



Terms of Reference for Newton-le-Willows Primary School Governing Board

Adopted by the governing board of:	Newton-le-Willows Primary School
Date Adopted:	24 th September 2020
Date to be Reviewed:	September 2021

The members of the Governing Board of Newton-le-Willows Primary School shall adhere to these Terms of Reference and all policies agreed by the Governing Board at all times.

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The Governing Board will discharge its responsibilities as set out in the [Governance Handbook](#). The core strategic functions of the Governing Board are:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the school and making sure its money is well spent.

At Newton-le-Willows Primary School all governor business is managed through full governing board meetings. Below are the standing orders for the governing board.

The Governing Board of Newton-le-Willows School has a duty and obligation to fulfil the strategic role that all school Governors have responsibility for. These duties include, but are not limited to: -

- agreeing the staffing structure
- agreeing the Governing Board constitution
- agreeing and managing the school budget
- appointment of staff
- monitoring and reviewing policies and documents
- supporting the school to raise standards
- setting targets for pupil achievement
- ensure the curriculum is balanced and broadly based
- regulate staff conduct and discipline
- report on pupils achievement
- prepare a post-Ofsted action plan.

Day to day management of Newton-le-Willows Primary School is the responsibility of the Headteacher.

The Governing Board will monitor the progress of the school.

Composition

The Governing Board of Newton-le-Willows Primary School agreed its constitution on 14th December 2017. The full composition is detailed in the Instrument of Government. The Clerk to the Governors is responsible for ensuring that each member of the Governing Board has a copy of the Instrument of Government.

Chair of Governors

Any non-Staff Governor may be elected to serve as Chair of Governors. The Governing Board of Newton-le-Willows Primary School shall elect a Chair of Governors annually at the first meeting of the autumn term. In the event that the Chair of Governors ceases to be a member of the Governing Board, they shall cease to be the Chair of Governors. The Chair of Governors may resign as Chair at any time but should make every effort to ensure that a plan for succession is in place and being adhered to for consistency and continuity purposes. The Chair of Governors shall take responsibility for:-

- devising agendas in consultation with the Headteacher and Clerk to Governors
- manage the business of the meetings
- meet regularly with the Headteacher
- ensure the Governing Board adheres to its Standing Orders
- ensure the Governing Board Working Groups are correctly established
- be responsible for the appointment and development of the Clerk to Governors and carry out an annual performance review with the Clerk
- implement a succession planning programme to ensure consistency when a new Chair of Governors is elected

The Chair can be removed from office by the Governors following the procedures set out in [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013: regulation 9, legislation.gov.uk](#).

Vice-Chair

Any non-Staff Governor may be elected to serve as Vice-Chair of Governors. The Governing Board of Newton-le-Willows Primary School shall elect a Vice-Chair annually at the first meeting of the autumn term. In the event that a Vice-Chair of Governors ceases to be a member of the Governing Board, s/he shall cease to be the Vice-Chair of Governors. A Vice-Chair may resign from that position at any time in the year.

During their time in post as Vice-Chair, s/he should work closely with the Chair of Governors to provide support and be participative in succession planning.

In the event that the Chair of Governors is unable to attend a meeting of the Governing Board of Newton-le-Willows Primary School, the Vice-Chair shall act as Chair for that meeting. In the event that the Chair is unable to carry out the duties for a period of time, a Vice-Chair shall be responsible for carrying out those duties.

Elections for Chair and Vice-Chair

Nominations for Chair and Vice-Chairs shall be sought by the Clerk to the Governing Board of Newton-le-Willows Primary School at least two weeks before the date of the meeting at which the election is to take place. The Clerk shall invite Governors to nominate or self-nominate, in writing or by email, with a closing date of no later than two days before the date of the meeting.

The Clerk to the Governing Board shall act as Chair during the process of election of the Chair.

In the event that more than one nomination for Chair of Governors is received, the Clerk to the Governing Board of Newton-le-Willows Primary School shall arrange a secret ballot at the meeting. Those Governors that have been nominated or self-nominated shall not participate in the secret ballot.

