

STANDING ORDERS FOR THE PROCEDURAL WORKINGS OF THE GOVERNING BODY

Downs View Community Special School

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RECOMMENDED PRACTICE

The LA recommends that each governing body compile a "STANDING ORDERS" file that contains:

- o *The governing body's Standing Orders*
- o *A copy of the School Governance (Procedures) Regulations*
- o *The current Instrument of Government*
- o *The Terms of Reference for Committees*
- o *The policy on governors' expenses*

The file should be accessible to all governors. The clerk to the governing body should also retain a copy for their records.

MEETINGS OF THE GOVERNING BODY

The full governing body must meet at least three times in each school year.

The Governing Body notes the requirement to meet at least three times in each school year.

TERMS OF OFFICE

The governing body must determine the length of term of office for the Chair and Vice-Chair, prior to the election taking place. This must be between one and four years in length.

Please note that the term of office as Chair or Vice-Chair cannot be longer than the remainder of the term of office of the governor in question.

For example; the governing body determine that the Chair's terms of office will be three years. The term of *office of the governor elected Chair, however, ends in two and a half year's time, so the newly elected Chair's terms of office will also end in two and a half years time.*

The Governing Body resolves that the Chair of Governors will have a term of office of two years and the term of office will end on the date of the first meeting of the governing body after the second anniversary of his/her election or at the end of his/her term of office as a governor, whichever date is earlier. The Vice-Chair of Governors, and if applicable the Co-Chair of Governors, will have a term of office of two years and the term of office will end on the date of the first meeting of the governing body after the second anniversary of his/her election or at the end of his/her term of office as a governor, whichever date is earlier.

The Regulations say that, when the office of Chair or Vice-Chair becomes vacant, the governing body must elect a new Chair or Vice-Chair at the next meeting.

This process would apply. even if an existing Chair or Vice-Chair was re-appointed after a term of office came to an end.

The office of Chair or Vice-Chair would be deemed to have become vacant on the date the term of office ended and an election process must be undertaken. This does not, of course, prevent a re-appointed governor from standing again and being re-elected to the office, if governors so wish.

ELECTION OF CHAIR AND VICE-CHAIR

The Governing Body can decide the election process for the Chair and the Vice-Chair. The process must be agreed at a full governing body meeting. The clerk chairs the meeting for the item to elect the Chair. The Chair takes over the meeting, once elected, including the item to elect the Vice-Chair.

Please note that a governor who is paid to work at the school or is a pupil at the school is not eligible for the office of Chair or Vice-Chair.

Factors the governing body should consider in agreeing their election process are:

- o Whether written nominations are to be sought in advance of the meeting
- o Whether a governor can stand for office if they are unable to be present at the meeting
- o Whether a governor can vote if not present at the meeting (in writing or by proxy)
- o Whether nominations will only be taken at the meeting
- o Whether a candidate will self nominate or be proposed (and seconded if wished) by other governors
- o Whether there will be a secret ballot or a show of hands (and whether this would vary depending on the situation i.e. in all circumstances or only when there is more than one candidate)
- o How the governing body would treat a tie in the votes - Would candidates have the opportunity to speak to the governing body about why they want to be Chair and then another vote could be taken, for example, or would you toss a coin, or would you do something else? Although this is an unlikely scenario the procedure should accommodate all potential results.
- o Whether a governor can be re-elected and whether there should be a limit to the number of terms a governor could serve
- o Succession planning (vice-Chair to learn the role and move up to Chair at a later date)

The process must be fair, clear and transparent.

The Governing Body resolves that the following process will apply to the election of Chair and Vice-Chair:

Governors will be able to submit written nominations prior to the full governing body and verbal nominations at the meeting. A Governor can nominate him/herself for office and does not need to be present at the meeting to be considered. Nominee(s) will be asked to leave the room whilst the election process takes place. If there is more than one nominee, the remaining governors will take a vote by a show of hands. The nominee(s) will return to the meeting. The clerk will announce the result, with the nominee polling the majority of votes being duly elected. If there is a tie, each candidate will be given the opportunity to speak to the governors about their nomination and a further vote would be taken. If there is still a tie, governors should discuss the strengths of the nominees further, and another vote will be taken. This process will repeat until a nominee polls a majority of the votes.

