

GOVERNING BODY
DRAFT PROCEDURAL GUIDANCE
A document for discussion by the governing body

1 Context

These Standing Orders should be used in conjunction with Statutory Instruments as indicated, general advice issued by the Department for Education and Skills, the headteacher's contract and Conditions of Employment and, where appropriate, the policies of the local authority.

2 Instrument of Government

The governing body was reconstituted in accordance with the School Governance (Constitution) (England) Regulations 2003 on¹
The term of office for all governors is 4 years²

3 Headteacher's Report to Governing Body

The headteacher must provide the governing body with any information requested by them for the purpose of the exercise of any of their functions.

The headteacher should provide a written report - when, how often? To the governing body? Committee?
The headteacher should provide an oral report - when, how often?

4 Convening and Planning Meetings and the Conduct of Business

Chair and Vice Chair

4.1 The governing body will elect from among its number a Chair and a Vice Chair.
The procedure for this process is:³
The term of office for the Chair is:⁴
The term of office for the Vice Chair is:

4.2 The Chair will conduct all meetings of the whole governing body except where, in his or her absence, the chair will be taken by the Vice Chair.

4.3 If both the Chair and Vice Chair are absent from a meeting or have resigned, the governing body will elect from its number a chair for that meeting.

5 Calendar of Meetings

5.1 The governing body will meet as a whole no less than three times a year.

5.2 The governing body will plan its meetings, including those of its committees, on an annual basis. A calendar of meetings will be circulated at the appropriate time.

6 Timing of Meetings

6.1 Meetings will start at times that are acceptable to the full governing body.

7 Quorum

7.1 For meetings of the full governing body the quorum will be one half of the full membership of the governing body (excluding vacancies).

7.2 The quorum for a committee will be that determined by the governing body when the committee is established, but will be no less than 3.

7.3 A meeting cannot be held if it is inquorate and, therefore, decisions may not be made.

¹ Insert the date that the new Instrument of Government will take effect

² The term of office for different categories of governor can be varied. Insert any variations.

³ Insert the procedure agreed by the governing body

⁴ Insert the term of office that the governing body has agreed for the Chair and Vice Chair indicating when the next election will take place.

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- 7.4 If, during the course of a meeting, it becomes inquorate, it will be discontinued.
- 7.5 A meeting may be discontinued at any time by resolution of the governing body.
- 7.6 When a meeting is discontinued or is inquorate any items remaining on the agenda will be placed on the agenda of a subsequent meeting.

8 Convening Meetings

- 8.1 All meetings will be convened by the Clerk who must also comply with any direction of the Chair, and with a requisition signed by three governors of the governing body.

9 Notice of Meetings

- 9.1 Written notice of meetings and the agenda will be sent to governors at their registered addresses, the headteacher, if not a governor, and the Group Director of Schools and Children's Services, so that they may be received seven clear days before the meeting, while those for an extraordinary meeting called by the Chair or by requisition written notice may be sent within a shorter time.
- 9.2 Non-receipt of notice of a meeting will not invalidate the meeting.

10 Agenda

- 10.1 The agenda will be organised by the clerk in consultation with the Chair and the Headteacher together.
- 10.2 Items may be placed on the agenda by an individual governor, or groups of governors, by writing to the clerk.
- 10.3 Papers which inform Agenda items will be sent to governors with the Agenda. Only in specially agreed circumstances and by prior agreement with the Chair will information be circulated at the meeting.
- 10.4 The headteacher's report will be circulated with the calling notice.

(Every effort should be made to ensure that supporting papers for agenda items are circulated prior to the meeting)

11 Late Items/Any Other Business

- 11.1 Governors should inform the meeting of any item they wish to raise under Any Other Business at the beginning of the meeting.
- 11.2 The meeting will decide whether any item so identified may be raised under Any Other Business, whether it should be deferred to a subsequent meeting or whether it should not be heard at all.

12 Attendance

- 12.1 A record will be kept of all persons attending a meeting of the governing body or any of its committees.⁵
- 12.2 The time of departure of any governor leaving before the end of a meeting will be recorded in the minutes.
- 12.3 The governing body will be kept informed of governor attendance.

13 Minutes of Meetings

- 13.1 The minutes of meetings will be drawn up, approved by the governing body and signed by the Chair at the next meeting.
- 13.2 A dissenting view will be recorded in the Minutes of the meeting, if that is the wish of one or more governors present.
- 13.3 Action will be taken on the basis of decisions and need not wait the approval of Minutes at the next meeting.

