



Shuttleworth College

Governing Board

Terms of Reference

2017

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Committees which will be constituted as need arises:

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Main Roles of the Governing Body

The three core strategic functions of the governing body are

Setting Strategic Direction

The Governing Body must ensure that the vision, ethos and strategic direction of the college are clearly defined. They should engage stakeholders and meet their statutory duties.

The Governing Body has important powers and duties but limited time and resources, so it should focus on where it can add most value – that is, in helping to decide the college’s strategy for improvement, so that students learn most effectively and achieve the highest standards. The Governing Body should help to set and keep under review the broad framework within which the Headteacher and staff should run the college. In all its work, the Governing Body should focus on the key issues of raising standards of achievement, establishing high expectations and promoting effective teaching and learning.

Create Robust Accountability

The Governing Body is responsible for holding the Headteacher to account for the educational performance of the college and its students, and the performance management of the staff and in particular governors are responsible for:-

- Accountability for teaching, achievement, behaviour and safety;
- The Performance Appraisal of the Headteacher;
- Contributing to College Self-Evaluation.

To Ensure Financial Probity

The Governing Body is responsible for ensuring the sound, proper and effective use of the college’s financial resources and overseeing the financial performance of the college and making sure its money is well spent, including use of the pupil premium to overcome barriers to learning.

In exercising the above functions, the governing body must

- act with integrity, objectivity and honesty and in the best interests of the college; and
- be open about the decisions they make and the actions they take and in particular shall be prepared to explain their decisions and actions to interested parties.

The Role of the Chair

The role of the Chair extends a long way beyond “presiding over” meetings of the governing body. In order for those meetings to work effectively the Chair must develop the other aspects of the role. The Chair is key in setting the tone for meetings and ensuring that governors are enabled and encouraged to have an active voice and to play a full role in the life of the college.

Knowledge

- The college, its workings and its life
- The local community
- General education issues and news
- Local Authority practice, policies and initiatives
- Governance Regulations and Procedures (Your clerk will be able to advise on this)
- You may wish to develop your skills and knowledge by attending training on the Role of the Chair (see the training programme for details) or the National College Chairs of Governors’ Development Programme and by attending events and conferences organised by other external providers.

Building Relationships

- Make contact with new governors and arrange induction - ensure they feel welcome on the governing body and in the college and are briefed on issues
- Be available to talk to other governors and keep in touch between meetings
- Encourage good relationships among governors and with staff
- Create opportunities for informal and social contact
- Make clear that governors have collective responsibility for decisions they have taken and discourage any “caucusing” within the Governing Body.
- Encourage co-operation and collaborative working among governors
- Praise governors and staff for their contributions
- Encourage governors to use their areas of expertise

Leading and Managing

- Make sure that the Governing Body operates within the law
- Ensure that meetings are run effectively – that they start and finish on time, agenda items are properly introduced and everyone has the chance to contribute
- Build a team – recognising and building on people’s strengths, delegating effectively and making objectives clear
- Use committees and working groups to develop new ideas, action plan and work through contentious proposals
- Define a role for the Vice Chair and committee chairs
- Use time effectively – plan the year’s cycle of meetings and a time table for reports and action
- Enable governors to contribute to the college development plan
- Keep training and development needs under review and encourage governors to update and develop their knowledge and skills
- Encourage governors to take on specific areas of responsibility – eg Special Educational Needs & Disabilities, a curriculum area, Safeguarding, training etc.

Supporting the College

- Work with the Headteacher - be available to listen, support and talk through any areas of disagreement through challenge and by acting as a critical friend
- Be visible in college – visit, be involved in college life and attend social events,
- Be accessible to staff and parents
- Work with the Local Authority and be prepared to represent the college's interests and make representations on their behalf if necessary
- Take a lead on any difficulties with the Headteacher

The Powers of the Chair

Corporate Identity

A Governing Body is a corporate body, with a legal existence separate from its individual members. Individual governors may only take action on behalf of the governing body where that power has been delegated to them by the governing body – and it must be a power which can be delegated to an individual.

Chair's Action

However, the Chair (or in their absence the Vice Chair) has the power to take action in discharging any function of the governing body when a delay in exercising the function would be likely to be seriously detrimental to the interests of the college, any pupil at the college or their parent, or a person who works at the college.

