

HOLY TRINITY CE PRIMARY SCHOOL, GRAVESEND

SCHEME OF GOVERNING BODY AND COMMITTEE MANAGEMENT

The considerable extension of duties of governing bodies under the provisions of the Education Acts strengthens the need for them to have power to delegate some decisions to committees and to the head teacher and requires them to establish statutory committees for staff dismissal, staff dismissal appeals and pupil discipline.

The School Governance (Procedures) (England) Regulations 2013 provide for a Governing Body to arrange for a committee, an individual governor or the head teacher to take certain decision on its behalf.

Some key decisions must be taken by the Governing Body. Where this is the case, a working party or an individual may be asked to consider the issue and make recommendations, provided that the Governing Body takes the decision. The list of functions that may not be delegated are set out in the School Governance (Procedures) (England) Regulations 2013.

Principles of Delegation

The essential principle is that, while a Governing Body may delegate authority in respect of certain functions, the decisions made remain the responsibility of the Governing Body. Regulations relating to delegation are reflected in the model Scheme of Delegation attached. The main provisions of this scheme are as follows:-

- (a) Of those decisions which may be delegated, matters relating to the dismissal of staff, and the reinstatement of any excluded pupil may be delegated to a committee but not to an individual governor or the head teacher.
- (b) Subject to certain requirements, the membership, terms of reference and all other matters relating to the proceedings of committees shall be determined by the Governing Body.
- (c) At least 50% of the Governing Body must be present when committees are being established or new members appointed.
- (d) A committee must contain no fewer than three members of the Governing Body. The head teacher may not be a member of the pupil discipline, staff dismissal or staff dismissal appeal committee, nor should be present as a member at any committee meeting at which decisions may be made on the readmission of excluded pupils.
- (e) Committees, the head teacher or individuals taking actions or making decisions under delegation must report to the Governing Body at its next meeting.
- (f) Although governing bodies are under no obligation to establish committees and delegate functions to them (other than statutory committees), they are recommended to do so where taking an initial decision and hearing a subsequent appeal are both necessary; this requirement also relates to dismissal cases where no one who takes part in the initial decision may also hear the appeal.
- (g) Decisions on parental appeals about temporary exceptions from the National Curriculum should not be delegated to the head teacher, who will have taken the initial decision about the exception.

- (h) A Governing Body may establish a committee, or withdraw delegated powers from a committee or individual, at any time it sees fit.

Terms of Reference

In order to establish clearly the authority of different committees and individuals, and to avoid confusion between it and the authority retained by the Governing Body, the functions delegated should be precisely defined in terms of duties and powers. These are set out in the terms of reference attached.

Standing Orders

In addition, to provide for potential difficulties in the course of meetings, and to ensure consistency, rules of procedure for both governing bodies and their committees are required. The School Governance (Procedures) (England) Regulations 2003 determine certain requirements but leave others to be determined by the Governing Body. Where there are no specified requirements Standing Orders will establish a basis for the conduct of meetings and the proper transaction of business.

The Chair and Vice-Chair

The provision in the School Governance (Procedures) (England) Regulations 2003 which allows governing bodies to delegate decisions to individual governors enable the traditional arrangements for urgent action by the Chair to be extended. The Governing Body needs to determine precise arrangements not only for the Chair of the Governing Body but also for committees, since there is no provision for committees to delegate further the functions given to them by the Governing Body.

The Head Teacher

Considerable responsibility is placed directly upon head teachers by the law quite independently of any decisions of governing bodies. Hence, any arrangements for delegation of functions to them by governing bodies are additional to the responsibilities they exercise in their capacity as head teachers.

The Head Teacher shall exercise the responsibilities for the internal organisation and management of the school, and for any matter delegated to him or her under this scheme, having regard to the authority of committees over those functions delegated to them.

Subject to its giving reasonable notice, a committee may request the head teacher to provide a report on any matter relating to the committee's functions, and the head teacher shall comply with the request in the same way as if it came from the Governing Body.

