

Emmer Green Primary School

Governing Body

Terms of Reference

Oct 2023

INTRODUCTION

THE ROLE OF THE GOVERNING BODY with specific reference to financial responsibility

Governors have collective responsibility for financial decisions that are made in the context of how the school is run and are answerable to parents and the wider community.

The governing body, supported by information and advice provided by the head teacher, decides the strategic direction of the school.

Responsibility for the implementation of financial decisions remains with the head teacher. In order, therefore, that governors fulfil their role in giving the school strategic direction, it is important that they (and school staff involved in financial management) understand their responsibilities.

The Statutory Position

The Governing body are given their powers and duties as an incorporated body. The Statutory responsibilities of the Governing Body **detailed in section 21 of the Education Act 2002**. Governors are required to:

- manage the school budget, consider the annual budget plan, approve the budget, consider and approve any proposed revisions to the budget plan.
- decide on how to spend the delegated budget depending on any conditions set out in the LA scheme within the financial year.
- decide whether to delegate their powers to spend the delegated budget to the head teacher if so, they should establish the financial limits of delegated authority
- be consulted by the Local Authority (LA) on significant changes to the LA's fair funding.
- make sure accurate accounts are kept.
- determine the staff complement and a pay policy for the school (in accordance with School Teachers Pay and Conditions).
- act as a 'critical friend' to the head teacher by providing advice, challenge and support.
- establish a written performance management policy to govern staff appraisal, after making sure that all staff have been consulted.

The Governing Body's Financial Management Roles

The governing body has a strategic role in the financial management in schools and therefore its key responsibilities include:

- setting financial priorities through the:
 - School Development Plan (SDP),
 - 3 year financial plan
 - The annual budget
- deciding on how the school's delegated budget should be spent, in accordance with their SDP and the statutory curriculum requirements laid down by government
- approving and monitoring the annual budget
- ensuring the budget is managed effectively
- ensuring the school meets all its statutory obligations, and through the head teacher complies with its LA's financial regulations or standing orders
- determining virement and expenditure thresholds
- evaluating the effectiveness of spending decisions

Although the Governing Body has a statutory responsibility for the oversight of most areas of school life, including financial management, a great deal of responsibility is often delegated to the head teacher and to a lesser extent other budget holders or a finance committee. Therefore, you will also need to refer to the Head Teachers Financial Role and Responsibilities in respect of financial management.

More specific responsibilities of the Governing Body include the following:

- ensuring that there is a handbook containing information and a description of financial systems and

<p>procedures for all staff with financial management responsibility</p> <ul style="list-style-type: none"> • establishing formal procedures and a timetable for <u>budget planning</u> • ensuring that only a balanced sound budget is approved • ensuring that financial records are maintained that can provide auditors and inspectors with explanations they consider necessary • responding promptly to recommendations made by auditors or inspectors • monitoring the budget and implement virements when appropriate • ensuring that the school obtains <u>best value for money</u> when purchasing goods and services (see BEST VALUE policy) • establishing a charging policy for the supply of goods and services (see CHARGING policy) • establishing and maintaining a register of business interests of governors and staff who influence financial decisions. This should be open to examination by governors, staff, parents and the LA (see REGISTER OF BUSINESS INTERESTS) • ensuring that financial duties of staff are clearly described to avoid potential conflicts • ensuring <u>in conjunction</u> with the <u>head teacher</u> that: <ul style="list-style-type: none"> - salary payments are only made to school employees - salary payments made in accordance with appropriate conditions of employment - salary payments only made for services provided to the school - appropriate deductions are made (Tax and NI) - payroll changes are accurately recorded and promptly processed • deciding, after careful consideration, whether or not to insure risks not covered by the LA • authorising the disposal or write off of stock
<p>Delegating work to committees</p> <p>A Governing Body can fulfil some of its responsibilities through a series of committees. The committee most likely to help fulfil its financial management responsibilities is the Finance committee. Where a finance committee has been set up the Governing Body will:</p> <ul style="list-style-type: none"> • define its terms of reference • define extent of its delegated authority • ensure it receives minutes of the Committee's meetings • review the Committee's remit and membership annually <p>The Finance committee is non-statutory, and the governing body is able to determine its remit and delegate responsibility to it for 'the approval of the first formal budget plan of the financial year'. It will ensure the governing body is kept fully informed about financial issues. It should provide summary reports for the governing body on all matters within its remit. The following tasks should be carried out by the finance committee:</p> <ul style="list-style-type: none"> • drawing up the budget for approval by the governing body • exploring different expenditure options and assessing expenditure bids • forecasting likely future pupil rolls and income levels • monitoring budgeted income and expenditure • monitoring and adjusting in-year expenditure levels • ensuring accounts are properly finalised at year end/reviewing outturn • evaluating the effectiveness of financial decisions • administering the school's voluntary/private fund <p>The governing body can delegate functions relating to the setting and approval of budgets to the Finance committee. The committee must report to the governing body in respect of any action taken or decision made. Provision is made for functions to be delegated to committees in the School Governance Procedures Regulations 2003, part 4.</p>
<p>Bringing in specialist knowledge</p> <p>It may be appropriate for the Governing Body to consider co-opting or appointing associate members to strengthen the relevant Governing Body committee. Associate members with specialist knowledge or experience on areas including finance, may be useful in an advisory capacity.</p>