TERM OF OFFICE FOR EACH CATEGORY OF GOVERNOR

Best Practice

The governing body must determine the length of term for each category of governor. The length of term must be the same for all governors in a category. The length of term can be between one and four years.

The Governing Body resolves to have the same terms for all categories of governor. The agreed term is four years.

The Governing Body can choose whether to appoint associate members of the governing body, in addition to the agreed Constitution, and would need to agree what voting and attendance rights any associate member was granted. The Governing Body can also agree to allow other persons to attend their meetings. Any agreement in relation to these matters should be clearly minuted at a full governing body meeting.

The Governing Body resolves that the Associate members will have voting rights at the meetings of the Full Governing Body and the committee meetings.

APPOINTMENT OF THE CLERK

The governing body is required to appoint a clerk to the governing body. The clerk may not be a governor, an associate member of the governing body or the Head teacher of the school.

The Governing Body resolves that the clerk to the Governing Body is Eric Mayne.

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

- o Convening meetings
- o The proceedings of meetings
- o Removal of the Chair or vice-Chair from office
- o Suspension of a governor

The clerk to the governing body should ensure that the work of the governing body complies with the Regulations.

QUORUM

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

The Governing Body notes the new requirements in respect of a quorum.

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

COMMITTEES AND WORKING PARTIES

DEFINITIONS

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

A WORKING PARTY of the governing body is set up with the governing body deciding its membership and the topics it will discuss. A working party cannot make any decisions or have any delegated powers. A working party can only bring recommendations to the full governing body (or a relevant committee if responsibility has been delegated to a committee) for approval.

MEMBERSHIP OF COMMITTEES

The terms of reference of committees should be included within the STANDING ORDERS file. The membership of

committees is listed below. A Chair must be appointed each year to each committee, elected by the governing body or the committee members, if the governing body agree to delegate this task. The governing body is required to appoint a clerk to each committee. This cannot be the head teacher but can be another governor and could be shared between named governors. It is recommended that one governor be named as committee clerk for a period of a year for each committee. You may already have a grid with this information and this could be attached instead. Ensure that any attachment also covers the quorum requirement for committees and that the Chair and Clerk are clearly identified. The Regulations state that the minimum quorum for committee meetings must be 3 governors. If a higher quorum is decided upon by the governing body this should be noted.

RECOM MENDED COM MITTEES	MEMBERSHIP	QUORUM* (see below)
Staff dismissal committee	Appeals panel agreed each year by the first meeting of the Full Governing Body	3 governors
Staff dismissal appeal committee	Appeals panel agreed each year by the first meeting of the Full Governing Body	3 governors
Pupil discipline committee	Appeals panel agreed each year by the first meeting of the Full Governing Body	3 governors

COMMITTEES	(Identify the Chair and Clerk(s) in brackets after their name)	QUORUM
Pupils, Curriculum and Quality committee	see terms of reference	3
Personnel, Finance & buildings committee	see terms of reference	3
Transition committee	see terms of reference	3
Post 19 Committee	see terms of reference	3

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

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

RECOMMENDED PRACTICE FOR COMMITTEE MEMBERSHIP

- A member of staff is not appointed to the Employee Grievance, Staff Dismissal and Staff Dismissal Appeals Committees
- The Head teacher is not appointed to the Pupil Discipline Committee
- A member of staff is not appointed to chair the following committees:
 - Personnel
 - Pay Review
 - Admissions

RECOMMENDED PRACTICE FOR COMMITTEE MANAGEMENT

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

DELEGATION OF FUNCTIONS

A governing body can delegate any of its statutory functions to a committee, a governor or the Head teacher, subject to the restrictions described below. The governing body must review the delegation of functions annually. A governing body will remain accountable for any decisions taken, including those relating to a function delegated to a committee or individual.

