of the final proposal.
- 1.4 Monitor income and expenditure throughout the financial year and provide an overview of the financial position of the school to the Governing Body on at least a termly basis.
- 1.5 Assess at least once a year, financial progress towards achieving the objectives in the School Development Plan and, consistent with this aim, review projected expenditure for future years in accordance with the School Development Plan, working wherever possible on a three year rolling programme. This, in turn, informs three year strategic planning with regard to premises.
- 1.6 On an annual basis, adopt and agree to adhere to the Department for Education's Financial Management Governance procedures or equivalent. Delegate, as appropriate, the task of undertaking periodic audits of the school's financial procedures and recommend appropriate corrective action.
- 1.7 Obtain assurance that the school's insurance cover provides adequate protection against risks.
- 1.8 Recommend to the full Governing Body the appointment or reappointment of the school's auditors

## **Premises**

- 2.1 Assist with and recommend approval of the long-term strategy of building maintenance and development. A project committee will be created, where necessary, to oversee any major developments.
- 2.2 Assist with and recommend approval of capital planning including IT so that the needs of students can be met.
- 2.3 Oversee the management of buildings and grounds including:
  - a) New works
  - b) Determining, implementing and monitoring all policies relating to material resources c) Maintenance
  - d) Monitoring of in-house services
  - e) Management of equipment
  - f) Monitoring security arrangements
  - g) Review and management of out-sourced contracts relevant to this Committee
- 2.4 Approve the school's Health and Safety Policy and monitor health and safety issues.
- 2.5 Recommend income streams to the Governing Body to inform final decisions on major capital expenditure.
- 2.6 Ensure that legislation relative to the work of the committee is recognised and adopted where appropriate.
- 2.7 Propose to the Governing Body approval of expenditure to be used with regard to this committee's work in line with best value.

## **Financial monitoring**

- 3.1 Receipt of SIMs generated budget reports from the Headteacher or Business Manager, for consideration, prior to them being reported to the Governing Body.
- 3.2 Review and retrospectively approve virements and budget revisions made by the Headteacher or Business Manager to a maximum value of £15,000.
- 3.3 Approve requests for virements and budget revisions between £15,001 and £25,000 per item. In the event of an emergency request, the Chair of this Committee or the Chair of Governors, together with the Headteacher, will have authority to approve such requests and then report back at the next Committee meeting.
- 3.4 With the approval of this Committee, the Headteacher and/or Business Manager may recommend virements and budget revisions above a value of £25,000 to the Governing Body for approval. In the event of there being an emergency request, the Chair of the Governing Body and Chair of this Committee, together with the Headteacher, have the authority to approve such requests and report back to the next Committee meeting.
- 3.5 The Committee delegates to the Headteacher responsibility for administration of the budget and its day-to-day control and monitoring and a virements report will be produced retrospectively for review by the Committee.
- 3.6 On an annual basis, prepare and submit for discussion to the Governing Body, a Statement of Internal Control for identifying any key areas of weakness within the financial control systems of the school and propose actions that need to be taken to address issues around financial control and probity.
- 3.7 Review the financial implications on the budget of the School Teachers' Pay and Conditions document at the time of setting the budget, if the information is available and if not, as soon as practicable thereafter.

