

PENKETH HIGH SCHOOL GOVERNING BODY

Penketh High School converted to an Academy on 1st of April 2013. The Academy Trust has 5 Board members and the Penketh High School Governing Body has 18 members. The Governing body is responsible for monitoring the running of the School holding the school to account for the Attainment and Progress of the pupils, the efficient use of Finance and Resources and the Safeguarding of the pupils.

Terms of Reference

Overview of the Governing Body

The Governing body is constituted according to the guidelines for the composition of governing bodies. It consists of 18 governors made up of:

- 6 directly elected by parents
- 4 [including the Principal] directly elected by staff
- 8 Community governors appointed by the Academy Trust Board. [Ratified by the Governing Body]

Appointment Process:

1. Community Governors are appointed by the Academy Trust Board looking at the skill and experience needed to help the school move forward.
2. Staff Governors elected by staff for a four year term from staff who have expressed an interest in becoming a governor. The number must have at least one support staff and one teacher. The Principal is automatically appointed if they indicate they wish to be a governor. Staff are requested to self-nominate, if more than requirements it goes to ballot by the staff ensuring the balance of teaching and support staff is maintained.
3. Parent governors are elected by ballot if more than the number required self nominates. The candidates are informed that there are restrictions on the number of governors who have links with local authorities, (those employed by a local authority, local councillor or have links i.e. police). Only those eligible are entered into a ballot. A short profile is prepared that outlines the skills and experiences of the parent candidates. The profiles are sent out to parents with the ballot paper/electronic mail which goes to all eligible parents.
N.B. All governors are DBS checked and if elected attend the earliest Safeguarding Course.

All appointments are carried out in line with Government guidance [see online Guide to the Law link below].

All Governors serve for a period of 4 years.

Associate Members of the Governing Body, who are invited to serve, currently consist of the Vice Principals serving for 4 years. Associate members may also be used to bring in governors with specialist skills that are needed.

The President and Vice President of the Sixth Form serve for 1 year – their term of office.

The quorum for each governors meeting is one third of the governors [excluding vacancies] rounded up to the nearest number. This number does not include Associate Members.

Governors should send apologies for absence to the clerk of the Governing Body giving reasons for absence; governors do have the right not to accept the reasons given.

Should a governor be absent from two meetings without acceptable apologies being recorded then the said governor may be removed from the Governing Body.

Governors must ensure secure electronic mail to ensure confidentiality of information concerning staff and pupils; minutes of the meetings are in the public domain (excludes Part 2).

Induction and Development of new governors: Governors need to gain a good overview of the governance process. Governors are provided with the school policies which are on the school web site for governors to read. New governors are invited to all the Standing Committees to get a good insight the requirement of each committee and to match the skills with the committees. Governors are encouraged to attend appropriate training provided by either the Authority or approved trainers. All new governors are attached to an experienced governor who acts as their mentor.

The Guide to the Law for Governors is on the Department of Education web site_

<https://www.gov.uk/government/publications/governors-handbook--2>

Governor Help line 08000722 181 7days 9am – 10pm weekdays 11 am – 4pm weekends closed bank holidays.

There are Three Standing Committees:

- Finance and Premises
- Curriculum and Progress
- Climate for Learning and Safeguarding.

All of which have at least 6 members.

All governors serve on at least one of the committees according to their preference.

All items that can be delegated to committees or individuals have been delegated. Delegation to committees allows for meaningful discussion to take place in smaller groups than in a full governors meeting where up to 21 members may be present.

Standing Committees review and update their terms of reference each year; in addition they review policy documents required by the school at appropriate intervals depending on the policy..

Additionally Statutory Committees: Pupil Disciplinary; Staff Disciplinary; Dismissal; Dismissal Appeals.

Governing Bodies are corporate bodies and as such have a legal identity separate from their members. Individual governors are therefore generally protected from personal liability providing that they act honestly and in good faith.

Individual governors have no power to act on behalf of the Governing Body except where the whole of the Governing Body has delegated such power. This includes the Chair who can only act if failure to do so would affect the future of the pupils or staff and where delay might cause problems.

Governors who feel that they cannot support an issue because of personal or related interests must declare those interests and either withdraw from the meeting or take no further part in discussion.

From time to time governors may be asked to comment or to be interviewed on matters relating to the school. Governors should only comment on those decisions that governors have made. Any other requests should be referred to the Principal or Chair/ Vice Chair of governors.

Election of Chair/Vice Chair

The election is by self-nomination and is carried out during the summer term meeting, the term of office being two years. In the event of there being two self-nominations a secret ballot will be held.

Clerk to the Governors

The clerk to the governors is employed by the school but reports to the Chair of Governors. As it is a legal requirement to have a clerk for all statutory meetings who has been appointed by the Governing Body, the appointment is an agenda item at the autumn term meeting for ratification.

