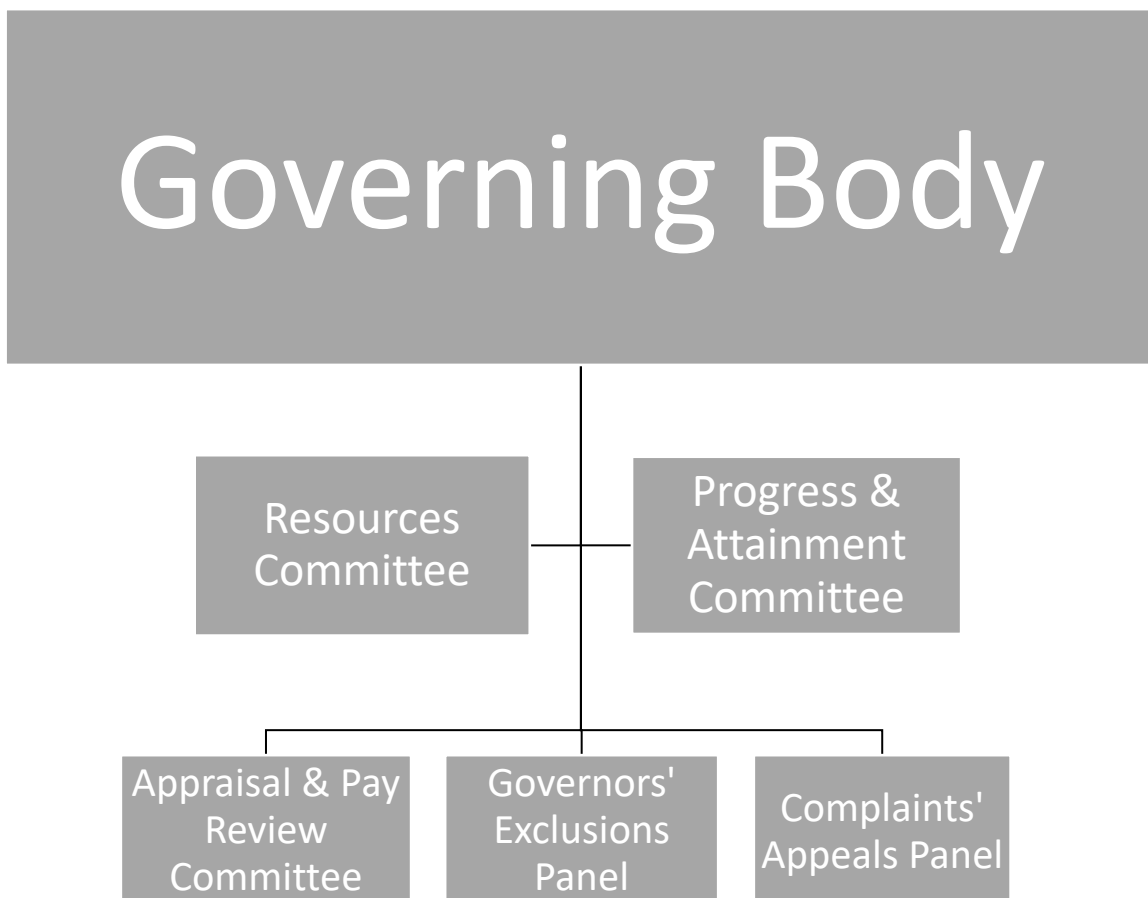




MIDDLEWICH HIGH SCHOOL GOVERNING BODY & COMMITTEES

MEMBERSHIP, TERMS OF REFERENCE, DUTIES AND DELEGATED POWERS

Organisation Chart



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TERMS OF REFERENCE FOR GOVERNING BODIES OF ALL ACADEMIES WITHIN THE FOUNDATION