- 3.8 Receive the annual accounts and certificate of audit of the school fund and any other voluntary funds held.
- 3.9 Review all cumulative expenditure within the school's financial year with suppliers in excess of £10,000 and report once a year to the Governing Body.
- 3.10 Review retrospectively orders placed to a value between £15,001 and £25,000 per order. Approve orders between £25,001 and £50,000 if within budget provision and subject to the receipt of three quotations, in accordance with Financial Management Governance and Standing Orders procedures. Orders in excess of £50,000, or those over £25,000 not within budget provision, require the approval of the Governing Body, retrospectively, if necessary.  
In the event of there being an emergency request for an order in excess of £25,000 not within budget provision or in excess of £50,000, the Chair of Finance and Premises Committee or the Chair of the Governing Body, together with the Headteacher, will have the authority to approve such requests and then report back at the next Governing Body meeting and request full retrospective approval.
- 3.11 Ensure that where expenditure is likely to exceed £25,000, the tendering procedure will be implemented in accordance with Financial Management Governance and Standing Orders procedures.
- 3.12 Monitor compliance with the School's Financial Procedures, particularly with reference to the segregation of duties between purchases and payments, via the work carried out by the school's external audit team.
- 3.13 Review and approve the standard amount of petty cash to be held by the school.
- 3.14 On an annual basis, review all current school contracts in excess of £10,000.
- 3.15 The retrospective approval of the Committee is required for the writing off or disposal of any surplus stock or assets with values less than £1000.00, as these are classed as inventory items as opposed to assets. Any disposal of assets above this value, will require approval from the Committee before any such action is undertaken.

#### **Personnel Committee**

1. Ensure compliance with current statutory guidance and legislation on child protection and safeguarding.
2. Ensure that inclusion policies (which incorporate accessibility and diversity) enable access to the curriculum for all students.
3. Establish and regularly review personnel policies and procedures and ensure familiarisation with Department for Education guidance.
4. On an annual basis approve a Pay Policy for the school.
5. Delegate the implementation of the Pay Policy to the Pay Committee. This implementation will be in a fair and equitable manner in accordance with staff contracts of employment and employment law.
6. Set and monitor a training strategy each year to ensure that adequate staff training and governor training is taking place. This includes an annual report on Continuous Professional Development and Appraisal.

7. Oversee the welfare of students. This includes the school's response to student surveys and provision for PHSE and support strategies.
8. Oversee the welfare of staff. This includes relevant policies, follow up to staff surveys and opportunities for career progression.
9. Promote development of community affairs.
10. Review on an annual basis the terms of reference for the Pay Committee, First Committee, Complaints Committee and Appeals Committee, and for ratification by the Governing Body. Where these committees are called to deal with disciplinary issues relating to students and staff, the Chair of the Personnel Committee will be kept informed.
11. Each spring term, approve for adoption a strategic staffing plan and recommend to the Finance and Premises Committee the annual budget for pay and possible staff salary adjustments in line with appraisal.
12. Delegate to the Headteacher all matters relating to the day to day selection, management and supervision of the staff employed at the school. The Governing Body will be involved in the selection of members of the Senior Leadership Team.

#### **Pay Committee**

The Governing Body will delegate to a committee of governors, hereafter referred to as the Pay Committee, decisions arising out of the Pay Policy or the Appraisal Policy. The designated number of governors who may sit on the committee will normally be five, of whom at least three governors must be present. The Committee will nominate its own Chairperson.

No member of the Appeals Committee will be a member of the Pay Committee. No governor who is employed at the school may be a member of the Pay Committee or the Appeals Committee but financial expertise must be available through membership or advice. Where necessary, people with that expertise will be invited to attend meetings of the Pay Committee.

The Governing Body will specify who is to clerk the meetings of the Pay Committee and who is responsible for the reports from the Pay Committee to the Governing Body.

The Pay Committee will:

1. Implement the relevant sections of the school's Pay Policy, as adopted by the Governing Body and subject to the employee's right of appeal.
2. Annually agree performance objectives with the Headteacher and review performance against those objectives.
3. Determine remuneration for employees undertaking additional responsibility on a temporary basis at the direction of the Governing Body or the Headteacher acting on the Governing Body's behalf.
4. Make recommendations to the Governing Body on the staffing structure of the school as appropriate, in the light of the school's Development Plan and budget;
5. Ensure that records are maintained of all matters relating to salary.

6. Ensure that there is an annual review of teachers' salaries under the School Teachers' Pay and Conditions Document in accordance with the school's Pay Policy and the budget allocated by the Governing Body or its Finance and Premises Committee.