Public Accountability

The responsibilities of governing bodies are exercised against a background of public accountability, and any interested person can complain to the Secretary of State if he or she believes that a Governing Body is acting unreasonably in the use of its powers, or is failing to carry out its duties properly. Subject to the exclusion of certain kinds of confidential material, the School Governance (Procedures) (England) Regulations 2003 assure public access to all documents relating to the business of governing bodies.

The law affords protection to governing bodies acting in good faith. It is important, however, for governors to take care in exercising their powers, and to avoid rash or careless actions or decisions.

Model Scheme of Delegation and Standing Orders

Provided that governing bodies comply with the statutory requirements and with the conditions of the Bexley Scheme for Financing Schools, issues relating to the conduct of meetings, the transaction of business and the delegation of functions are within their discretion and may be determined by them as they see fit.

The Model Scheme of Delegation and Standing Orders attached are, therefore, in no way prescriptive. It remains the responsibility of the LA to ensure the effective running of its schools and, therefore, to assist governing bodies in establishing procedures that will contribute to that end. The models have been prepared in that light and governing bodies are urged to consider seriously their adoption.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY SCHOOL

SCHEME OF DELEGATION

1. The Head Teacher shall execute such functions as are specified in the School Teachers' Pay and Conditions Document - Conditions of Employment of Head Teachers and with the conditions above.

In addition, the following functions are delegated to the Head Teacher:

1.1 School Improvement Plan

To ensure that the school prepares, updates as appropriate and publishes annually an Improvement Plan incorporating the strategic and corporate issues arising from the general educational development objectives laid down by the Department for Education, Bexley LA, the Governing Body and its committees. To authorise the appropriate communication of the Plan, its key assumptions and strategies.

1.2 Dismissals

To take responsibility for dismissals from any post (as appropriate) (dismissals on grounds of redundancy are a matter for the Governing Body).

1.3 Staffing

- (a) To comply with Safeguarding Children : Safer Recruitment and Selection in Education Settings Guidance.
- (b) To propose for approval by the Staffing Committee a staffing structure of teaching and non-teaching posts in the school.
- (c) To formulate for approval the post specifications for all teaching posts.
- (d) To select for appointment to the school all full time, part time and temporary teachers.
- (e) To formulate for approval the post specifications and proposals for grades of pay of non-teaching staff employed at the school.
- (f) To select non-teaching staff for employment at the school.

1.4 School Self Evaluation

To complete and update the School Self Evaluation in conjunction with the Governing Body and others.

1.5 Finance

- (a) To prepare for consideration by the Governing Body a proposed budget consistent with the school's budget share.
- (b) To authorise expenditure up to the amount of the provision allocated to the various budget heads, subject to:

- (i) an upper limit of £[] on any item not specifically included in the approved budget;
 - (ii) any directions as may have been given, including an expenditure plan, by an appropriate committee of the Governing Body, or by the Governing Body;
 - (iii) to authorise virement up to £[] for emergency use.
- (c) To ensure compliance with the Bexley Financial Regulations and Contract Standing Orders, and to advise the Governing Body or relevant committee on any matters where the duty of complying has not been delegated to the head teacher.

1.6 Special Educational Needs

- (a) To secure that the necessary provision is made for any pupil for whom the LA had made a written statement of special educational needs.
- (b) To ensure that head teachers in the school are aware of the importance of identifying, involving the parents of, and providing for pupils who have special educational needs.

1.7 Pupil Admission and Attendance

To secure that the statutory requirements relating to the school's admission and attendance registers are complied with and that the relevant returns are made.

1.8 Pupil Records

To comply with governors' requests to allow access to pupil records.

1.9 Premises

Subject to any directions by the Governing Body or relevant committee, to operate the Governing Body's policy on the use of the school.

1.10 Data Protection

- (a) To ensure all data protection legislation requirements are met and necessary registration is made.
- (b) To ensure all requirements relating to confidentiality and data protection are made known to all staff and voluntary helpers in school.

1.11 Child Protection

- (a) To ensure a Child Protection Officer is appointed.
- (b) To draft a Child Protection Policy for approval by the Governing Body.
- (c) To ensure all necessary Criminal Record checks are carried out.

1.12 **ICT Integrity**

- (a) To ensure all computer systems employed by the school are adequately secured against unauthorised access and use.
- (b) To establish a disaster recovery plan to consider the recovery of records and data in the event of a serious incident.