1. **Purpose:** The Foundation Board has approved a scheme of delegation within which the Governing Body of each academy operates. The overall aim of the Governing Body is to agree policies and strategies and to ensure that it is able to monitor progress in implementing agreed policies and strategies. It will ensure that it has objective and effective means of knowing whether the academy is being properly managed to fulfil its mission and is in good financial health.
2. **Responsibilities:** The Governing Body shall be responsible for-
 - 2.1 holding the Principal to account for standards at the academy and reporting annually to the Trustees.
 - 2.2 providing support and challenge as appropriate to the Principal and other senior leaders.
 - 2.3 setting and reviewing the vision and direction of the academy with a focus on the shared cultural principles of the Foundation.
 - 2.4 evaluating the standards of teaching and learning, pastoral care and Safeguarding and monitoring levels of educational attainment to ensure high standards of professional performance are maintained.
 - 2.5 recommending to the Foundation and overseeing and monitoring the academy's self-assessment/evaluation process and ensuring a rigorous academy improvement plan with an understanding of the obligation the academy has to the success of the Foundation as a whole.
 - 2.6 developing the academy's budget to be recommended to the CFO.
 - 2.7 working in conjunction with the CEO and the Foundation Board on the process for the appointment of the Principal. The ratification of the appointment of Principal is the responsibility of the Foundation Board.
 - 2.8 the performance management of the Principal in conjunction with the CEO.
 - 2.9 approving and supporting the recommendations of the Principal for additional expenditure including staffing, if within the overall budget and sustainable over time and aligned with the Foundation's personnel processes and procedures.
 - 2.10 promoting and marketing the academy.
 - 2.11 meeting all statutory and Foundation requirements for transparency, probity and robust financial management.

- 2.12 the provision of opportunities for parents/carers, students, colleagues and the community to be able to engage with and feedback to the Academy and the Foundation.
- 2.13 completing self-evaluation activities relevant to the performance of the Governing Body, including skills audits.
- 2.14 supporting the Principal in the management of the academy's Admissions policy in line with the Foundation guidelines.
- 2.15 the management of the Academy's Risk Register and ensuring value for money.
- 2.16 determining and approving academy level policies which reflect the academy's ethos and values.
- 2.17 appointing Link Governors to the statutory required roles of Safeguarding, SEND and Careers.

3. **Meetings**

- 3.1 The Governing Body will meet at least once per term.
- 3.2 Governing Body meetings will be planned on an annual basis in the summer term of the preceding academic year.
- 3.3 Additional meetings may be called, as appropriate.
- 3.4 A quorum is 3 or, where greater, any one third (rounded up to a whole number) of the total number of Governors holding office at the date of the meeting, at least 3 of whom must be external to the Academy.
- 3.5 The Clerk will be responsible for monitoring attendance at the Committee's meetings and will inform the Chair if any member's attendance falls below the level expected in the Governors' attendance policy.

4. **Membership**

- 4.1 The Governing Body shall comprise a minimum of 5 members (or 6 if the Principal elects to be a Governor), as follows:-
 - A minimum of one Governor appointed from the local community by the Governing Body
 - A minimum of 2 Parent Governors
 - Two Staff Governors
 - The Principal (if he/she so elects)
- 4.2 Governors shall hold office for four years with the exception of Parent Governors at Sir John Deane's Sixth Form College whose term of office will be two years. The Principal shall hold office for as long as he/she is employed as Principal. Staff Governors will be elected for a period of four years providing they continue to have a contract of employment with the academy.

4.3 Members of the Senior Management Team shall attend as advisers, and other members of staff may be invited by the Chair to attend, as deemed appropriate.

4.4 No other persons may be present at a meeting unless they have received prior permission from the Chair.

5. **Chair and Vice Chair:**

5.1 At the first meeting in each academic year (or when the term of office is due) the Governing Body will elect from its number a chair and vice-chair. Serving members may stand for re-election. The term of office for each post will be one year.

Eligible governors will indicate to the Clerk their intention to stand as chair or vice-chair before the meeting. If no nominations are received for either post, governors may put their names forward at the meeting.