### **First Committee**

1. The Committee's responsibilities relating to grievances, disciplinary matters, dismissal, employment protection and harassment procedures are set out in Schedule 1.
2. The Committee's responsibilities in relation to student discipline (exclusion) matters are set out in Schedule 2.

#### **3. Membership**

The designated number of governors who may sit on the committee will normally be five, of whom at least three governors must be present. The Committee will nominate its own Chairperson.

The committee will be advised by the Headteacher as appropriate.

If any of the members are required to withdraw from the meeting by virtue of the 'withdrawal from meetings' regulations then the quorum shall be the remaining members and such number of other members necessary to make up the membership of three. If the Chair has to withdraw, the committee shall nominate a Chair for that meeting only.

#### **4. Meetings**

The committee will meet as and when necessary to fulfil its responsibilities and to satisfy any prescribed deadlines imposed or requested.

Meetings of the committee may be called by the Chair or the Headteacher, provided that seven days' notice is given to members with an explanation of the purpose of the meeting. Shorter notice may be necessary and appropriate on occasions.

#### **5. Proceedings**

The committee shall be conducted in accordance with the Education (School Government) (England) Regulations 1999 and with any other regulations or directions relevant to the committee's proceedings as may be issued from time to time.

### **First Committee: Schedule 1**

#### **Staff grievances, disciplinary matters, dismissal, employment protection and harassment procedures**

1. Make the initial decision under paragraph 25 of Schedule 16 to the School Standards and Framework Act 1998 that any person employed to work at the school should cease to work at the school.
2. Hear representations in relation to a decision made under (1) above.
3. Under the Grievance Procedure, to hear Staff Grievances.
4. Fulfil the appropriate role under the School's Harassment Procedures.

5. Under the disciplinary procedure, to consider recommendations for disciplinary sanctions made by the Headteacher, which may include dismissal.
6. Under the Disciplinary Procedure to hear appeals in non-dismissal cases.
7. Under the Employment Protection Scheme, to consider the dismissal of staff on the grounds of redundancy, following the advice of the Headteacher.
8. Determine dismissals on ill health grounds in accordance with the school's adopted guidelines.
9. Under the Disciplinary Procedure for Headteachers, to decide upon disciplinary action against the Headteacher.

**First Committee: Schedule 2**  
**Student Discipline (Exclusion) Responsibilities**

- 1) To consider in individual cases of fixed period exclusion of more than five days (including in the aggregate) in any one term or those which involve the loss of opportunity to take a public examination, taking into account any views expressed by the Local Authority on the appropriateness of the exclusion.
  - a) Whether or not to intervene
  - b) Where it is decided to intervene to then consider whether or not to direct the Headteacher to reinstate immediately or at a date earlier than that set and/or to deem the exclusion not to count on the student's record.
  - c) To ensure that a note of the Committee's view on the exclusion is placed on the student's record, together with the Headteacher's exclusion letter
  - d) To ensure that the Governors' decision is made known to the parents, Headteacher and the Local Authority within the required time scale and in accordance with the rules governing statements of decision.
- 2) To consider, in individual cases of permanent exclusion, taking into account any views expressed by the Local Authority on the appropriateness of the exclusion, where parents (or student if 18 or over) have made no representations, whether to support the exclusion or, to direct the Headteacher to reinstate and then to make the Governors' decision known to both the parents (or student if 18 or over), Headteacher and the Local Authority within the required timescale and in accordance with the rules governing statements of decision. To ensure that a note of the committee's views on the exclusion is placed on the student's record together with the Headteacher's exclusion letter.
- 3) To hear parental (or student if 18 or over) representations against both fixed period or permanent exclusion, taking into account any views expressed by the Local Authority on the appropriateness of the exclusion and to consider whether to support the exclusion or to direct the Headteacher to reinstate immediately or, at a given date or, to reinstate earlier than a date set by the Headteacher and/or for fixed period exclusions to deem the exclusions not to count on the student's record. To ensure that a note of the committee's views on the exclusion is placed on the student's record together with the Headteacher's exclusion letter.
- 4) To make the Governors' decision known to the parents (or student if 18 or over), the Headteacher and the Local Authority within the required timescale and in accordance with the rules governing statements of decision.
- 5) To prepare the Committee's submission should the parents (or student if 18 or over) appeal to an Independent Appeals Panel against a decision not to direct reinstatement and to make any necessary arrangements for the Committee's attendance/representation at the Panel hearing.