Exclusion

The only other circumstance in which the Chair has power to act exceptionally is in relation to a pupil whose exclusion from college will result in him or her missing a public exam. Normally exclusions must be considered by a committee of governors. However the Chair can review the Headteacher's decision to exclude a pupil where that exclusion will result in the pupil missing a public exam.

Casting Vote

A further power held by the Chair is when a formal vote is taken by the Governing Body on any matter. If there is an equal division of votes, the Chair has a second and casting vote.

Delegation of Functions

Most functions of the governing body can be delegated to a committee or an individual but the following cannot be delegated at all:

- Functions relating to the Constitution Regulations 2007 and 2012- your clerk to the governors can advise you on these matters;
- Removal or appointment of a governor
- The appointment or removal of the chair and vice-chair;
- The suspension of governors;
- The delegation of functions
- Establishment of committees
- Certain staffing matters such as the appointment of a Headteacher or Deputy Headteacher selection panel or the appointment of a Headteacher or Deputy Headteacher.

The following are decisions that cannot be delegated to an individual:

- exclusion of students;
- approval of the budget
- decision to discontinue a college;

The Chair's Relationship with the Headteacher

The relationship between the Chair and Headteacher is of great importance to the successful operation of the Governing Body and the College.

The Headteacher is accountable to the governing body for the performance of all his or her responsibilities which include:

- The internal organisation, management and control of the college; and
- The educational performance of the college

Some issues discussed by the Chair and the Headteacher should remain confidential. These might include: personal confidences, ideas shared at an early stage of development, confidential issues about students, parents or staff where the Headteacher is using the Chair as a sounding board.

However, in developing a relationship with the Headteacher, Chairs need to be mindful of the limits of their powers and must not be drawn into decision-making at the expense of the corporate nature of the Governing Body. It may sometimes be tempting for the Headteacher and Chair to sort things out on their own. All good Chairs resist the temptation to make decisions outside the Governing Body and in contradiction of agreed procedures. The Governing Body should not feel that sides have been taken or decisions made behind their backs.

Normally, the Chair of the Governing Body has no greater powers than those of any other governor. Like any governor, Chairs may only take decisions on their own if the Governing Body has delegated that decision to them.

The Chair's relationship with the Headteacher and the frequency of their meetings may differ depending on personalities, the size and phase of the college, the issues facing the college and the time commitments of both the Headteacher and the Chair. It is likely that the frequency of meetings will increase where there is a newly appointed Headteacher, or a new Chair. There are no blueprints.

You and the Headteacher should make the opportunity to discuss mutual expectations at the earliest opportunity. This should be done whether you are new to your role or the Headteacher is new to the college.

You might wish to discuss how you and the Headteacher will:

- Share the responsibility and the workload
- Accept one another's strengths and weaknesses
- Be discreet and not break confidences

- Be honest with one another
- Be loyal to the college
- Respect one another
- Trust one another

Asking Challenging Questions

The Headteacher must comply with any reasonable direction of the Governing Body but the Headteacher needs to feel that any discussions with a Chair of Governors are conducted in an atmosphere of mutual trust and respect. At the same time a Headteacher must be aware that the Chair of Governors, along with the Governing Body, is accountable for overall college improvement and will therefore need to ask challenging as well as supportive questions.

As an effective Chair, you will be able to listen and ask appropriate questions as well as acting as a sounding board for the Headteacher. For this to work well there must be an understanding that some conversations will be treated as confidential, but that all conversations must be carried out with regard for the Chair's responsibility to the college.

What Makes an Effective Meeting Before the Meeting

- Ask the Headteacher to
 - make sure the environment for the meeting is comfortable, warm and well lit.
 - arrange comfortable seating and ensure that it encourages participation – a circle or rectangle is probably best. Governors should be able to see each other!
 - make sure that refreshments are provided
- Work with the clerk and Headteacher to construct the agenda.
- Prioritise important items and agree timings
- Make sure that papers to be “tabled” are kept to a minimum
- Read all the documents
- Be ready to summarise issues
- Get clarification on anything you are unsure of
- Be clear about what you want to achieve and what decisions are required
- Check the minutes for accuracy and clarity
- Prepare for “matters arising”
- Organise your papers! Be clear about where reports or minutes will come on the agenda