1.13 **Reports and Statutory Assessments**

To secure that the statutory requirements relating to reports and statutory assessments for pupils are met.

1.14 **Elections**

Appointment of Returning Officer – []

To conduct the election of parent, teacher and staff governors in accordance with legislation and the Governing Body's approved procedures.

2. **Chair of the Governing Body**

The Chair shall have the power to authorise emergency expenditure for the maintenance of buildings and the purchase of essential fittings and equipment, subject to the appropriate budget restrictions, and to take such action as he considers appropriate provided that he complies with the School Governance (Procedures) (England) Regulations 2003.

To convene a Staff Appeals Committee from governors, when necessary, which would include pay, grievance, discipline and dismissal appeals.

Chair, Vice-Chair and Head Teacher

To recommend to the Governing Body all matters concerning the organisation of the Governing Body including new and replacement members; training and development of governors and the general structure and membership of committees and their terms of reference.

3. **Reviewers (Governors Appointed for the Head Teacher's Performance Management Review)**

To consider with the head teacher or Principal an appropriate work / life balance.

4. **Opening of Quotations and Tenders**

Any two members of the Governing Body, together with the head teacher, shall open quotations and tenders.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY SCHOOL TEACHING & LEARNING COMMITTEE

The Governing Body has established a Teaching and Learning Committee, to which designated functions have been delegated, as set out below.

1. Membership

The membership of the Committee is at Appendix 1.

2. Proceedings

(a) The proceedings of the Committee shall be in accordance with The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.

(b) The quorum for a meeting of the Committee shall be three voting members.

3. Chair (who shall be a governor)

(a) The Chair shall be appointed by the Governing Body.

(b) If the Chair is absent from a meeting the voting members of the Committee shall elect one of their members for the duration of the meeting.

4. Functions

The following functions are delegated to the Committee:

Citizenship

(a) To monitor the delivery of the School's PSHCE (Personal, Social, Health and Citizenship Education) Programme.

Complaints relating to the Curriculum for, or Religious Worship in, the School

(b) To make arrangements for the consideration and disposal of any complaint relating to the curriculum or religious worship or other complaints, in accordance with the Governing Body's procedures including Diocesan guidance.

Curriculum

(c) In consultation with the Head Teacher, to review and, where appropriate, to draft for approval by the Governing Body, the School's curriculum policy in the light of statutory requirements.

(d) To monitor the delivery of the school's curriculum.

(e) In consultation with the Head Teacher to advise the Governing Body on any matter relating to the curriculum and to make recommendations about resourcing levels.

(f) In consultation with the Head Teacher, to advise the Governing Body on any matter relating to religious education or collective worship, or to sex education.

- (g) In consultation with the Head Teacher, to advise the Governing Body on matters relating to the management of the school day.

Disapplication or Modification of the National Curriculum

- (h) To hear any appeal by the parent against a decision taken by the Head Teacher to disapply or modify the National Curriculum in respect of a particular pupil; and, having heard the appeal, to confirm the action of the Head Teacher, or give such directions as they consider appropriate in the circumstances to the Head Teacher.
- (i) To support the Head Teacher in raising the pupils' awareness of the local business community.
- (j) To monitor healthy lifestyles of pupils.
- (k) To monitor pupil safety including bullying, racist and homophobic incidents.
- (l) To monitor pupils' enjoyment of their education.
- (m) To monitor pupils' progress in their spiritual, moral, social, emotional and cultural development.
- (n) To receive reports on guidance and support for pupils' learning.

Inspection Reports

- (o) To consider and, in consultation with the Head Teacher, advise the Governing Body on their response to any report of Her Majesty's Inspectorate or Ofsted.
- (p) To monitor the progress of action plans in response to Inspection reports.

Monitoring of Achievements

- (q) To monitor achievements of pupils, including ethnic minority pupils and "Children Looked After " and other vulnerable groups

Monitoring of Policies

- (r) To review the Governing Body's Policy Statement as required and make recommendations for changes.

Monitoring of Standards

- (s) To consider in consultation with the Head Teacher and advise the Governing Body on the Foundation Stage, SATs, and other test outcomes.

