



## **Orchard Park Community Primary School Governing Body Standing Orders 2018 - 2019**

### **Roles of the Governing Body and Headteacher**

The functions of the governing body include the following core functions:

- (a) ensuring that the vision, ethos and strategic direction of the school are clearly defined;
- (b) ensuring that the headteacher performs his or her responsibilities for the educational performance of the school; and
- (c) ensuring the sound, proper and effective use of the school's financial resources.

In exercising their functions the governing body shall:

- (a) act with integrity, objectivity and honesty and in the best interests of the school; and
- (b) 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 governing body must appoint a clerk with a view to ensuring their efficient functioning and must have regard to advice from the clerk as to the nature of the governing body's functions.

The headteacher's responsibilities include:

- (a) the internal organisation, management and control of the school; and
- (b) the educational performance of the school.

The headteacher is accountable to the governing body for the performance of all his or her responsibilities.

The headteacher must comply with any reasonable direction of the governing body.

In this regulation the term "governing body" includes the temporary governing body of a new school.

### **Election and Removal of Chair and Vice Chair (Regulations 7 & 9)**

The Governing Body of Orchard Park Community Primary School has determined that the length of office of the Chair and Vice-Chair is one year with the elections taking place at the first Full Governing Body Meeting of the academic year.

A Chair/Vice Chair may resign at any time; a new Chair/Vice Chair will be elected for the remaining term of office.

Any governor who is paid to work at the school may not be Chair or Vice-Chair of the Governing Body.

### Election Process

The Clerk will manage the election procedures. Written or oral nominations should be notified to the Clerk before the meeting at which the election will take place. Additional nominations can be received on the day. All nominations can be self-nomination or nominations from colleagues.

All candidates must withdraw whilst the election process is undertaken and shall not vote (Regulation 14 & Schedule). Elections will be made by secret ballot.

If only one candidate is nominated the ballot should ask governors to accept or decline candidate. In the event of a tie the outcome will be decided by either the toss of a coin or drawing lots.

This decision must be recorded by the clerk in the minutes

### **Urgent Action (Regulation 8)**

The Governing Body of Orchard Park Primary School has determined that the Chair (or the Vice-Chair if the Chair is absent) may take urgent action in circumstances where a delay may be seriously detrimental to the interests of:

- the school;
- any pupil at the school (or their parent);
- any person who works at the school.

A meeting can be called in less than 7 days in an emergency and therefore 'delay' should be interpreted as anything that cannot wait until such a meeting could be called. The Governing Body agree that emergency action should only be used in extreme circumstances.

### **Appointment and Removal of the Clerk to the Governing Body (Regulation 10)**

The Governing Body shall appoint the Clerk to the Governing Body and it can remove a Clerk by resolution. The Clerk to the Governing Body must not be:

- A governor;
- Headteacher of the school

The Clerk to the Governing Body must:

- a) convene meetings by circulating the agenda (Regulation 13);
- b) attend meetings of the Governing Body and ensure minutes of the proceedings are produced;
- c) maintain a register of members of the Governing Body and of associate members and report any vacancies to the Governing Body; and
- d) perform such other tasks as may be determined by the Governing Body from time to time.

In an emergency a governor (not the headteacher) may clerk for that meeting only.

A full job description for a Clerk is available from the Local Authority or from the Department for Education website.

Name of Clerk: Mrs Jennifer Hefti

### **Meetings and Proceedings of the Governing Body**

#### Right to attend meetings (Regulation 12)

The following persons have a right to attend all meetings of the Governing Body:

- Headteacher (whether or not that person is a governor);
- All governors (unless suspended);
- Clerk to the Governing Body;
- Associate members of the Governing Body (unless the Governing Body requires them to leave for items relating to an individual member of staff or pupil);
- In certain circumstances the Local Authority may also have a right to attend.

The Governing Body decides whether to have associate members and who they shall be. The Governing Body can also remove associate members. Associate members have voting rights on committees where they are members. The names of associate members and the committee to which they have been appointed must be recorded in the minutes.

The Local Authority must be invited to the meeting and sent an agenda where the governing body is considering changing the category of the school.

Governing bodies are required to be open and transparent and so should allow observers as a matter of principle.

Observers are required to remain silent unless specifically invited to speak by the Chair. Observers must leave the meeting for any confidential items.

The Governing Body may invite other persons to attend at their discretion.

#### Convening meetings (Regulation 13)

The Governing Body of Orchard Park Community Primary School has determined that there shall be at least 3 meetings of the full Governing Body each school year.

Meetings of the full Governing Body must be convened by the Clerk.

The agenda shall be sent to the governors at least 7 days before the meeting.

#### Governors failing to attend meetings

A governor who without the consent of the Governing Body fails to attend full Governing Body meetings for a period of 6 months is disqualified (refer to The School Governance (Constitution) (England) Regulations 2012: Schedule 4 Paragraph 9).

#### Quorum (Regulation 14)

For full Governing Body meetings the quorum needs will be calculated as 50% of only those governors in post, rounded up to the nearest whole number. Vacancies and associate members will not be included in the calculation for the quorum. The Clerk will advise the Chair of the current quorum at the start of each meeting.

#### Remote participation

The Governing Body of Orchard Park Community Primary School has approved alternative arrangements for governors to participate or vote at meetings of the Governing Body including but not limited to telephone or video conference. Remote participation should take place only in exceptional circumstances.

Written or email voting in advance of discussion is not permitted.