At the meeting

- Set a brisk and business-like pace for the meeting
- Ensure that everyone is able to be involved – to contribute and to listen
- Insist that reports and discussion are addressed to the Chair and that one person speaks at a time – no chatting around the table!
- Encourage brevity of expression
- Discourage irrelevant contributions and especially “hobby horses” and “bees in bonnets”
- Structure discussion and focus on the outcome and decisions
- Enable disagreement to be handled constructively – this can be helped by addressing contributions to the chair rather than governors disagreeing with each other
- Ensure that everyone is clear about decisions taken

- Be specific about actions – what, who and when. An “action sheet” produced soon after the meeting can be very helpful

A Guide to Good Chairing

- Consult with the Headteacher and plan the agenda with the clerk
- Confirm that follow up action agreed at the previous meeting has been taken
- Agree deadline for papers to go out in advance
- Read the papers thoroughly and mark important points
- Plan what you want to say
- Check the minutes of the last meeting and note matters arising
- Be aware of which items could be deferred
- Understand what decisions must be made
- Understand the issues involved and seek additional information if necessary
- Work out a rough timetable for the agenda with the clerk
- Start the meeting on time, introduce and welcome any new governors or visitors
- Lead the Governing Body through the agenda, facilitate discussion and be prepared to move the meeting on
- Be clear about items which can be referred or delegated to a committee or working party
- Be brief, to the point and unprovocative and encourage others to be the same
- Summarise the arguments which come up in discussions
- Ensure that clear decisions are made and action agreed
- Formally close the meeting when business is completed

The role of the Clerk

According to the Department for Education (DfE), the clerk should be the governing board's "governance professional". As well as organisation and administration, the role includes:

- Helping the board understand its role, functions and legal duties
- Supporting the chair in enabling and facilitating strategic debate and decision making

The College Governance (Roles, Procedures and Allowances) (England) Regulations 2013 set out the functions of the clerk to the governing board in maintained colleges in England.

Regulation 11 says that the Clerk to the governing board must:

- Attend meetings of the governing board and ensure that minutes of the proceedings are produced in accordance with regulation 15(1)
- Maintain a register of members of the governing board and associate members and report any vacancies to the governing board
- Perform such other tasks as may be determined by the governing board.

Regulation 15(1) explains that the Clerk "must ensure that minutes ... are drawn up and signed (subject to the approval of the governing board) by the chair at the next meeting".

The Clerk is also responsible for convening meetings of the governing board, as stated in regulation 13.

This includes giving written notice of the meeting and a copy of the agenda to all governors, associate members and the Headteacher at least seven clear days in advance of the meeting. The exception to this is where the Chair determines that a meeting needs to be held urgently, in which case this can be explained in the written notice of the meeting and the agenda may be circulated at shorter notice.

The role of Committee Chairs

The College Governance (Roles, Procedures and Allowances) (England) Regulations 2013 set out key statutory functions that relate to the role of a committee chair in maintained colleges. This legislation explains that committee chairs are either appointed annually to each committee by the governing body, or elected by the committee itself.

The legislation also outlines functions that the committee chair must perform, which include:

- Where necessary, giving directions to the clerk to the committee with regard to convening meetings
- Exercising a casting vote where there is an equal division of votes (provided the chair is a governor)
- Signing the minutes from meetings at the next meeting of the committee (subject to the approval of the committee)

Governing Body Terms of Reference

The Governing Body needs to take a strategic role, act as a critical friend to the College and be accountable for its decisions. It should set aims and objectives and agree, monitor and review policies, targets and priorities.

- 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*.
- Committee terms of reference are to be reviewed annually by the Governing Body and each Committee is responsible for ensuring the strategic development and monitoring of the areas of College activity and life which fall within its delegated remit (as outlined in its terms of reference).
- To appoint the Chair of any committee (if not delegated to the committee itself).
- 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.
- Governors may not be involved in or vote on agenda items in which they have a personal interest and must declare any such interest in advance of the start of any discussions.