⁵ A register of attendance circulated at the beginning of the meeting for governors to sign in is useful

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- 13.4 Those matters, which must, by law, remain confidential or which the governing body decides shall be confidential will not be published in the Minutes of any meeting.
- 13.5 The approved minutes will be available for public inspection at reasonable times by arrangement with the Clerk.⁶
- 13.6 A copy of the minutes of full governing body meetings and any of its committees with delegated responsibility will be sent to the Director of Schools and Children's Services.⁷
- 13.7 The minutes of full governing body meetings and any of its committees will be held at the school for access as required (excluding confidential items which will be held separately).

14 Correspondence

- 14.1 All incoming correspondence, excluding any concerning a complaint, is for the attention of the whole governing body. Items will be presented to each meeting of the governing body, including any upon which the Chair has already taken urgent action, so that the need for, and the nature of, action may be decided or confirmed.
- 14.2 The clerk to the governors will normally write letters on behalf of the governing body.

15 Information and Advice

- 15.1 The headteacher has a statutory duty to keep the governing body fully informed, and should present a written report at least once per term to the governing body.
- 15.2 The Director of Schools and Children's Services will be invited to attend meetings in order to inform and advise the governing body when considered appropriate by the full body.
- 15.3 Where important information required by the governing body is given orally, it will be recorded in the Minutes in appropriate detail.
- 15.4 Where information is required by the governing body but is not readily available, reasonable time will be given for its production.
- 15.5 Where expertise is needed but not available within the governing body, the governing body may appoint associate members.⁸

16 Discussion and Debate

- 16.1 The Chair will consult the governing body on matters raised where they appear to be not relevant to the agenda or for which due notice has not been given.
- 16.2 The Chair will ensure that all governors enjoy equality of opportunity to express their views.
- 16.3 Recommendations received from working parties will be recorded in the written Minutes.
- 16.4 The governing body will receive, but not debate, decisions that it has delegated to a committee or to an individual. Decisions will be recorded in the Minutes.

17 Decision Making

- 17.1 Members of the governing body recognise that all decisions must be made by a full meeting of the governing body unless an individual or a committee has been delegated to deal with a specific issue. The governing body may take decisions on matters that have been delegated to a committee.
- 17.2 Decisions will be made after full discussion and by a simple majority by a show of hands unless any one member, or more, require a secret ballot.
- 17.3 A decision of the governing body is binding upon all its governors.

⁶ Minutes of meetings may be regularly posted on the staff or parent noticeboard (excluding confidential items)

⁷ Add the Governor Support & Training Team to your governor label list

⁸ Associate members have restricted voting rights. They may be appointed for a period between 1 and 4 years. They do not appear in the Instrument of Government.

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- 17.4 If there is a tied vote at the end of a discussion, the Chair may vote a second time to determine the issue.
- 17.5 Decisions of the governing body may be amended or rescinded, as the governing body deems appropriate.

18 Urgent Action

- 18.1 The chair, or in his/her absence the Vice Chair, has authority to take urgent action between meetings provided that the following conditions exist:
 - 18.1.1 delay in dealing with the matter would be seriously detrimental to a pupil, or potential pupil, or his or her parents, or to a member of staff or a potential member of staff; and
 - 18.1.2 a meeting could not be called in sufficient time to deal with the matter without being seriously detrimental as described in 16.1.1.
- 18.2 If any urgent action is taken by the Chair between meetings, the facts will be reported as soon as possible to the governing body.

19 Public Statements

- 19.1 Public statements will be made only by those delegated to make them.

20 Access to meetings of the governing body

- 20.1 Those persons entitled to attend a meeting of the governing body are any of its governors, the headteacher, whether or not a member of the governing body, associate members and the Clerk.
- 20.2 When the Headteacher is absent, his or her place may be taken by the Deputy Headteacher. The Deputy Headteacher does not have a vote.
- 20.3 An Acting Headteacher does not have a vote if there is a substantive head in post.
- 20.4 The governing body will decide who, other than a Governor, the Headteacher or the Clerk, will be admitted to a meeting.
- 20.5 The governing body will determine its procedures for responding to those seeking permission to attend meetings.
- 20.6 The governing body will decide which of its meetings, if any, will be open to the public.
- 20.7 If a meeting is to be opened to parents/the public, reasonable notice will be given.
- 20.8 The deputy headteacher may be invited to attend meetings of the full governing body as part of his or her professional development.
- 20.9 Associate members must withdraw and cannot vote on issues relating to: admissions, pupil discipline, election or appointment of governors, the budget or financial commitments.