- Remote participation will be limited to 2 governors per meeting
- Prior agreement must be sought prior to the meeting from the Chair and recorded in the minutes of the meeting where remote access will take place
- Participation by remote access should normally be limited to exceptional circumstance

- Governors will ensure that no other persons are present or can hear the meeting when they are participating remotely (unless the Governing Body has given its approval for the observer)
- Remote participation is not applicable for use by associate member
- Costs can be reimbursed with the agreement of the Chair

### **Voting (Regulation 14)**

All matters will be decided by a majority vote. In the event of a tie the Chair (or Acting Chair) has an additional (casting) vote. An exception is in the election of the Chair or Vice-Chair – when it is decided by chance, eg tossing a coin.

### **Minutes and Papers (Regulation 15)**

The Governing Body of Orchard Park Community Primary School has determined that minutes should be prepared by the Clerk and signed minutes must be available for public inspection. Confidential minutes will not be made available to the public. Confidential minutes include:

- items which refer to an individual parent, pupil or member of staff
- other items the Governing Body deems confidential

Draft minutes that have been approved by the Chair will be made available to governors as soon as possible after the meeting, once reviewed by the Chair and Head Teacher. These will be marked ‘DRAFT - subject to change’.

The Governing Body’s minutes will be available:

Minutes will be available for public inspection once approved at the next meeting. Minutes will be posted on the school website and will also be available from the school office on request.

### **Restrictions on Participation (Regulation 16 & Schedule 1)**

The Governing Body of Orchard Park Community Primary School has determined that governors must complete annually a register detailing pecuniary interests or conflicts of interest and withdraw from any meeting if appropriate.

Each governor must declare at the start of any meeting if there is an item on the agenda which poses a potential conflict of interest or where a fair hearing is required and his/her impartiality is in doubt. In such a case, the governor concerned must withdraw from the discussion and may not vote. In the event of a dispute the Governing Body decides whether the individual should withdraw.

An annual register of interests will be established and updated annually. Governors will complete a ‘Declaration of Pecuniary Interests’ form at the first Full Governing Body meeting of the academic year. The Clerk will update the register and ensure that it is made available on the school website and also kept in the school office.

### **Suspension of Governors (Regulation 17)**

The Governing Body of Orchard Park Community Primary School has determined that it can suspend a member of the Governing Body for a limited number of prescribed reasons for a period not exceeding 6 months. The Governor Code of Practice has been adopted by all governors.

### **Committees**

#### Delegation to Committees and Individuals (Regulations 18-20)

The Full Governing Body of Orchard Park Community Primary School will, in accordance with regulations, determine on an annual basis any delegation to committees or individuals. For the 2018/19 academic year, the Full Governing Body will retain all responsibilities formerly held by the Resources and School Effectiveness Committees. The Head Teacher Performance Review Committee will be formed separately.

All working groups will have terms of reference.

### Reporting (Regulation 20)

Any governor, headteacher, individual or working party who has been given delegated authority to carry out a Governing Body function must report any decisions or actions to the Governing Body.

### **Composition and membership of the Governing Body – The Constitution of Governing Bodies of Maintained Schools Statutory Guidance**

The Governing Body of Orchard Park Community Primary School acknowledge that all governing bodies are responsible for their size and composition and that governing bodies should ensure that it has the required skills and knowledge to be effective and dynamic.

The Governing Body of Orchard Park Community Primary School will:

- Make all prospective governors aware of the commitment and expectations of the role
- Make all prospective governors aware of the need to publicly disclose information about their business interests and connections to the school
- Use a skills audit to identify gaps and training needs
- Proactively state the skills they are looking for when they seek to elect or appoint governors
- Keep the size and effectiveness of the governing body under review
- Review its size, composition and effectiveness regularly

### **Publication of Governor's Details and Register of Interests – The Constitution of Governing Bodies of Maintained Schools Statutory Guidance**

The Governing Body of Orchard Park Community Primary School acknowledge that governors hold an important public office and their identity should be known to their school and wider communities. In the interests of transparency, a governing body will publish on its website up-to-date details of its governance arrangements in a readily accessible format, to include associate members (including their committee voting rights).

This will include:

- the structure and remit of the governing body and any committees, and the full names of the chair of each;
- for each governor who has served at any point over the past 12 months:
- their full names, date of appointment, term of office, date they stepped down (where applicable), appointing body
- relevant business and pecuniary interests (as recorded in the register of interests) and also including: governance roles in other educational institutions and any relationships between governors or relationships between governors and school staff (including spouses, partners and close relatives); and their attendance record at governing body and committee meetings over the last academic year.

Information about governors to be kept up to date by the Clerk: Mrs Jennifer Hefti

### **Failure to Provide Information for Disclosure – The Constitution of Governing Bodies of Maintained Schools Statutory Guidance**

The Governing Body of Orchard Park Community Primary School agree that any governor failing to provide information to enable the governing body to fulfil their responsibilities may be in breach of the code of conduct and as a result be bringing the governing body into disrepute. In such cases the governing body will consider suspending the governor. In the case of associate members the governing body can remove them. The Code of Practice will be signed by all governors and associate members.

## **DBS Checks for Governors - The School Governance (Constitution and Federations) (England) (Amendment) Regulations**

All governors must hold an enhanced criminal record certificate (DBS). Where a governor is elected or appointed and does not hold an enhanced criminal record certificate, the governing body must apply for such a certificate in respect of that governor within 21 days after his or her appointment or election.

Governing bodies should make it clear in their governor recruitment, appointment and induction information that this is a mandatory requirement.

All new governors are made aware of the requirement on appointment, and it is undertaken as part of the induction procedure. Person responsible for ensuring DBS check is undertaken within 21 days: Headteacher.

These Standing Orders were approved by the Governing Body on 2nd October 2018

Signed:

Date