The clerk will chair the meeting during this item, but may not vote. If the election is contested, the candidates must withdraw from the meeting during the vote and may not vote themselves.

5.2 The chair will conduct all meetings of the Governing Body except that in his/her absence, the chair will be taken by the vice chair.

5.3 If both the chair and vice-chair are absent from a meeting, the Governing Body will elect a chair for that meeting.

5.4 If the chair resigns, or has to relinquish the office for any reason, the vice-chair will act as chair until a successor is appointed at the next meeting of the Governing Body.

5.5 If the vice-chair resigns, or has to relinquish the office for any reason, a successor will be appointed at the next meeting.

6. **Clerk**

6.1 In conjunction with the CEO, the Governing Body will appoint a clerk to the Governing Body and each of its committees.

6.2 If the clerk does not attend a meeting, the governors present at the meeting can appoint a member of the Governing Body to act as clerk for that meeting.

7. **Agenda**

7.1 The Agenda for each meeting will be prepared by the Clerk to the Governors on advice and direction received from the Chair of Governors and the Principal, and will include reports from all committees. Members of the Governing Body may submit items for the agenda in writing to the Clerk, not less than two weeks prior to the meeting.

7.2 Wherever possible, the agenda and supporting papers should be sent to governors to arrive no later than five clear days before the meeting.

7.3 Notices of meetings and the accompanying agenda/minutes will be made available at the academy, at all reasonable times, for inspection by anyone wishing to see them.

8. Minutes

8.1 The minutes of Governing Body meetings shall be drawn up by the Clerk to the Governing Body and shall be signed (subject to the approval of the governors) at the next Governing Body meeting by the person acting as Chair of that meeting.

8.2 Those matters which the Governing Body determines shall remain confidential will be minuted separately and such minutes will not be made publicly available.

8.3 Draft minutes shall be circulated to all Governors and SLT.

9. Attendance

9.1 A record will be kept in the minutes of all persons attending a meeting of the Governing Body or any of its committees. If a governor is unable to meet the expected attendance standard this will be addressed in line with the Foundation's statement regarding governors' and trustees' attendance at meetings.

9.2 The time of arrival and/or departure of any governor not in attendance throughout any meeting will be recorded in the minutes.

9.3 Apologies for absence will be recorded (when submitted). The decision to accept or not to accept the apology is taken by the Governing Body and will be recorded.

10. Conduct of Business

10.1 The business of the Governing Body is governed by the Code of Conduct adopted by the Foundation in March 2021.

10.2 All members of the Corporation shall complete annually the register of members' interests in respect of themselves and their partners and also the statement of eligibility to serve as a Governor.

GENERAL TERMS OF REFERENCE FOR COMMITTEES

REGULATIONS

Meetings and procedures of the Committees of the Governing Body shall follow the requirements of The DfE Governance Handbook and the Academy Trust Handbook

MEMBERSHIP

- A Committee shall be established and its membership, remit, duties and delegated powers agreed at a meeting of the Governing Body which shall have at least half of its membership present.
- Membership of committees will be reviewed annually. The chair and the vice chair will be appointed by the Governing Body at the first meeting of the academic year.
- The headteacher is entitled to attend all committee meetings and be a member of committees except in such circumstances where the regulations require withdrawal.
- The names of governors appointed to serve on committees must be recorded in the minutes of the Governing Body.
- The membership of any committee of the Governing Body may include persons who are not Governors, provided that a majority of members of any such committee shall be a Governor. No vote on any matter shall be taken at a meeting of a committee of the Governors unless the majority of members of the committee present are Governors.

DECISIONS OF COMMITTEES

- Decisions of Committees shall be reported to the next meeting of the Governing Body, which remains responsible for all the decisions taken by committees. It can abolish a committee, change its membership, remit or duties and withdraw delegated powers at any time.