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

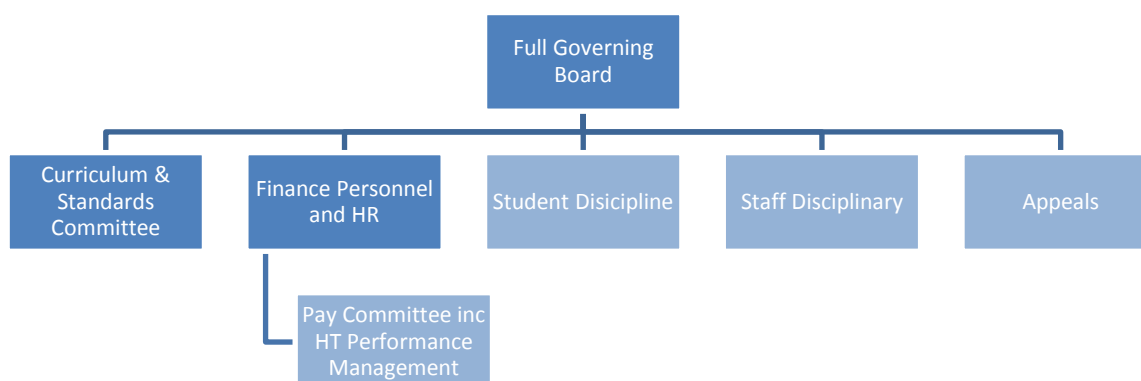
Membership: As per the Instrument of Government Disqualification: As per Regulation 20 and Schedule 6 of the Constitution Regulations

Quorum: One half of the number of Governors in post

Membership

Governor	Category	Committee Membership	Role	Appointed	End of term of office
Paul Armstrong	C	F&R		03 07 17	02 07 21
Simon Davies	F	C&S + F&R	Chair of Gov	01 07 15	30 06 19
Ruth England	Staff	C&S + F&R	Headteacher		Ex Officio
Kevin Hall	F	F&R		01 12 15	30 11 19
Penny Heys	C	C&S		03 07 17	02 07 21
Helen Kershaw	C	C&S		08 05 17	07 05 21
Maggie Lishman	F	F&R		16 01 17	15 01 21
Vince Pridden	LA	C&S		30 10 16	29 10 20
Marie Shaw	F	C&S		21 11 17	20 11 21
Vacancy	P	C&S			
Peter Greenhalgh	Staff	C&S		04.12.17	03.12.21

Governance Structure



Lead Governor Roles

Leadership & Management	Kevin Hall (sub Paul Armstrong)
Outcomes for Students	Simon Davies
Personal Development Behaviour and Welfare	Marie Shaw
Teaching Learning & Assessment	Helen Kershaw (sub Penny Heys)
SEND	Marie Shaw
Safeguarding including Prevent	Marie Shaw
Pupil Premium	Helen Kershaw
Health & Safety	Maggie Lishman
CPD	Simon Davies

Curriculum & Standards Committee

Members

Simon Davies
Ruth England
Helen Kershaw
Vince Pridden
Marie Shaw
Peter Greenhalgh
Penny Heys

In attendance

Deputy Head Curriculum & Standards
Other SLT members as required

Chair: Helen Kershaw

Vice Chair: Marie Shaw

Quorum

The Quorum shall be 4 Governors.

Meetings

The Committee shall meet at least once per term and as required.

Purpose of the Committee

To monitor performance, and provision including student outcomes and support for students with a particular focus on the vulnerable and Disadvantaged students.

Terms of Reference

- To advise the Governing Body on the college's Curriculum Statement and their statutory obligations regarding the National Curriculum.
- With the assistance of the staff, to provide information to the Governing Body about how the curriculum is taught, evaluated and resourced.
- To review the policy and provision for collective worship and for Religious Education and make recommendations.
- To review the policy and provision for Sex and Relationships Education and make recommendations.
- To ensure the requirements of students with special needs are met in accordance with the Code of Practice including monitoring the impact and implementation of national SEND regulations together with the college's own SEND policy.
- To monitor college performance against local and national comparative data.
- To review the information about college performance, targets and achievement which the Governing Body and the College have a duty to publish.
- To contribute towards and approve the College Development Plan and monitor and evaluation progress.
- To receive reports and advice from Governors with a designated interest in specific curriculum areas.
- To have input into the College's Self Evaluation process.
- Review and update Safeguarding and Child Protection Policy and monitor its implementation with particular regard to action taken in reported incidents
- To and review the deployment and impact of Pupil Premium funding for disadvantaged students.
- To monitor attendance data and receive reports on actions taken to address attendance issues
- To monitor and review pupil behaviour including rates of exclusions and incidents of

bullying and racism.