Election of Chairs of Standing Committees

The election of the Chair of each standing committee is made by the members of that committee at its first meeting of each year and ratified at the next governors meeting.

Delegation to Committees

The target setting has been delegated to the Curriculum and Progress Committee; they report to the full governors at the next meeting.

The budget setting has been delegated to the Finance and Premises Committee; they report to the full governors at the next meeting.

Staff Disciplinary Committee/ Staff Disciplinary Appeals Committee

- The Staff Disciplinary Committee shall consist of three members of the governing body.
- The Staff Disciplinary Appeal Committee shall consist of three members of the governing body.

- The Committees are convened by the clerk to the governors from named governors for each Committee.
- Where a Staff Disciplinary Appeal Committee is considering an appeal against a decision of The Staff Disciplinary Committee no member of the Staff Disciplinary Committee, whose decisions are subject to appeal, shall take part in the proceedings of The Staff Disciplinary Appeal Committee.
- The Principal of the school shall not be a member of The Staff Disciplinary Appeal Committee.
- No member of the governing body who is employed by the school shall be a member of the Staff Disciplinary or the Staff Disciplinary Appeals Committee.

Terms of Reference

- Staff Disciplinary Committee shall consider staff disciplinary following investigation of the case in question.
- To consider the facts presented by the Investigating Officer. Following consideration will decide on the discipline/sanction to be given.
- Whilst ever effort will be made to have all parties present in exceptional circumstances the disciplinary committee will meet irrespective of whether the member of staff attends.
- The clerk to the committee communicates the outcome of the decision to the staff member in writing and to the Local Authority. Advice is taken from the HR Advisors to ensure all legal aspects are covered.
- The Principal/ Investigating Officer will be in attendance to present the case and the member of staff can be represented or accompanied by a union official, friend or colleague, to act as advisors but will not take part in the decision.

Staff Dismissal Committee/ Staff Dismissal Appeals Committee

- The Staff Dismissal Committee shall consist of three members of the governing body.
- The Staff Dismissal Appeal Committee shall consist of three members of the governing body.
- The Committees are convened by the clerk to the governors from named governors for each Committee.
- Where a Staff Dismissal Appeal Committee is considering an appeal against a decision of The Staff Dismissal Committee no member of the Staff Dismissal Committee, whose decisions are subject to appeal, shall take part in the proceedings of The Staff Dismissal Appeal Committee.
- The Principal of the school shall not be a member of The Staff Dismissal Appeal Committee.
- No member of the governing body who is employed by the school shall be a member of the Staff Dismissal or the Staff Dismissal Appeals Committee.

Terms of Reference

- Staff Dismissal Committee shall consider staff dismissal where the investigation has been conducted by the Principal who has concluded that dismissal is necessary. In this case it is the Dismissal Committee who dismisses the member of staff.
- To consider staff dismissal appeal following dismissal of the staff member by the Principal where the investigation has been conducted by another member of the senior staff or to appeal against a dismissal by the Dismissal Committee.
- Whilst ever effort will be made to have all parties present in exceptional circumstances the dismissal committee will meet irrespective of whether the member of staff attends.
- The clerk to the committee communicates the outcome of the decision to the staff member in writing and to the Local Authority. Advice is taken from HR to ensure all legal aspects are covered.
- The Principal will be in attendance to present the case and act as advisors but will not take part in the decision. The staff member can be represented/accompanied by a union representative or friend or colleague.

Pupil Discipline Committee

- The Pupil Disciplinary Committee shall consist of three members of the governing body.
- All governors not employed by the school are eligible.
- The clerk to the governors will convene the meeting from eligible governors.
- The quorum for the meeting of a pupil Disciplinary Committee, and any vote thereafter, shall be three members of the Committee.

- The Chairperson of this Committee may exercise functions by the governing body in special circumstances where pupils would lose the opportunity to take a public examination.

Terms of Reference

- The disciplinary system operates in line with recommendations and guidelines on exclusions.
- Only the Principal or acting Principal can exclude pupils.
- To consider the permanent or fixed term exclusion if over 15 day's term. In addition to consider exclusions of over 5 days at the request of the parent or carers.
- The Principal or representative will attend and the Local Authority is invited to attend permanent exclusions.
- The parents or carers of the pupil are invited to attend by the clerk
- The meeting will proceed even if the parent or carer declines the invitation to attend.
- The Committee is to consider the Principals decision in line with the school rules and 10/99.
- All documentation supplied to governors is also copied to parents or carers
- The clerk to the governors communicates the decision in writing to the parents or carers and the local authority.