PROCEDURES FOR COMMITTEES

- The agenda for each meeting will be prepared by the clerk to the governors on advice and direction received from the chair of the committee and the headteacher. Members of the committee may submit items for the agenda in writing to the clerk, not less than two weeks prior to the meeting.
- Wherever possible, the agenda and supporting papers should be sent to governors to arrive no later than five clear days before the meeting.
- Minutes of committee meetings must be taken and a copy distributed to all committee members. Other governors will be informed of debate, progress made, recommendations made and decisions taken, either through a summary report or by circulation of the committee minutes, included in the papers for each full meeting of the Governing Body and updated verbally at the meeting, as appropriate.
- The names of all persons attending meetings of committees, along with absentees and apologies received and accepted, shall be recorded in the minutes.
- Minutes of committees should have a Part two section dealing with confidential matters, using the same guidelines as for Governing Body meetings. Part two minutes should be identified and recorded separately.
- The chair has the casting vote.

RESOURCES COMMITTEE

PURPOSE

- To act on matters delegated by the Governing Body.
- To liaise and consult with other committees as necessary and appropriate.
- To contribute to the School Development Plan, monitoring and evaluating relevant sections.
- To consider Safeguarding and Equalities' implications when discharging all committee responsibilities.

MEMBERSHIP

- A minimum of 4 members (including the headteacher).
- The quorum is three members, two of which must be members external to the School (ie: not Staff or the Headteacher)

MEETINGS

- The committee will meet termly. Meetings will not be open to the public, but minutes shall be made available. Information relating to a named person or any other matter that the committee considers confidential will not be made available.
- In the absence of the chair or the vice chair, the committee will choose an acting chair for that meeting from among governor attendees (excluding the headteacher).
- In the absence of the clerk, the committee shall choose an acting clerk for that meeting (excluding the headteacher).
- The minutes of each meeting will be made available before the next meeting of the Governing Body and a report will be presented at that meeting by the committee chair (or in his/her absence, by another member of the committee).
- Teachers and other professionals as appropriate may be invited to attend meetings, so that their expertise can inform decision-making, but such attendees are not entitled to vote. Decisions will be determined by a majority of committee member votes and only those of committee members in attendance at the meetings can vote.

REMIT

Safeguarding:

- To consider and advise the Governing Body on all aspects of Safeguarding and child protection and review annually the Child Protection and Safeguarding Policy in line with the Foundation's Safeguarding Statement for approval by the Governing Body.

SEND:

- To ensure that we comply with our legal duties under the Children and Families Act 2014 in relation to students with special educational needs and disabilities (SEND) and that information for parents is published on the school website.

- To receive a termly report from the SENDCO showing the school's SEND provision and resources.

PP Spend:

- To ensure that the committee is aware of the number of PP students and the efficient and effective expenditure of PP monies.

Student Behaviour:

- To review, monitor and evaluate all aspects and issues relating to student behaviour and attendance including A2L and suspension data.

Budget/ Finance:

- To review, adopt and monitor all Finance policies, which includes the Foundation Financial Regulations, the Academy Trust Handbook, the scheme of delegation for spending and budgetary adjustments (virements) for the committee, headteacher and other nominated staff.
- To propose to the Governing Body for recommendation to the Foundation an annual school budget taking into account the priorities of the School Development Plan, including identified Pay policy and training cost requirements and to monitor income and expenditure throughout the year against budget plan, (including SEND)
- To alert the Foundation and the Governing Body to potential problems or significant budget anomalies at an early date.
- To receive at least monthly budget monitoring reports from the Business Manager.
- To receive and act upon any issues identified by an academy's audit.
- To establish and maintain a three year financial plan, taking into account priorities of the School Development Plan, roll projection and signals from central government and the LA regarding future years' budgets, within the constraints of available information.
- Complete benchmarking in line with resource management tools as recommended by Academy Trust Handbook and undertake any actions identified as a result.