Public Relations/Marketing

- (t) To advise the Governing Body on the following:
the School Prospectus and mandatory online information, to prepare drafts for consideration and approval by the Governing Body
To carry out the following functions under delegated powers:

assist the Head Teacher in the promotion of good relationships with parents and the local community;

to advise the Governing Body on publicity and promotional initiatives.

- (u) To review school uniform and pupil appearance in consultation with the Head Teacher and make recommendations to the Governing Body.

School Records

- (v) To hear any appeal by a parent or an entitled person relating to school records.

School Visits and Journeys

- (w) To give detailed scrutiny to arrangements for school visits and journeys, to authorise as fitting, on behalf of the Governing Body.

Special Educational Provision

- (x) To receive regular reports from the Responsible Person as to the fulfilment of the Governing Body's obligations in respect of special educational needs.
- (y) To report to the Governing Body any shortcomings in relation to its duties under the provisions of the Education Acts with proposals for remediation.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY SCHOOL: RESOURCES COMMITTEE

The Governing Body has established a Resources Committee, to which designated functions have been delegated, as set out below.

1. Membership

The membership of the Committee is at Appendix 1.

2. Procedures

(a) The proceedings of the Committee shall be in accordance with the current School Governance (Procedures) (England).

(b) The quorum for a meeting of the Committee shall be three voting members.

3. Chair (who shall be a governor)

(a) The Chair shall be appointed by the Committee.

(b) If the Chair is absent from a meeting the voting members of the Committee shall elect one of their members for the duration of the meeting.

4. Functions

The following functions are delegated to the Committee:

Finance

(a) To approve in consultation with the Head Teacher the Annual School Budget and to approve in consultation with the Head Teacher the 3 year budget plan.

(b) To monitor the expenditure of the budget share and report on balances and reserves.

(c) To authorise virement between budget accounts, provided that:

the Committee refer to the Governing Body, without taking any other action, any question relating to:

(i) virement from ring fenced funding, or funding provided to the school in addition to the budget share;

(ii) virement involving sums of £10,000 or more.

(d) To authorise the purchase of any item costing more than £2,500.

(e) To receive an annual inventory report for resources on behalf of the Governing Body.

- (f) To plan in consultation with the Head Teacher the securing of goods, services and works in accordance with the Contract Standing Orders, provided that:
- the Committee refer to the Governing Body, without taking any other action, any question relating to a leasing arrangement or the establishment of a school-based labour organisation.
- (g) To write off goods to the value of £1,000 where:
- (i) the item has become obsolete and is no longer adequate for the purpose intended; or
 - (ii) the item is broken or worn and is of no further useful purpose.
- (h) To enter into agreement with an organisation as appropriate for the provision of services.
- (i) To set up and monitor banking arrangements for the school in accordance with LA's scheme.
- (j) To report to the Governing Body all gifts/donations to the school.
- (k) To process claims for DfE grants arising from action under the above named functions.
- (l) To review annually the Kent Scheme for Financial Management and proposed changes and respond to consultant as appropriate.
- (m) To consider the financial implications of the school development plan (SDP), in consultation with the Head Teacher, before the SDP is submitted to the governing body.
- (n) To consider the financial implications of recommendations from other committees.
- (o) To review annually reserves and balances.
- (q) To receive an annual report from the Head Teacher on the school's financial responsibilities in respect of procedures and tax liability.
- (r) To receive a report annually on how to ensure the school receives its full entitlement and that no resources of income are overlooked.
- (s) To ensure Consistent Financial Reporting requirements are complete.
- (t) To report to the Governing Body on the adequacy of resources.
- (u) To monitor numbers of pupils on roll, age range and prepare strategically for increase / decrease in school roll.
- (v) To monitor the limit for petty cash transactions; currently £200.
- (w) To approve signatories for cheques. Any amounts of £10K and above to be countersigned by the Chair or the Vice-Chair of Governors.
- (x) To establish a Tendering Policy as part of the school's Finance Policy.

- (y) To ensure the school adheres to the LA's conditions of the Scheme for Financing Schools.