Note:

- Any governor who has prior knowledge of the pupil should inform the clerk to the governing body and withdraw from the committee when a replacement governor will be made.
- On "one off" exclusions no questions should be asked about the pupil's record as the exclusion is based solely on the incident for which the pupil has been excluded.
- Governors should ensure that the school complies with current legislation.
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Admission Committee (Academies are their own Admission Authority)

- The Committee shall consist of the Principal of the school (who shall be entitled to vote whether or not he/she is a governor); and at least two persons who are members of the governing body.
- Three Governors will meet each year to Rank the Preferences supplied by the LA to determine those pupils who will be subject to the over subscription criteria. The Ranked list will then be returned to the LA for processing under the Co-ordinated Admissions Process. See Admissions on the web site and the link to the Warrington Authority.

Statutory Committees must have an independent clerk appointed by the governing body.

The Grievance Committee

1. The Grievance Committee shall consist of 3 governors convened from named governors by the clerk excluding staff governors.
2. The Principal may exercise his/her right to attend to give advice.

Meetings

The committee shall meet as required.

Terms of Reference

- To consider and make any initial decisions regarding staff grievances, in accordance with Local procedures.

The Personnel Committee

- The committee shall consist of at least six governors plus the Principal
- The committee shall have such co-opted non-voting members as the governing body shall appoint. The committee may make recommendations for these appointments.
- No governor who is employed in the school will be eligible to serve on the committee.

Quorum

The quorum shall be four governors, of which the Principal must be one.

Meetings

The committee shall meet as required.

Terms of Reference

- Consultation – to draft and keep under review a policy statement on staff consultation for approval by the governing body and to undertake any formal consultations on personnel matters.
- Discipline/Grievance – to review and recommend for adoption the procedures for dealing with discipline and grievances, and ensure that the staff are informed of them.
- Redundancy – to draft and review, in consultation with staff, criteria for redundancy for approval by the governing body.
- Pay Policy -to agree and approval the Pay Policy. (See Appendix 1)
- To liaise with the finance committee to establish the annual and longer-term salary budgets and other costs relating to personnel e.g. training.
- Staffing Structures – to review the staffing structure whenever a vacancy occurs and at least annually in relation to the school's management plan.

Staff Appointments

NB. All staff appointment panels must have a person who has undertaken Bichard Training on the panel.

(a) Principal and Vice Principals

Special arrangements apply to the appointment of Principals and Vice Principals as specified in the school's Articles of Government, the Education Reform Act 1988 and the 1991 amendment to the 1989 Regulations. 25.

The governing body will follow the guidelines of the Local Authority on the procedure. A selection panel will be agreed by a meeting of the full governing body which will decide on the composition of the interview panel (this can be the full governing body) that will make recommendation for endorsement by the full governing body, which in turn is subject to ratification by the LA (schedule 3 1988 ERA). The Strategic Director of Children's Services (or his/her representative) have the right to attend.

(b) Other Staff

- The governing body delegates to the Principal the appointment of supply staff, temporary staff and ancillary staff.
- The governing body determines the number of governors required for particular grades of teacher appointment. The clerk calls on governors as available in order to involve as many as possible over the course of time.
- The Principal or a designated representative will be involved in all interviews. The Principal, Vice Principal and Chair have undertaken the training to interview staff as required by Bichard.

Assistant Principal/Leadership Team:

- At least two governors will be involved; at least one should not be an employee in the school.

Heads of House/Heads of Faculty:

- Two governors will be involved; at least one should not be an employee in the school.

Other Staff:

- One governor will be involved

N.B. The Principal is delegated to appoint staff in the absence of governors if none are available to interview.

The Chairman's Committee

Membership

The membership shall consist of the Chairman of governors, the Vice-chairman, all chairs of standing committees and the Principal.

Quorum

The quorum shall be four of which the Chairman of governors and the Principal must be two.

Meetings

As required

Terms of Reference

- To advise the Principal in matters of particular difficulty, sensitivity or emergency.
- To discuss annually with the senior management team the preparation of the school management plan and plan the cycle of governing body meetings for the coming year.

Other delegated responsibilities:

Principal:

The management and control of the school is delegated to the Principal who will consult and inform the governors on matters that require governor approval.

Chair of Governors/Vice Chair:

The Chair has the delegated responsibility to act if delay would result in disadvantaging the school or any member of staff or pupil. The chair shall report any decisions taken at the earliest opportunity to the full governing body.

To Individuals:

Child Protection Governor:

- The school's procedures for child protection follow the requirements of the local Area Child Protection Committee and the governors ensure these are followed

Special Educational Needs/Inclusion Governors:

- The school has regard to the SEN code of practice when meeting pupil's special educational needs and the policy is known to parents.
- The school meets the needs of the SEN and Disability Act 2001, informs parents about the policy and reports annually on the SEN policy and progress made on improving accessibility.