In the event that no nominations are received for the Chair of Governors, a Vice-Chair (if one has been elected) shall Chair that meeting. In the event that neither Chair nor Vice-Chair is elected, the Governing Board of Newton-le-Willows Primary School shall arrange for one of its non-Staff Governors to Chair the meeting and the election shall be adjourned to the subsequent Full Governing Board meeting. If no Governor is willing to Chair the meeting, it shall be cancelled in accordance with school governance regulations.

In the event that more than two nominations for the positions of Vice-Chairs are received, the same principles as those for election of Chair shall apply. In the event that no nominations are received for Vice-Chair the election may be deferred to the next meeting.

Election and appointment of new Governors

The Governing Board of Newton-le-Willows Primary School has responsibility for ensuring that vacancies are filled as quickly as possible and that a broad range of skills are available from the Governors that serve on it.

Parent and Staff Governors

Responsibility as Returning Officer for Parent and Staff Governor elections has been delegated to the Headteacher. The elections shall be conducted in accordance with guidance and good practice.

Co-opted Governors

The Governing Board of Newton-le-Willows Primary School shall appoint its Co-opted Governors. In doing so it shall take into consideration the skills that the Governing Board require. Co-opted Governors shall be appointed from the local and wider community.

Local Authority Governors (LA)

LA Governors are nominated by the LA Governors Panel. When LA Governors leave the Governing Board, the Governing Board of Newton-le-Willows Primary School shall consider how the vacancy can be filled, taking into consideration the collective skills of the governing board. Any potential candidate will need to complete the Authority Governor application and this application, along with references will be considered by the Local Authority Panel. Once the panel have approved an application the Clerk to the Governing Board will be informed and the Governing Board will consider the application for approval at the next full governing board meeting.

Associate Members

The Governing Board of Newton-le-Willows Primary School reserves the right to appoint Associate Members for a period of one to four years subject to voting limitations outlined in current regulations.

The Governing Board shall ensure all new Governors are issued with a Newton-le-Willows Primary School Governing Board induction pack. All new Governors should attend the Induction programme for new Governors. All governors are expected to sign and adhere to the Governing Board Code of Conduct.

Link Governors

Governors should be annually elected for the following responsibilities:

- Safeguarding
- Health and Safety
- Buildings and Premises
- SEN
- Finance
- Data
- Health and Wellbeing
- Early Years (Infant / primary schools)
- Training
- Pupil Premium
- Information Governance
- PE & Sports Premium
- Curriculum
- Pay and Performance
- School Forum Representative

Suspension and Disqualification of Governors

The Governing Board may agree to suspend a Governor for a period of up to six months under prescribed reasons in accordance with [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013: regulation 17](#)

Governors may be disqualified in exceptional circumstances where the actions or behaviour of the governor warrants removal rather than suspension. Foundation / LA / Partnership Governors can be removed by appointing body. The Governing Board can remove Co-Opted, Parent or Staff Governors in accordance with statutory guidance [Constitution of Governing Bodies of maintained schools](#).

Governing Board Meetings

The Governing Board of Newton-le-Willows Primary School will hold a Full Governing Board meeting at least 6 times in one academic year. An annual planner should be produced to determine meeting dates and this shall be discussed at the last meeting of each academic year in preparation for the new academic year.

Full Governing Board meetings shall start at a time that is acceptable to all members of the Governing Board and agreed at the last Full Governing Board meeting of the academic year.

The quorum for Governing Board meetings is 50% (rounded up) of the Governors in post. Meetings which are not quorate shall not go ahead. Meetings that become inquorate partway through may go ahead but no decisions can be made.

All meetings shall be convened by the Clerk to the Governing Board. This is subject to direction from the Chair in the event of the need for an urgent meeting.

Any three members of the Governing Board may request a meeting by submitting a written request to the Clerk to the Governing Board outlining the purpose of the meeting. The Clerk to the Governing Board shall take direction from the Chair of Governors. Notice of the meeting together with the agenda and supporting papers shall be received by each member of the Governing Board no later than seven days before the meeting. Notice, agenda and supporting papers shall be sent to the Headteacher and any Associate Members.

The Governing Board of Newton-le-Willows Primary School will not have any Committees (with the exception of statutory committees for specific purposes) but will assign a focus to each of the FGB meetings to ensure that the business formerly undertaken by Committees is addressed. The FGB shall review its structure annually at the first meeting of the academic year. In reviewing the structure it shall ensure that the focus of the meetings are appropriate and meet the needs of the Governing Board.