The following functions cannot be delegated:

- The constitution of the governing body
- The appointment or removal of the Chair or Vice-Chair
- The appointment of the clerk
- The suspension of governors
- The establishment of committees and delegation of functions

The following functions can be delegated to a committee but cannot be delegated to an individual, even in urgent cases:

- The alteration, discontinuance or change of category of maintained schools,
- The approval of the first formal budget plan of the financial year
- School discipline policies
- The exclusion of pupils (except in an emergency when the Chair has the power to exercise these functions)
- Admission matters

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.

Please note that any individual or committee to whom a decision has been delegated must report to the governing body in respect of any action or decision made.

The Governing Body agrees the delegation of the functions as described in the terms of reference for the Pupils Curriculum & Quality committee, Personnel, Finance & building committee, Transition committee and the Post 19 Committee.

The Chair can act in cases which may be deemed urgent i.e. where a delay in exercising the function would be seriously detrimental to the interests of the school, a registered pupil, their parent/carer or a person employed to work at the school. The Vice-Chair, or Co-Chair, can act in the same circumstances, if the Chair was unable to exercise the function for some reason. (Delay means "delay for a period extending beyond the earliest date on which it would be practicable for a meeting of the governing body or of a committee to which the function in question has been delegated, to be held".)

The Personnel, Finance and Buildings Committee will consider all staff appointments. The expectation is that the Head teacher will lead in determining staff appointments outside of the leadership group and all initial staff dismissal decisions.

In exceptional circumstances an individual governor or group of governors, with or without the Head teacher, will deal with-staff appointments outside of the leadership group and initial staff dismissal decisions.

The exceptional circumstances are as follows:

- A Head teacher who is unwilling to perform these functions and whose previous history of service at the school did not include any such responsibilities. This gives an existing Head teacher the option of preserving their current working arrangements, but when the governing body considers a new appointment for the Head teacher post the normal expectation for the Head teacher to undertake these responsibilities should apply.

- Where the Head teacher has been directly involved in disciplinary procedures leading to dismissal, has instigated a proposal to dismiss, or is witness of particular conduct giving grounds for the dismissal in question. The arrangements for delegating initial dismissal decisions will therefore need to be considered on a case by case basis in the light of circumstances.
- Where the governing body of a school with a religious character has agreed staffing policies which provide for governor involvement in the interests of preserving the school's religious character.
- Appointments of support staff outside of the leadership group who are required to act in a senior management capacity. This ensures that the governing body may also lead in the appointment of support staff with senior management responsibilities.
- A Head teacher subject to suspension, disciplinary procedures (including capability), or disciplinary sanction.
- Where the LA has made representations to the Chair of the governing body on grounds of serious concerns about the performance of the Head teacher.
- Where the Head teacher has failed to abide by financial limits agreed by the governing body for any school purpose.

The Governing Body agrees that the Head teacher will be responsible for staff appointments outside the leadership group and initial staff dismissals, subject to the adoption of the appropriate HR policies. In exceptional circumstances, outlined above, the Personnel Finance and Buildings Committee will be responsible for staff appointments and the Staff Dismissal Committee will be responsible for initial staff dismissal issues.

Appointment of Head teacher and Deputy Head teacher

The governing body will be responsible for selecting an appointments panel for the Head teacher and Deputy Head teacher.

Appointment of Assistant Heads

The governing body will be responsible for deciding how such posts are filled, which may include delegation to the Head teacher, an individual governor or a group of governors (suggest the Personnel Committee). In the latter case this may include the Head teacher, but where not involved in determining the appointment the Head teacher has a right to attend to offer advice.

DECLARATION

The Governing Body, at its meeting on 1st October 2018 resolved to adopt the Standing Orders. A copy has been retained by the clerk to the governing body for the formal governing body records and a copy has been retained at the school for reference.

Signature
(Chair)

Date of signature