Effective clerking arrangements

The clerk has an important part to play in making sure that the governing body's work is well organised. It is helpful if the clerk is able to offer information and advice to the governing body, in addition to organising and minuting meetings, particularly on matters involving the law and procedures to be followed at meetings. Governing bodies should consider what level of help they will need from their clerk when selecting him or her. Governors, associate members and the head teacher of the school should not be appointed as clerk to the governing body although this may be agreed in exceptional circumstances such as for very small schools or to meet an unexpected short-term vacancy.

The clerk to the governing body does not need to be the clerk to all the committees of the governing body but those arrangements need to be similarly effective.

Ideally the clerking arrangements should provide some independence in the advice given to members of the governing body. For example, in larger schools it would be expected that the bursar would not also be clerk to the finance committee. For smaller schools, this may be more difficult to organise but alternative solutions may be available, perhaps through the involvement of an external volunteer for that purpose.

Minutes of governing body and committee meetings are a vital record of matters discussed and decisions taken. In relation to financial management, they provide key evidence that issues have been considered and dealt with properly including action required and follow up arrangements. Thus, it is essential that minutes are accurate, prepared promptly and orientated towards the action that is required.

A copy of the job description and person specification for the Clerk to Governors is available.

The Role of the Chair of the Governing Body

- ❖ To ensure the business of the Governing Body is conducted properly, in accordance with legal and Reading Borough Council delegation requirements.
- ❖ To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making
- ❖ To establish and foster an effective relationship with the Headteacher based on trust and mutual respect for each other's roles. The Chair has an important role in ensuring that the Governing Body acts as a sounding board to the Headteacher and provides strategic direction

Disqualification – the Headteacher, Staff Governors, Pupils, Staff Members

The Role of the Clerk to the Governing Body

- ❖ To work effectively with the Chair of Governors, the other Governors and the Headteacher to support the Governing Body
- ❖ To advise the Governing Body on Constitutional and Procedural Matters, duties and powers
- ❖ To convene meetings of the Governing Body
- ❖ To attend meetings of the Governing Body and ensure minutes are taken
- ❖ To maintain a register of members of the Governing Body and report vacancies to the Governing Body
- ❖ To give and receive notices in accordance with relevant regulations
- ❖ To perform such other functions as may be determined by the Governing Body from time to time

Disqualification – Governors, Associate Members, the Headteacher

The Role of the Chair of a Committee

- ❖ To ensure the business of the Committee is conducted properly, in accordance with legal requirements
- ❖ To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making

Disqualification – none

The Role of the Clerk to Committees

- ❖ To advise the Committee on procedural and legal matters
- ❖ To convene meetings of the Committee
- ❖ To attend meetings of the Committee and ensure minutes are taken
- ❖ To perform such other functions with respect to the Committee as may be determined by the Governing Body from time to time

Disqualification – the Headteacher

The Governing Body

Terms of reference:

- To agree constitutional matters*, including procedures where the Governing Body has discretion
- To recruit new members as vacancies arise and to appoint new governors* where appropriate
- To hold at least three Governing Body meetings a year*
- To appoint or remove the Chair and Vice Chair*
- To appoint or remove a Clerk to the Governing Body*
- To establish the committees of the Governing Body and their terms of reference*
- To appoint the Chair of any committee (if not delegated to the committee itself)
- To appoint or remove a Clerk to each committee*
- To suspend a governor*
- To decide which functions of the Governing Body will be delegated to committees, groups and individuals*
- To receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Governing Body is necessary*
- To approve the first formal budget plan of the financial year
- To keep the Health and Safety Policy and its practice under review and to make revisions where appropriate
- To review the delegation arrangements annually*

*these matters cannot be delegated to either a committee or an individual

Membership - As per the Instrument of Government

Disqualification - as per Regulation 20 and Schedule 6 of the Constitution Regulations