Agenda

The agenda for the full Governing Board meeting shall be prepared by the Clerk in consultation with the Chair of Governors and Headteacher.

Any member of the Governing Board may request an item to be included on the agenda by writing to the Clerk. The Clerk shall take direction from the Chair of Governors.

Any Other Urgent Business

Where urgent items need to be raised which are not covered elsewhere on the agenda a Governor may raise the item under Urgent Matters. The Governing Board of Newton-le-Willows Primary School shall determine whether the item is urgent. If it is not considered urgent the Clerk to Governors shall ensure that it is included on the agenda of the subsequent meeting.

Attendance at meetings

The Clerk will maintain an attendance register for all Full Governing Board meetings.

In the event that a Governor is unable to attend a meeting(s) they must contact the Clerk directly to offer apologies. If the Governor is not able to contact the Clerk then they should contact the Chair or, as a last resort, the school office.

Where a Governor has offered apologies for absence the Governing Board will decide whether the apology should be accepted and this shall be shown in the minutes of the meeting. Acceptance or non-acceptance of apologies will be a standing agenda item at each meeting.

If a Governor fails to attend meetings for a continuous period of six months and has failed to submit apologies, or the Governing Board has not accepted those apologies, the Governor may be disqualified in accordance with regulations. This decision shall be made by the Full Governing Board meeting and recorded in the minutes.

In the event that the Headteacher is unable to attend a meeting the Deputy Headteacher may attend on the Headteacher's behalf.

Statutory guidance from the Department for Education (DfE) says that governing boards should publish up-to-date details of their governance arrangements on their websites.

This includes a record of governors' attendance "at governing board and committee meetings over the last academic year".

Meeting Minutes

The Clerk to the Governors shall take minutes of all Full Governing Board meetings. In the event that the Clerk is unable to attend a meeting, the Governing Board should arrange for one of its members to minute on that occasion. The Headteacher is exempt. The Chair of Governors shall not be the person to take the minutes.

Where an item is confidential it shall form a separate minute (Part 2) and filed separately.

Minutes shall be kept in consecutively numbered loose leaf or lever arch file and stored in the school office. Minutes (except confidential items) shall be available for public inspection.

The draft minutes shall be produced and sent to the Chair and the Headteacher for approval. When the draft minutes have been approved by the Chair and Headteacher the minutes may be circulated to every member of the Governing Board as a supporting document to the agenda for the next Full Governing Board meeting.

The Governing Board shall approve the minutes as an accurate record of that meeting at the next Full Governing Board meeting and these shall be signed by the Chair of Governors of Newton-le-Willows Primary School. Once the minutes have been approved by the Governing Board, and have been signed by the Chair, the Clerk will send an e-copy to the School.

Correspondence

The Chair of Newton-le-Willows Primary School Governing Board may write and sign letters on behalf of the Governing Board.

In the event that the Chair has taken Chair's action for an urgent item of correspondence the Chair shall report to the events at the next Full Governing Board meeting.

The Clerk shall produce a list of correspondence (incoming and outgoing) and distribute to Governors at each Governing Board meeting.

Debates

The Chair will ensure that all Governors enjoy equality of opportunity to express their views. The Chair will regulate all debates

Decision Making

All decisions must be made by the Governing Board of Newton-le-Willows Primary School unless the Governing Board has delegated the function.

Only Governors present at the meeting are able to vote.

A simple majority decides the outcome of any vote and in the event of a tie the Chair shall have the casting vote. [This does not apply when it relates to a selection panel vote for recommendation of the appointment of Headteacher or Deputy Headteacher].

Decisions of the Governing Board are binding upon all members.

Business and Pecuniary Interests

A Register of Pecuniary Interests will be held by the school's Business Manager. Each Governor shall be required to sign a Pecuniary Interest Form annually. All new Governors shall be required to sign a Pecuniary Interest Form. Details of governors' pecuniary interests will be published on the school's website, in accordance with regulations.

Business Interests will be a standing agenda item and Governors are required to declare any business or personal interest in any agenda item.