### **Complaints Committee**

1. The Governing Body delegates to the Complaints Committee the authority to deal fully with formal complaints arising because:
  - a. They have not been able to be resolved by the school's staff including the Headteacher.
  - b. The complainant is dissatisfied with the outcome of the school's consideration. This includes the Headteacher's consideration.
  - c. The complaint is about the Headteacher and the complainant cannot or does not wish to raise it direct with the Headteacher.
2. Acknowledge/investigate as necessary/prepare and issue a suitable response to the complainant, in accordance with the school's Complaints Procedures.

#### **Membership**

- The number of designated governors who may sit on the committee will normally be five, of whom at least three governors must be present. The committee will nominate its own Chairperson.
- It is suggested that the Chair of the Governing Body and at least one parent Governor be members of the committee.
- It is preferable if members of the committee are not also members of the First Committee dealing with staff grievances, disciplinary matters, dismissal, employment protection and harassment procedures.
- It is possible that on occasions complaints may result in the consideration of staff disciplinary procedures which would be seen to prejudice any such members from undertaking their other committee responsibilities. □ The Headteacher and Staff Governor(s) should not be members of the committee.

### **Appeals Committee**

#### 1. **Terms of Reference**

The Committee's responsibilities in relation to appeals matters are:

- a. Hear any appeal arising from the decision of any committee or individual Governor or the Headteacher in whom any executive power has been vested by the Governing Body or by other means, which is not the responsibility of any other committee to hear. This includes staff dismissal appeals as is required by the Education (School Government) (England) Regulations 1999.
- b. Hear an appeal by an employee against a determination of salary by the Pay Committee and deciding on that appeal within the Pay Policy adopted by the Governing Body.
- c. Under the Disciplinary Procedure for Headteachers, to consider appeals against any disciplinary action taken against the Headteacher by the First Committee.
- d. Hear an appeal by an employee as provided under various regulations within the Appraisal Regulations.
- e. The Disciplinary procedures allows for the Governing Body's power to suspend or lift suspension to be delegated. In the case of Sutton Coldfield Grammar School for Girls, this delegation will be to the First Committee.

NOTE: IT IS IMPERATIVE THAT GOVERNORS HEARING APPEALS WILL NOT HAVE TAKEN ANY PART WHATSOEVER IN THE ORIGINAL DECISION WHICH IS THE SUBJECT OF APPEAL. IF THERE IS ANY DOUBT ABOUT THIS FOR ANY INDIVIDUAL MEMBER OF THE COMMITTEE, THAT INDIVIDUAL WILL STAND DOWN AND BE REPLACED BY ANOTHER MEMBER OF THE COMMITTEE.



2. Membership

The number of designated governors who may sit on the committee will normally be five, of whom at least three governors must be present. The committee will nominate its own Chairperson.

If any of the ex officio members are required to withdraw from the meeting by virtue of the 'withdrawal from meetings' regulations then the quorum shall be the remaining ex officio members and such number of other members necessary. If the Chair has to withdraw the committee shall nominate a Chair for that meeting only.

3. Meetings

The committee will meet as and when necessary to fulfil its responsibilities and to meet any prescribed deadlines imposed or requested. Meetings of the committee may be called by the Chair of Governors or the Headteacher, provided that seven days' notice is given to members with an explanation of the purpose of the meeting. Shorter notice may be necessary and appropriate on occasions.

4. Proceedings

The committee shall be conducted with the Education (School Government, England) Regulations 1999 and with any other regulations or directions relevant to the committee's proceedings as may be issued from time to time.