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor	End of term of Office
Sofie Corbin - Parent Governor	13/07/2025 (resigned 24/01/24)
Tonia Crossman	
Nicola Herbert- Staff Governor	11/10/2027
Andrea Grashoff- LA Governor	18/05/2025
Mo Prins - Parent Governor	04/02/2024
Sarah Phelps-Jones - Co-opted Governor	12/10/2026
Rick Weatherall - Co-Opted Governor	12/7/2027
Laura Purser- Parent Governor	19/10/2024
Joanne Roclawski - Parent Governor	19/10/2024

Chair of the Governing Body	Sarah Phelps-Jones & Laura Purser
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Vice-Chair of the Governing Body	Andrea Grashoff
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Clerk to the Governing Body	Emma Howell
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Quorum: 5	One half of the number of Governors in post
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Finance Committee

Terms of reference:

- In consultation with the Headteacher, to draft the first formal budget plan of the financial year
- To establish and maintain an up to date 3-year financial plan
- To consider a budget position statement including at least termly and to report significant anomalies from the anticipated position to the Governing Body
- To ensure that the school operates within the Financial Regulations of the LA
- To monitor expenditure of all voluntary funds kept on behalf of the Governing Body
- To annually review charges and remissions policies and expenses policies.
- To make decisions in respect of service agreements
- To make decisions on expenditure following recommendations from other committees
- To prepare financial statements for inclusion in the governing body report to parents
- To ensure, as far as is practical, that Health and Safety issues are appropriately prioritised
- To determine whether sufficient funds are available for pay increments as recommended by the Headteacher
- In the light of the Headteacher Performance Management Group's recommendations, to determine whether sufficient funds are available for increments

Purchasing Policy

Capital Expenditure

All capital expenditure should be made in liaison with the LA who will ensure a minimum of three quotations are received and the best quality of product/service and price are received.

Non Capital Expenditure

It is expected that the Bursar and Headteacher review all expenditure to ensure the best value for money is achieved on all items. All expenditure requires two signatures at the time of payment.

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

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor/Associate Member	G/AM	Date Appointed to the Committee
Andrea Grashoff	LA Gov	11/10/23
Tonia Crossman	Headteacher	11/10/23
Matt Heaps - Bursar	AM	11/10/23
Nicola Herbert	Staff Gov	11/10/23
Sarah Phelps-Jones	Co-Opted Gov	11/10/23

Chair of the Committee	Sarah Phelps-Jones
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Clerk to the Committee	Tbc
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Quorum (minimum of 3, committee can determine higher number)	
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Curriculum Committee

Terms of reference:

- To consider and advise the governing body on standards and other matters relating to the school's curriculum, including statutory requirements and the School's Curriculum Policy
- To consider curricular issues which have implications for Finance and Personnel decisions and to make recommendations to the relevant committees or the Governing Body
- To oversee arrangements for individual governors to take a leading role in specific areas of provision, eg SEN, e safety, safeguarding. To receive regular reports from them and advise the Governing Body.
- To oversee arrangements for educational visits, including the appointment of a named co-ordinator

These terms of reference agreed by the Governing Body

11/10/23

Name of Governor/Associate Member	G/AM	Date Appointed to the Committee
Nicola Herbert	Staff Gov	11/10/23
Andrea Grashoff	LA Gov	11/10/23
Rick Weatherall	Co-opted Gov	11/10/23
Sarah Phelps Jones	Co-opted Gov	11/10/23
Laura Purser	Parent Gov	11/10/23
Joanne Roclawski	Parent Gov	11/10/23

Chair of the Committee

Nicola Herbert

Clerk to the Committee

TBC

Quorum (minimum of 3, committee can determine higher number)

Premises Committee

Terms of reference:

- To advise the Governing Body on priorities, including Health and Safety, for the maintenance and development of the school's premises
- To oversee arrangements for repairs and maintenance
- To make recommendations to the Finance Committee on premises-related expenditure
- In consultation with the Headteacher and the Finance Committee, to oversee premises-related funding bids
- To oversee arrangements, including Health and Safety, for the use of school premises by outside users, subject to governing body policy
- To establish and keep under review a Building Development Plan
- To establish and keep under review an Accessibility plan

These terms of reference agreed by the Governing Body

11/10/23

Name of Governor/Associate Member	G/AM	Date Appointed to the Committee
Rick Weatherall	Co-opted Gov	11/10/23
Tonia Crossman	Headteacher	11/10/23

Chair of the Committee

Rick Weatherall

Clerk to the Committee

TBC

Quorum (minimum of 2, committee can determine higher number)

Staff and Pay Committee

Terms of reference:

- To draft and keep under review the staffing structure in consultation with the Headteacher and the Finance Committee
- To establish a Salary Policy for all categories of staff and to be responsible for its administration and review
- To oversee the appointment procedure for all staff
- To establish and review a Performance Management policy for all staff
- To oversee the process leading to staff reductions
- To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence
- To make recommendations on personnel related expenditure to the Finance Committee
- To consider any appeal against a decision on pay grading or pay awards
- To make any determination to dismiss any member of staff (*delegated to the headteacher*)
- To make any decisions relating to any member of staff other than the Headteacher, under the Governing Body's personnel procedures (*delegated to the Headteacher*)

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

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor/Associate Member	G/AM	Date Appointed to the Committee
Laura Purser	Parent Gov	11/10/23
Jo Roclawski	Parent Gov	11/10/23
Andrea Grashoff	LA Gov	11/10/23

Chair of the Committee	Laura Purser
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Clerk to the Committee	Appointed as necessary
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Quorum (minimum of 3, committee can determine higher number)	
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Hearings Committee

Terms of reference:

- To make any decisions under the Governing Body's Human Resources procedures e.g. disciplinary, grievance, or capability where the Headteacher is the subject of the action*
- To make any determination or decision under the Governing Body's General Complaints Procedure for Parents and others
- To make any determination or decision under the Governing Body's Curriculum Complaints Procedure, in respect of National Curriculum dis-applications, and the operation of the Governing Body's charging policy:

***cannot be delegated to an individual**

Membership – not less than 3 members of the Governing Body

(NB. The number appointed to this committee directly affects the number required for an Appeal Committee)

Disqualification – The Headteacher

(It is suggested that only experienced governors be appointed to this committee and that the Chairman of Governors, due to probable prior knowledge, should not be a member)

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor	Date Appointed to the Committee
Andrea Grashoff	11/10/23
Plus any 2 other (not staff)	

Chair of the Committee	Appointed as necessary
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Clerk to the Committee	Appointed as necessary
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Quorum (minimum of 3, committee can determine higher number)	
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Appeals Committee

Terms of reference:

- To consider any appeal against a decision to dismiss a member of staff made by the Hearings Committee*
- To consider any appeal against a decision short of dismissal under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability*
- To consider any appeal against selection for redundancy*

*cannot be delegated to an individual

Membership - no fewer members than the Hearings Committee

Disqualification - The Headteacher

Any members of the Hearings Committee

(It is suggested that only experienced governors be appointed to this committee and that the Chairman of Governors, due to probable prior knowledge, should not be a member)

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor	Date Appointed to the Committee
Sarah Phelps-Jones	11/10/23
Plus any 2 other (not staff)	

Chair of the Committee	Appointed as necessary
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Appointed as necessary

Clerk to the Committee	Appointed as necessary
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Quorum (minimum of 3, committee can determine higher number)	
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Pupil Discipline Committee

Terms of reference:

- To consider representations from parents in the case of exclusions of 5 days or less (*Committee may not re-instate*)
- To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (*meeting to be held between 6th and 50th school days after receiving notice of the exclusion*)
- To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (*meeting to be held between 6th and 15th school days after receiving notice of the exclusion*)
- To review the School Behaviour and Discipline Policy, and make recommendations on changes to the Governing Body or relevant committee

Membership – 3 or 5

NB. The Governing Body may nominate a pool of governors from which three or five will serve as the Discipline Committee to consider particular exclusions. If a governor has a connection with the pupil or the incident that could affect their ability to act impartially they should not serve at the hearing. If, through non-attendance of a governor, four members consider an exclusion, the chair has the casting vote.

Disqualification – The Headteacher

Any Governor with prior knowledge of the pupil or the incident.

(It is suggested that neither the Chairman of Governors nor a member of staff, due to probable prior knowledge, should be a member)

These terms of reference agreed by the Governing Body	11/10/23
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Name of Governor	Date Appointed to the Committee
Rick Weatherall	11/10/23
Plus 2 others not involved in the issue	

Chair of the Committee	Appointed as necessary
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Clerk to the Committee	Appointed as necessary
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Quorum:	3
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Provisional Meeting Dates for the 2023/2024 Academic Year

Meeting	Autumn term	Spring term	Summer term	Summer Term
Governing Body	Wednesday 11 th October 4.30 pm	Wednesday 24 th January 5.00 pm	Wednesday 15 th May 5.00 pm	Wednesday 16 th July 5.00 pm
Curriculum Committee	Wednesday 29 th November	Thursday 18 th Jan 2024	Due April 2024	
Finance Committee	Wednesday 11 th October (before Gov Body meeting)	Wednesday 24 th January 2024 (before Gov Body meeting)	Wednesday 15 th May 2024 (before Gov Body meeting)	Wednesday 16 th July 2024 (before Gov Body meeting)
Premises Committee	Tuesday 21 st November, 2023	Due Feb 2024	Due April 2024	

Committee meeting dates only provisional
Further meetings to be arranged when needed