Any person entitled to attend a Full Governing Board meeting (including Associate Members and the Headteacher where he/she is not a Governor) must withdraw and not vote where there could be a conflict of interest [the definition for a conflict of interest is where a Governor has an interest that is greater than the generality of the Governing Board].

Delegation of Functions

No individual Governor may take action unless that action has been formally delegated to the individual Governor by the Governing Board.

Delegation of functions shall be reviewed annually by the Governing Board.

The Governing Board shall act in accordance with the The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 when agreeing delegation.

Public Statements

No Governor will make any public statement about any matter concerning the School without the authority of the Governing Board.

Amendments to Standing Orders

The Governing Board may not add to, amend, or revoke any Standing Order or Annex in force for the time being except at an ordinary meeting. All standing Committees of the Governing Board may seek to amend Standing Orders (including Annexes) by making recommendations to the Full Governing Board.

Details of proposed amendments to Terms of Reference and Annexes must be issued to all members of the Governing Board with the agenda paper for the meeting at which they are to be considered for adoption.

Working Parties

From the time to time, it may be necessary for the Governing Body to form a working party to work on specific project or to respond to specific elements of Governance that cannot be achieved in the time constraints of a meeting. The size, membership and objectives of any working party will be determined and agreed by the Full Governing Body. The Full Governing Body may choose to appoint additional time limited associate Governors with specific skills sets to assist the working party.

Any working parties will report their findings/progress to the Full Governing body for final approval/ratification.

TERMS OF REFERENCE

Duties:

The Governing Board will undertake the following duties unless delegated, in line with statutory guidance. Any delegated duties will be minuted accordingly:

- To discharge the statutory requirements of a governing board, including publishing of information and approval of statutory policies and documents.
- To ensure the school has strategic plans in place to deliver effective teaching and learning within the school budget and that the school staffing complement supports the aims and ethos and is affordable.
- To appoint Link Governors and to receive regular reports from these governors.
- To undertake monitoring visits to the school to evaluate the performance of the school.
- To undertake any necessary training (in or out of school) that is necessary to enable effective monitoring of standards.
- To appoint an appeals panel annually

Quality of Education

- To discuss the performance data for the school
- To monitor pupil achievement and progress
- To review the progress and attainment of Pupil Premium pupils and other vulnerable groups.
- To monitor pupil numbers and attendance
- To ensure a broad and balanced curriculum is taught at the school
- To receive regular updates from the Headteacher of the Quality of Teaching, Learning & Assessment within the school.
- To ensure effective provision for pupils with Special Educational Needs and Disabilities (SEND).
- To meet with the lead professionals within the school to gain an understanding of the scope of the curriculum objectives and the activities the school is conducting to achieve success

Leadership & Management

- To approve a 3 year budget plan taking into account the agreed priorities of the School Development Plan
- To consider a budget position statement including virement decisions at least 3 times per year.
- To ensure that the school operates within the Financial Regulations of the County Council
- To monitor expenditure of all voluntary funds kept on behalf of the Governing Board
- To allocate sufficient funds in the annual budget to provide for pay increments as recommended under Appraisal and Performance Management arrangements. In the light of the Headteacher Performance Management Group's recommendations, to allocate/determine whether sufficient funds have been made available to cover recommended increments
- To undertake the role of a Pay Committee as per the model Terms of Reference of the Pay Committee
- To draft and keep under review the staffing structure in consultation with the Headteacher
- To oversee the appointment procedure 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 ensure that the requirements of the Schools Financial Value Standards (SFVS) are being maintained or worked towards
- To ensure a register of pecuniary and business interests for governors and staff is kept and is open to inspection and published on the school's website, in accordance with regulations.
- To ensure all current safeguarding and child protection legislation and associated procedures are followed and discussed at every meeting.
- To assist the Headteacher to discharge their responsibilities under the Health & Safety at Work Act 1974 under the guidance of the Local Authority
- To monitor the effectiveness of the schools health & safety arrangements and make periodic inspections of the buildings and equipment as appropriate.

Personal Development

- To ensure that regard is paid to pupil's spiritual, moral, social, emotional and cultural development and fundamental British values are promoted within the school.
- To ensure that regard is paid to pupil's PSHE/ RSE education.

Behaviour and Attitudes

- To monitor the rates of exclusion (both fixed term and permanent) in school and review/monitor exclusion paperwork. .
- To monitor incidents of physical intervention in school and review/monitor relevant paperwork.