Performance Management Committee:

- The governing body has a performance management policy and ensures that all teachers, including the Principal, are appraised in accordance with statutory requirements.
- The review is carried out each year with an advisor and the completed report issued in line with statutory requirements.
- The Appeal Committee reviews any disputed performance issues in relation to the Principal or staff that the Principal is appraising as well as staff.

Standing Committees:

Monitor and review policies (as listed below) to ensure that they meet statutory requirements. (To be reviewed at least every 3 years.) Report back to the full governing body. (Terms of reference see Appendix 2, 3, 4)

Curriculum and Progress Committee:

Ensures that:

- This committee is delegated responsibility for target setting.
- Each pupil has access to the full statutory curriculum.
- The school provides RE in accordance with the agreed syllabus
- The school provides a daily act of worship.
- The school provides both the content and organisation of a programme for sex and relationship education.
- That the school does not discriminate against pupils or staff on the grounds of sex, race, disability or marital status.

- The school has a written policy on race equality and arrangements to monitor and report on it.
- The school meets requirements of the general duty and the specific duties in the Race Relations Act.
- All statutory assessments are conducted and results forwarded to parents/carers.
- The governing body is assured that each year a report on each pupil's educational achievement is forwarded to parents.

Climate for Learning and Safeguarding Committee

- To ensure the school has effective policies and procedures that fulfil its obligations towards the welfare and safeguarding of students.
- To ensure that the policies and procedures around 'Inclusion' enable all students to achieve their full potential.
- To review pupil welfare and inclusion policies on a regular basis.
- To ensure that inclusion and students' welfare are considered in the School Improvement Plan and that appropriate targets are set.
- To ensure that the School and Governing Body fully discharge their responsibilities for the welfare of students.
- To provide support for the Principal in the development of pupil welfare and inclusion.

Finance and Premises Committee

Ensures that:

- This committee is delegated responsibility for Budget approval.
- The school keeps parents informed by publishing a school prospectus
- The responsibilities of the governors and its committees, the Principal and staff in respect to finance are clearly defined and limits of delegated authority are delineated.
- The school has procedures to ensure the school meets all Health and Safety legislation and carries out the requisite audit inspections.

Appendix 1

Pay Policy Terms of Reference

Procedure

At the beginning of the school year the governing body will (re)establish the Personnel Committee which will include a remit for pay matter for all staff.

Membership of the Committee:

- The membership will be of at least 6 governors, plus Principal.
- The quorum shall be at least 4 of which the Principal must be one.

Delegated Powers

The Committee will have delegated powers to review the Governing Bodies Pay policy and the schools staffing establishment and structure on at least an annual basis, in the light of legislative changes, financial and curricular consideration and the schools improvement plan; and to present changes to the policy and/or staffing establishment and structure to the full governing body for ratification.

The Committee Will

1. Seek to ensure that all staff are valued and receive proper recognition for their work and contribution to school life.
2. Support the School Improvement Plan and Performance Management processes by ensuring a suitable staffing structure.
3. Work within available resources.
4. Recognise the importance of pay in recruiting, retaining, motivating and rewarding staff.
5. Ensure the application of open, objective, fair and consistent criteria in all discussions on staff salaries.
6. Ensure that all Pay and staffing decisions will be in line with the Schools Equal opportunities Policy.
7. Review the School Pay policy on a regular basis to ensure it reflects both current conditions of service and the needs of the school improvement plan.
8. Ensure all proposed changes are subject to consultation with staff and recognised unions.

Implementation of the Policy

The committee will:

- Make information available about vacant posts and pay awards to all staff including those absent due to maternity and/or sickness.
- Ensure up to date job descriptions for all staff are in place, reviewed according to need and in consultation with the individuals concerned; and provide full job descriptions and person specifications for new appointments.
- Follow all national guidelines and implement them in line with the principles of this policy.
- Provide an annual salary statement to all staff.
- Establish an appropriate committee system to operate the policy.

NB. Declaration of interest - Any member of the committee has a responsibility to avoid any conflict between business and personal interests and the interests of the school. Therefore, if a member of the committee has made a declaration of interest regarding any member of staff whose pay is being discussed, he/she must withdraw from those discussions. No governor who is in the employment of the school can be present at a meeting, where the headteachers salary is being discussed.

Personnel Committee

The overall purpose of the committee is to implement the personnel and pay policies of the Governing Body by making decisions related to individual members of staff.

The committee will strive to ensure that each teacher (including Assistant and Vice Principals) have been allocated an appraiser by the Principal and that the Performance Management cycle is functioning effectively within the school.