Health and Safety:

- To review, adopt and monitor the school's Health and Safety policy in line with the Foundation's Health and Safety Statement
- To ensure that an annual inspection of the premises and grounds takes place and a report is received identifying any issues, which is then shared with the Foundation.
- In conjunction with the Foundation, arrange professional surveys and emergency work as necessary and prioritise maintenance and development for approval by the Governing Body and the Foundation.
- Create a project committee where necessary to oversee any major developments.
- To provide support and guidance for the Governing Body and the headteacher on all matters relating to the maintenance and development of the premises and grounds, including Health and Safety.
- To ensure that the governing body's responsibilities are discharged according to Section 89 of the Environmental Protection Act 1990, so far as is practicable.

Staff:

- To ensure that the school is staffed sufficiently for the fulfilment of the school 's development plan and the effective operation of the school.
- To establish and oversee the operation of the school's Appraisal Policy - including the arrangements of the Foundation's appraisal procedures for the Headteacher.
- To oversee the operation of the appropriate pay policy for all categories of staff and be responsible for its administration and review.
- To ensure that staffing procedures (including recruitment procedures) follow equalities' legislation.
- To be informed of any management of change programs being proposed.

GDPR:

- To review, adopt and monitor the Foundation's Data Privacy policy and receive reports on GDPR and data breaches.

Community/ Partnerships:

- To receive reports and look at initiatives for improving communication with key stakeholders and developing our partnerships with schools and the wider community.

Admissions/ Appeals:

- To carry out consultation where changes to admission arrangements are proposed.
- To appeal against LA directions to admit students when the headteacher is unable to resolve the matter via the Fair Access Protocol.

These Terms of Reference were approved by the FGB on 05th December 2022 for the academic year 2022 - 2023

PROGRESS & ATTAINMENT COMMITTEE

PURPOSE

- To act on matters delegated by the Governing Body.
- To liaise and consult with other committees as necessary and appropriate.
- To contribute to the School Development Plan, monitoring and evaluating relevant sections.
- To consider Safeguarding and Equalities' implications when discharging all committee responsibilities.

MEMBERSHIP

- A minimum of 4 members (including the headteacher).
- The quorum is three members, two of which must be members external to the School (ie: not Staff or the Headteacher)

MEETINGS

- The committee will meet termly. Meetings will not be open to the public, but minutes shall be made available. Information relating to a named person or any other matter that the committee considers confidential will not be made available.
- In the absence of the chair or the vice chair, the committee will choose an acting chair for that meeting from among governor attendees (excluding the headteacher).
- In the absence of the clerk, the committee shall choose an acting clerk for that meeting (excluding the headteacher).
- The minutes of each meeting will be made available before the next meeting of the Governing Body and a report will be presented at that meeting by the committee chair (or in his/her absence, by another member of the committee).
- Teachers and other professionals as appropriate may be invited to attend meetings, so that their expertise can inform decision-making, but such attendees are not entitled to vote. Decisions will be determined by a majority of committee member votes and only those of committee members in attendance at the meetings can vote.

REMIT

- To review, monitor and evaluate the curriculum offer.
- To review, monitor and evaluate relevant sections of the School Development Plan.
- To monitor and evaluate the impact of the quality of teaching on rates of student progress and attainment, incorporating literacy and numeracy across the curriculum, target-setting and examination entry and results.
- To monitor and evaluate rates of progress and attainment by students, exploring any real and / or perceived barriers in relation to underachieving groups.

- To monitor and evaluate provision for all groups of vulnerable students, so that all reasonable measures are being taken to ensure their needs are being identified and addressed, evaluating their progress and attainment.
- To take all reasonable measures to ensure all students have equal opportunities.
- To monitor and evaluate the provision of effective Careers' Education, incorporating progress towards meeting the Gatsby Benchmarks and the profile of STEM subjects within the Careers' programme.
- To consider recommendations from internal and external reviews, agree actions and priorities as a result of such reviews and evaluate the implementation and impact of resulting improvement plans.
- To monitor and evaluate the impact of continuing professional development on improving staff performance.
- To advise the Resources' Committee on the relative funding priorities necessary to deliver the curriculum effectively.
- To support the identification and celebration of students' achievements.
- To review, adopt, monitor and evaluate the Pupil Premium Strategy, ensuring the Statement's timely publication on the school's website, evidencing that identified strategies and their intended outcomes are underpinned by appropriate and targeted use of the allocated PP funding.