To discharge these duties, the Governing Board will undertake the following activities –

Activities

Quality of Education

- To understand the performance data for the school.
- To monitor pupil achievement and progress against school targets.
- To monitor pupil achievement and progress against National Standards.
- To monitor the achievement and progress of vulnerable pupil groups within the school.
- To monitor the impact of any extended services provided against pupil achievement.
- To monitor the school's Teaching & Learning Policy.
- To monitor the school's Curriculum policy and subject area policies.
- To monitor progress towards curriculum related targets of the School Improvement Plan.
- To link with Subject Leaders in order to monitor implementation of Subject Plans.
- To link with Subject Leaders in order to monitor standards within subject areas.
- To monitor progress towards Teaching & Learning related targets of the School Improvement Plan.
- To monitor standards of teaching.
- To monitor the quality of pupil learning.
- To understand assessment policy and practice across the school.

Leadership and Management

- To approve the first formal budget plan each year and to ensure the school notifies the approved budget to the local authority by the agreed deadline.
- To maintain an accurate and up-to-date 'balanced' budget and three-year plan, that shows clear links to the School Improvement Plan and Staffing Structure.
- To ensure the school adheres to the local authority's conditions of the 'Scheme for Financing Schools'.
- To review and approve the school's Scheme of Delegation annually and monitor compliance.
- To monitor income and expenditure of all public funds ensure corrective action is taken where necessary.
- To evaluate proposed expenditure following recommendations from the Headteacher .
- To review and challenge the school in regard to compliance towards Internal Audit Bulletins.
- To evaluate and approve any virements between budget headings within agreed limits.
- To analyse and approve Tenders for Contract Services.
- To keep in-school financial procedures under regular review.
- To ensure key financial decisions are recorded properly.
- To be actively engaged in any consultations to change the LA Finance Scheme.
- To benchmark school financial performance against similar schools
- To ensure that all spending provides 'Value for Money' in terms of raising standards in education.
- To monitor and evaluate the management of the School Fund and to receive the audited annual accounts.
- To make decisions in respect of service agreements and insurance.
- To establish procedures for Governors to claim expenses.

- To determine the staff complement in consultation with the Headteacher
- To monitor the Appraisal and Continuous Professional Development of all staff in accordance with the policies established and receive reports/updates from the Senior Management Team in relation to this.
- To ensure that the school does not discriminate against job applicants on the basis of race, religion, gender, age, disability or sexual orientation.
- To give appropriate consideration to the well-being of all staff.
- To end the suspension of staff.
- To determine dismissal payments/early retirement.
- To determine whether sufficient funds are available for pay increments.
- To review and approve teacher pay proposals.
- To seek advice from the LA, where appropriate, to ensure adequate levels of buildings insurance and personal liability.
- To monitor the implementation of the school buildings strategy/plan and contribute to LA Asset Management Planning arrangements.
- To monitor the maintenance plan for the premises.
- To maintain buildings, including a properly funded maintenance plan.
- To ensure that Health & Safety regulations are followed and prioritised appropriately.
- To receive an annual Health & Safety Inspection Report and agree any actions.
- To decide to offer additional activities and agree what form these should take or to decide to cease existing activities.
- To review and monitor plans relating to staff, premises, systems and data and equipment, in relation to disaster recovery.
- To undertake annual Headteacher's Performance Review.

Personal Development

- Evaluate the school's promotion of pupil's Spiritual, Moral, Social & Cultural development.
- Evaluate the school's PSHE/RSE curriculum.
- To approve all school trips involving an overnight stay away from home.

Behaviour and Attitudes

- To decide whether or not to confirm all permanent exclusions and fixed term exclusions where a pupil is either excluded for more than 15 days in total in a term, or would lose the opportunity to sit a public exam. This may be delegated to the Chair/Vice Chair in cases of urgency.
- To monitor incidents of physical intervention/Positive Handling Plans and pupil risk assessments.
- To review Home School Agreements (if applicable).
- To check that mechanisms are in place to ensure information about pupil behaviour is shared effectively with parents/carers.

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Signed by the Chair of Governors on behalf of the Governing Board of Newton-le-Willows Primary School

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Dated