- To monitor and review the provision for social, moral, spiritual and cultural development of students, including support for the development of British Values
- To monitor and review provision for pastoral support, including support for physical and mental health and wellbeing
- To monitor and review pupil rates of attendance, punctuality and absences together with remedial action implemented by the college.
- To consider and report back upon such matters as may be delegated or devolved to the Committee by the Governing Body.

Standing items include:

- Pupil Outcome/ Progress reports
- Safeguarding and child protection incidents and action
- Rates of exclusion
- SEND update
- Attendance and punctuality
- Wellbeing issues and actions
- SEF/SIP update relevant sections

Key questions for governors to support and challenge the college

1. How does attainment at this college compare to national averages and the government's floor standards?
2. What, if any, impact does the context of our college have on students' attainment?
3. How is the college performing in English and maths?
4. How do students in our college progress compared with expectations?
5. How does the college's performance compare to those for other similar colleges?
6. Which groups of students in terms of gender and ethnicity are the highest and lowest performing?
7. How are FSM, SEN and EAL students progressing compared with other students in this college, and compared with FSME students in other colleges?
8. How are low, middle and high ability students progressing and attaining?
9. Which subjects are highest and lowest performing?
10. Do we know how these results have been changing over the past three years: are we improving or not?
11. How does attendance in each year group compare with national averages, and what are the trends over time?

12. Does the Headteacher's report give a clear indication of progress towards meeting the targets/objectives in the college development/improvement plan?
13. Does the Headteacher's report give a clear indication of pupil progress for all year groups and subjects in the college?
14. What are the strengths and weaknesses of this college?
15. How do we know that the information we have about our college is robust and accurate?
16. Have the new SEND regulations been implemented and reviewed? Are all staff and Governors aware of changes?
17. Does evidence exist to confirm that the deployment of Pupil Premium funding has achieved maximum impact within college?
18. Is the Safeguarding and Child Protection policy managed as an ongoing working document ?
19. Have behavioural standards been set and achieved throughout the college and targets met for attendance and punctuality?
20. Are the pastoral and welfare needs of students identified and well supported?
21. Are Social, Moral, Spiritual and Cultural principles embedded within the College's culture?
22. Are students' mental and physical wellbeing needs supported within the curriculum and through additional support?

Finance, Resources & HR Committee

Members

In attendance

Simon Davies
Ruth England
Kevin Hall
Maggie Lishman
Peter Greenhalgh
Paul Armstrong

Business Manager
Other SLT members as required

Chair: Kevin Hall

Vice Chair: Paul Armstrong

Quorum

The Quorum shall be 3 Governors.

Meetings

The Committee shall meet at least once per term and as required.

Purpose of the Committee

To provide support and guidance to the Headteacher and the Governing Body in all matters relating to budgeting and finance, personnel, college premises and grounds, security, health and safety and administration.

Terms of Reference

Finance

- Prepare and review financial policy statements including consideration of long term planning and resourcing.
- Consider each year's College Development Plan priorities and present an annual budget for the financial year to the Governing Body for approval.
- To approve and monitor the College's Financial Regulations according to the financial Scheme of Delegation
- Monitor income and expenditure of all public funds and report the financial situation to the Governing Body once per term or as required.
- To agree and monitor the use of Pupil Premium funds for disadvantaged students
- To vire income/expenditure funds between budget codes and within the limits set by the Governing Body and the College Financial Regulations.
- Ensure the audit of non-public funds for presentation to the Governing Body.
- Receive and, where appropriate, respond to periodic audit reports.
- To ensure that the College achieves and maintains the Colleges Financial Value Standard (SFVS).

People

- To determine the staffing structure for the College and review staffing on an annual basis.