21 Pecuniary and Personal Interest

- 21.1 The governing body will maintain a register of the pecuniary interests of its governors, which should be updated annually.
- 21.2 Governors will draw attention as appropriate to their declared pecuniary or personal interests.
- 21.3 A governor will be required to withdraw from a meeting, if he or she:
 - 21.3.1 stands to gain financially from a matter under consideration;
 - 21.3.2 has a personal interest in a matter under consideration; or
 - 21.3.3 is a relative of a pupil, a parent or an employee being discussed.

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- 21.4 Governors who have declared personal interest must be allowed to attend a meeting of a committee of the governing body to give evidence if they have made relevant accusations, or are witnesses in the case, when it is discussing:
- 21.4.1 disciplinary action against an employee or against a pupil; or
 - 21.4.2 a matter arising from an alleged incident involving a pupil

22 Complaints and Staff Discipline

- 22.1 The governing body must establish procedures for dealing with general complaints and will abide by the local authority's procedures for dealing with curriculum complaints.
- 22.2 The governing body will establish procedures for dealing with staff disciplinary matters and staff grievances.
- 22.3 The governing body will establish procedures for dealing with staff Capability.

23 Delegation of Functions

- 23.1 The governing body stresses that no action may be taken by an individual governor unless authority to do so has been delegated formally by resolution of the full governing body.
- 23.2 The governing body will determine the extent to which it will delegate its functions to an individual or to a committee, but will not delegate decision making on those matters that cannot be delegated.

24 Committees and Working Parties

- 24.1 In order to ensure the most efficient use of time and resources, and in some cases to ensure absolute propriety, the governing body will, where it is proper and appropriate to do so:
 - 24.1.1 set up working parties to provide information and/or make **recommendations** to the whole governing body;
 - 24.1.2 delegate responsibility to committees with the power to make **decisions** on behalf of the whole governing body;
 - 24.1.3 delegate responsibility to individual governors of the governing body and/or the headteacher, if not a governor.

25 Committees

- 25.1 Committees will have delegated authority to make decisions on behalf of the governing body only where delegation is not forbidden by law.
- 25.2 When establishing committees the governing body, in addition to ensuring that at least three governors are appointed to each, will:
 - 25.2.1 determine the members of each committee⁹
 - 25.2.2 establish and record terms of reference;
 - 25.2.3 determine when working parties and committees must meet;
 - 25.2.4 determine procedures for reporting back;
 - 25.2.5 review the establishment and membership of committees annually.
- 25.3 The governing body may appoint associate members to committees.
- 25.4 The headteacher has the right to attend any meeting of the governing body or any of its committees subject to the statutory rules laid down in respect of exclusions, staff disciplinary matters and his/her own pay/appraisal.

⁹ The governing body will appoint the Chair to a committee, or the committee will elect a Chair

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- 25.5 Action will be taken on the basis of decisions and need not wait the approval of Minutes at the next meeting.
- 25.6 Those matters, which must, by law, remain confidential or which the governing body decides shall be confidential will not be published in the Minutes of any meeting.
- 25.7 The approved minutes will be available for public inspection at reasonable times by arrangement with the Clerk.¹⁰
- 25.8 A copy of the minutes of full governing body meetings and any of its committees with delegated responsibility will be sent to the Director of Schools and Children's Services.¹¹
- 25.9 Minutes of the governing body and committee meetings will be held at the school to allow appropriate access as required (except those items which have been declared confidential and which must be retained separately).

26 Working Parties

- 26.1 In establishing working parties the governing body will:
 - 26.1.1 determine the governorship, including that of non-governors of the governing body, and the method of appointing the Chair of each working party;
 - 26.1.2 establish and record terms of reference;
 - 26.1.3 determine when working parties must meet;
 - 26.1.4 determine procedures for reporting back.
- 26.2 The headteacher has the right to attend any meeting of an established working party.
- 26.3 If the governing body establishes working parties to make recommendations or provide information they will be discontinued when their work has been completed.
- 26.4 A working party will present either written recommendations or progress reports to the next meeting of the full governing body.

27 Review

- 27.1 Amendments to this procedural guidance may be made by the governing body as required.

28 Distribution

- 28.1 One copy of this procedural guidance will be presented to each member of the governing body, new governors when they join, the headteacher, if not a governor, and the Clerk. One copy will be filed as part of the record of the meeting at which they are agreed or amended.

Once agreed, the Chair should sign and date the last page.

¹⁰ Minutes of meetings may be regularly posted on the staff or parent notice board (excluding confidential items)

¹¹ Add the Governor Support & Training Team to your governor label list