Staffing

The Resources Committee is responsible to the Governing Body for all personnel policies concerning all staff. It will include establishing and reviewing (and following approval from the Governing Body) implementing policies concerning conditions of service, staffing levels, Performance Management, discretionary remuneration, and staff discipline. The following functions are delegated to the Committee.

- a) To approve a staffing structure for teaching and non-teaching posts for the school.
- b) To approve the post specifications for all teaching posts.
- c) To review all personnel policies taking account of employment law, the Equality Act, trades union matters, staff welfare and health and safety.
- d) To monitor the School Development Plan to ensure the overall performance of the School against the objectives of the Development Plan and ensure the Governing Body is kept apprised of national and local developments relating to human resources.
- e) To approve and monitor the continuing professional development programme.
- f) To monitor all matters relating to sickness absence, staff welfare, and staff recruitment.
- g) To monitor recruitment and employment procedures to ensure compliance with good practice relating to discrimination, ethnicity and guidance on safeguarding children.
- h) To monitor staff turnover, numbers of temporary posts, vacancies and designated posts.
- i) To monitor the staffing structure review and implementation.
- j) To monitor teaching time and organisation.

Health and Safety

- (a) To ensure compliance, as far as it is within the Committee's power to do so, with the Governing Body's statement of Health and Safety Policy.
- (b) To draw the attention of the Governing Body to any equipment, repair or cleaning which needs to be provided from the school's budget in order to secure compliance with the Governing Body's statement of health and safety policy.
- (c) To receive regular reports from the School's Health and Safety Representative.

Premises

- (d) To monitor the state of maintenance and repair of the internal and external buildings.
- (e) To secure such remedial work as may be necessary and ensure approval for works has been obtained.
- (f) To oversee arrangements for the use of the school premises, other than by the School, subject to:
 - (i) the policy on the use of the school premises as approved by the Governing Body;
 - (ii) the scale of charges for lettings as approved by the Governing Body
- (g) To oversee the arrangements for the security and caretaking of the school premises.
- (h) To consider ways to achieve maximum energy conservation.
- (i) To monitor the adequacy of accommodation.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY] SCHOOL PAY COMMITTEE

Terms of Reference

Purpose

The Pay Committee is responsible to the Governing Body for all personnel policies concerning all staff. It will include establishing and reviewing (and following approval from the Governing Body) implementing policies concerning conditions of service, staffing levels, Performance Management, discretionary remuneration, and staff discipline.

1. Membership

The membership of the committee is at Appendix 1.

Disqualification

Any relevant person employed to work at the school other than as the Head Teacher, when the subject for consideration is the pay or performance review of any person employed to work at the school.

2. Proceedings

(a) The proceedings of the committee shall be in accordance with the School Governance (Procedures) (England) Regulations 2003.

(b) The quorum for a meeting of the committee shall be three voting members.

3. Chair (who shall be a governor)

(a) The Chair shall be appointed by the Governing Body.

(b) If the Chair is absent from a meeting the members of the committee shall elect one of their members for the duration of the meeting.

4. Functions

The following functions are delegated to the committee.

Pay

(a) To approve the post specifications and grades of pay of non-teaching staff employed at the school.

(b) To determine at any time it sees fit the pay and allowances of school teachers and support staff employed at the school in accordance with the terms of the School Teachers' Pay and Conditions Document and the Authority's scheme for non-teaching employees, including the effective dates for such payments, having regard to:

- (i) the levels of pay and allowances in place already;
- (ii) the published Pay Policy of the Governing Body;
- (iii) the staffing structure approved by that body;
- (iv) the School Development Plan;

- (v) the allocation of the school budget approved by that body for pay purposes; and
 - (vi) the recommendations of the head teacher.
- (c) To review at the required times the Unit Total (and in that connection to decide the 'count' of pupils with statements) in conjunction with the head teacher, in order to determine the group number for the school, and to consult with the Authority when it is considered by the committee to be appropriate to alter that number, reporting accordingly to the Governing Body in writing at their next meeting.
 - (d) To issue guidance on determining pay and allowances on appointment to posts at the school, to assist those designated by the Governing Body to appoint staff, if the committee consider it desirable to do so.
 - (e) To determine the Individual School range (ISR) for head teachers, deputy head teacher's and assistant head teacher's pay.
 - (f) To determine the pay for the head, deputy head and assistant head teachers.
 - (g) To determine any applications for early retirement and financial requests including redundancy.