These Terms of Reference were approved by the FGB on 05th December 2022 for the academic year 2022 - 2023

APPRAISAL & PAY REVIEW COMMITTEE

MEMBERSHIP

- At the first meeting of the autumn term the Governing Body shall appoint not less than three governors and the headteacher. This committee should not include any staff governors.
- The chair of the committee shall be appointed by the Governing Body.
- Only full members of the committee, as approved by the Governing Body, shall have the right to vote on any resolution placed before the committee. Where there is an equality of votes for and against a particular resolution the matter will be referred back to the next full meeting of the Governing Body.

QUORUM

- The quorum is three governors.

MEETINGS

- The committee shall meet at least once a year following receipt of pay recommendations from the headteacher.
- The Governing Body retain responsibility for endorsing any proposed changes to the appropriate pay policy. Any proposed changes should be discussed with and communicated to the staff in writing by the headteacher, to allow for consultation prior to a decision being taken by the Governing Body.
- Wherever possible, the agenda and supporting papers should be sent to governors to arrive no later than five clear days before the meeting.
- The clerk to the committee will, within a timescale agreed by the Governing Body, prepare and send a copy of the draft minutes to the chair of the committee and headteacher.

REMIT

- Undertake the annual salary review and determine the individual salary of all staff (except for the headteacher which will be carried out by the Foundation) by considering and ratifying the headteacher's recommendations for the pay of all staff, ensuring the performance management policy and pay policy have been consistently and robustly applied.
- Comply with all statutory and contractual obligations.
- Report to the Governing Body all decisions taken within the powers delegated to the committee.

These Terms of Reference were approved by the FGB on 05th December 2022 for the academic year 2022 - 2023

GOVERNORS' EXCLUSIONS PANEL

MEMBERSHIP

- Three governors excluding the headteacher and staff governors
- The panel will nominate a panel chair

QUORUM

- Three governors

MEETINGS

As and when necessary, making “reasonable endeavours” to arrange the exclusions panel meeting at a date and time that is convenient to all parties and is within the relevant statutory time limits.

The time limit is 15 school days for:

- All permanent exclusions
- All fixed-period suspensions of students who have been suspended for more than 15 school days in the term
- All fixed-period suspensions that would result in a student missing a public examination or National Curriculum test

The time limit is 50 school days for a fixed-period suspension of more than 5 but up to 15 days in a term (including the 15th day), and there is no time limit for suspensions of fewer than 5 days in a term.

REMIT

For any suspension, either permanent or fixed term of more than five days or ten lunchtimes in any one term or where suspension would result in the loss of an opportunity to take a public examination.

- To consider the actions of the headteacher in suspending the student
- To consider representations made by parents/carers and the LA
- To determine whether the student should be re-instated immediately, by a particular date or not at all
- In the case of a fixed period suspension which would result in the student being suspended from the school for a total of 5 days or less in any one term to consider representations made by the parents/carers.

These Terms of Reference were approved by the FGB on 05th December 2022 for the academic year 2022 - 2023

COMPLAINTS' APPEALS PANEL

MEMBERSHIP

- Three governors/independent individuals who were not directly involved in the matters detailed in the complaint. At least one member of the appeals panel should be independent of the running of the Academy
- The panel will nominate a panel chair

QUORUM

- Three governors/independent individuals

MEETINGS

- As and when necessary and in accordance with the Foundation's complaints policy

REMIT

To consider appeals in respect of complaints made pursuant to Section 7 of the Complaints Policy.

The final appeal will be considered on the grounds of:

- Failure to comply with the Academy's own procedures
- Failure to comply with the Equality framework

To consider and review the Foundation's formal complaints procedure and provide feedback to the Governing Body

These Terms of Reference were approved by the FGB on 05th December 2022 for the academic year 2022 - 2023