- To constitute a Pay Committee of 3 members to undertake all functions relating to Performance review and Pay decisions including that of the Headteacher. Including receipt of recommendations from the Headteacher for pay progression for teachers and the External Adviser for the Headteacher.
- To undertake the selection/recruitment of staff designated as part of the Senior Leadership Team. This will include advertising, long-listing, short-listing, interview and appointment arrangements for such posts.
 - Any headteacher and Deputy/Vice Headteacher recruitment is to be conducted in accordance with statutory legislation.
 - For posts below designated Senior Leadership Team the Committee delegates recruitment, selection and appointment to the Headteacher
- To undertake the Governing Body's role in relation to Newly Qualified Teachers (NQTs).
- To ascertain the College group size, set an Individual College Range (ISR) and set a salary point for any new Headteacher.
- To determine the delegation for the Deputy/Vice Headteachers' performance management process.
- To consider and make decisions relating to extraordinary requests for leave of absence which is not within the scope of the Staff Absence Policy or Burgundy Book Guidance.
- To review the operation of sickness absence procedures and monitor sickness absences.
- To consider and implement any decisions relating to staff discipline and grievances, including disciplinary sanction/actions/dismissal against an employee in accordance with any procedures adopted by the Governing Body.
- To consider and make decisions that could result in the termination of employment of any employee on the grounds of performance capability in accordance with any procedures adopted by the Governing Body
- To consider and make decisions about matters relating to the dismissal of staff, including dismissal arising from redundancy or redundancy arising from ill health or incapacity, which may be referred to the Committee in accordance with any procedures adopted by the Governing Body (taking into account any statutory and LA guidance).

Health & Safety/Premises

- To review the arrangements in place for the provision of support services and to make recommendations to the Governing Body as to the options for service provision that offer best value for money.
- To monitor the effectiveness of the college's arrangements for ensuring the security and appropriate deployment of its assets. To receive annual reports from the college on its asset base and to make recommendations, where necessary, to improve systems and procedures.

- To receive regular updates on the performance of the PFI provider in relation to the provision of FM services and the maintenance of the college building.
- To assist the Governing Body and Headteacher to discharge their responsibilities under the Health and Safety at Work Act 1974 and other relevant legislation in collaboration with the LA.
- To consider the LA's policies on health and safety and recommend a policy for the College to the Governing Body for adoption and implementation.
- To monitor the effectiveness of the college's Health & Safety arrangements, make termly inspections of buildings, plant and equipment and report at least once a year to the Governing Body.
- To ensure that the necessary college management organisation is in place to implement the policy.
- To agree/oversee Critical Incident Planning including Business Continuity.
- To consider and report back upon such matters as may be delegated or devolved to the Committee by the Governing Body.

Standing items include:

- Finance reports
- SFVS
- Health & Safety Reports
- Staffing Update

Key questions for governors to support and challenge the college

1. Do we understand how the delegated budget received from the local authority or the General Annual Grant from the Education Funding Agency has been calculated?
 - a. Are we clear what items of expenditure this budget is meant to cover?
2. How often do we receive reports from the Headteacher/college business manager about spending across different departments within the college?
3. Is this sufficient enough to allow the governing body to effectively monitor and review spending?
4. Do we have the necessary skills on the governing body to effectively monitor the finance and procurement processes effectively?
5. Are there clear terms of reference for any committee(s) dealing with finance?
6. Are there a clear financial procedures, including procedures for procurement, in place?

7. Are there appropriate mechanisms in place to ensure that the agreed procedures are being followed?
8. Have we taken/received advice from the local authority/our auditors on our financial systems?
9. Do we have sound procedures in place for fraud detection?
10. Are we allocating funding in line with development/improvement priorities?
11. Are we making efficient use of all our financial resources?
12. Are there areas in which we could obtain better value for money from our budget?
 - a. Are we under or over spending in any areas of the budget? Why is this?
13. Do we have a deficit and do we have a clear plan for eliminating it?
14. Do we have any reserves and do we have a clear plan in relation to spending them?
15. Have we/our business manager produced forecasts for the next 3 years?
16. Do we know the cost to the college of the pension increase in the coming and future years?
17. Do we know the cost to the college of the NI increase in 2016 and future years?
18. Do the forecasts take account of the impact of annual salary increases?
19. Have we considered all avenues of income generation?
20. Does the college have the necessary skills in the staff team to manage finance and procurement well?
21. Do you think that the governing body has the necessary skills to effectively monitor the finance and procurement processes effectively?
22. Have you benchmarked our spending on (e.g. learning resources and energy) against similar colleges?
23. Have you considered joint procurement with other colleges?

24. Do you have a hospitality policy?
25. Have all governors and members of staff been made aware of it?
26. Is the Colleges Financial Value Standard (SFVS) return a regular item on the relevant GB/Finance Committee agenda?

27. Have the governing body put in place an action plan to address any issues found when completing the SFVS
28. Have all members of the governing body seen a copy of the SFVS?