Performance Management

- (h) To receive regular reports from the head teacher on the Teacher Appraisal and Capability Process in the school including teaching and learning.
- (i) To ensure all teachers have been consulted about the formulation of a Performance Management Policy.
- (j) To consider and recommend a robust Performance Management Policy, formulated by the head teacher, to the Governing Body.
- (k) To review annually the Performance Management Policy.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY SCHOOL STAFFING 'FIRST' / STAFF DISMISSAL / PAY APPEAL COMMITTEE

Terms of Reference

Purpose

To consider any appeal in respect of a decision that has been delegated to the Staffing First, Staff Dismissal or Pay Appeal committee

1. Membership

The membership of the committee is at Appendix 2.

2. Proceedings

(a) The proceedings of the committee shall be in accordance with the School Governance (Procedures) (England) Regulations 2003.

(b) The quorum for a meeting of the committee shall be three voting members.

3. Chair (who shall be a governor)

(a) The Chair shall be appointed by the Governing Body.

(b) If the Chair is absent from a meeting the members of the committee shall elect one of their members for the duration of the meeting.

4. Functions

The following functions are delegated to the committee:

(a) To investigate at the request of the Governing Body, any matter relating to the competence or conduct of the head teacher and to make such recommendations to the Governing Body as may be appropriate.

(b) To agree and implement rules and procedures for the regulation of conduct and discipline of the staff of the school, including procedures for disciplinary action and grievance.

(c) To agree and implement procedures for considering and determining whether an employee at the school should cease to work there.

(d) To determine, with advice from the head teacher, dismissal / early retirement payments.

(e) To suspend, without loss of emoluments, any person employed at the school.

(f) To ensure that all issues relating to appeal and notification to the LA are handled properly.

(g) The foregoing functions shall not apply to the Clerk to the Governors or any person working at the school whose post is not on the complement of the school.

- (h) To receive, consider and decide as soon as may be upon any pay appeals made in writing by staff employed at the school about their own award or non-award of pay and allowances and, solely for the purpose of representations, shall have powers to allow the attendance of the staff member concerned (accompanied by a 'friend' if so desired) and the Chair or representative of the committee with responsibility for pay.
- (i) To communicate its decision to the staff member concerned by letter copied to the head teacher and to the Authority and report accordingly in writing to the Governing Body at its next meeting.

GOVERNING BODY OF HOLY TRINITY CE PRIMARY SCHOOL PUPIL DISCIPLINE COMMITTEE

In accordance with the provision of The School Governance (Procedures) (England) Regulations 2003, the Governing Body has established a Pupil Discipline Committee, to which designated functions have been delegated, as set out below.

1. Membership

The membership of the Committee is at Appendix 1.

2. Proceedings

(a) The proceedings of the Committee shall be in accordance with The School Governance (Procedures) (England) Regulations 2003.

(b) The quorum for a meeting of the Committee shall be three voting members.

3. Chair (who shall be a governor)

(a) The Chair shall be appointed by the Governing Body.

(b) If the Chair is absent from a meeting the members of the Committee shall elect one of their members for the duration of the meeting.

4. Functions

The following functions are delegated to the Committee:

Pupil Attendance

(a) To receive an annual report on pupil attendance, to include copies of returns made to the LA.

Exclusion of Pupils

(b) Where the Head Teacher has excluded a pupil either for a fixed period or permanently, to consider whether directions should be given to the Head Teacher for the pupil's reinstatement should take effect immediately or on a specific date, and to give directions accordingly.

(c) To consider any representations by the pupil in the case of the exclusion of a pupil over 18 or by a parent of the pupil, in the case of a pupil under 18.

(d) To act on behalf of the Governing Body in relation to any consultations initiated by the LA.

(e) To act on behalf of the Governing Body in relation to any appeal against the decision of the Committee not to reinstate a pupil at the school who has been permanently excluded.

(f) To monitor exclusions for Looked After Children, pupils with special educational needs, travellers, EAL, etc.