

All Saints CofE Federation

Governing Body Standing Orders and Responsibilities

Preamble

The KEY POINTS are:

The Local Governing Body (LGB) of the Academy acts via the delegated authority of the Ebor Multi-Academy Trust (the MAT) with respect to academy matters.

The LGB of the academy should operate at a strategic level, leaving the head teacher and senior school leaders responsible, and accountable to it for the operational day-to-day running of the school in line with the scheme of delegation.

All governors have a responsibility to attend all meetings scheduled as full governing body meetings, all committee meetings for which they are members, all meetings required by their role as a designated governor.

In addition to the above all governors have a responsibility to attend school on a regular basis in order to develop and maintain a good knowledge of the workings of the school

All governors have a responsibility to undertake training required to fulfil their role on the governing body, nominated committee, or as a designated governor, and to ensure that this training is reviewed and refreshed as required.

It is good practice for the LGB to review its own performance regularly and publish an annual statement to explain how it has fulfilled its responsibilities.

The MAT should develop and maintain a scheme of delegation to define explicitly at which level each of its functions will be exercised. It is crucial that the board as a whole retains oversight of the core functions.

The Chair of the LGB has a vital role in keeping the body focused on its core functions, and in ensuring it operates effectively, including through the active contribution of all its members.

High quality professional clerking is crucial to the effective functioning of the board.

Members of the board and its committees must be present at a meeting to vote, but they may be present 'virtually', for example by telephone or video conference

The Chair can be a shared role but, if the governing body cannot elect a chair, assistance should be sought from the MAT governance manager. Any subsequent potential chair must be appointed to the governing body prior to their election as chair.

All governors must now be appointed on the basis of their suitability to act in the best interest of the school. They must have the relevant skills. In organising elections the governing body can now

highlight the skills they are hoping to recruit but any elected governor cannot be removed if they do not have these skills.

The core functions should drive the work of the governing body.

Governors should have in place a robust process and framework for setting priorities, creating accountability and monitoring progress.

Although they are volunteers, the governors have a vital and demanding role. The “School Inspection Handbook” et seq. sets out how Ofsted will judge the leadership and management of the school. (See the Ofsted website).

Governing bodies can delegate some functions to committees or individuals.

Succession planning arrangements should be in place.

Associate members may not vote on LGB matters but can be allowed to vote on sub-committees.

Proxy voting is **NOT** permitted but governors can use video conference or telephone to participate in meetings. This should be discussed in advance and a policy agreed.

Whilst most governing bodies conduct business in a relatively informal way there is much benefit in having a framework to formalise the business of the governing body.

Standing orders provide such a framework and can avoid disputes arising by having procedures and conventions previously agreed by the governing body. Standing orders cannot replace regulations or statutory guidance but are additional and supplementary to them.

This document is based on the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 et seq.

The detailed standing orders continue below.

Standing orders for procedural workings of the governing body of All Saints CofE Federation –submission draft

1. Meetings of the governing body (LGB)

The full governing body shall meet a minimum of six times each school year (once per half cycle), any extra-ordinary LGB or sub-committee meetings are in addition to this.

2. Chair and vice-chair – Term of Office

The chair and vice-chair shall have a term of office of one year. The term shall begin at the first governing body meeting of the autumn term at which the chair and vice-chair are normally elected and shall end at the first meeting following the first anniversary of their election. In the event of the chair and/or vice-chair ceasing to occupy their post(s) part way through their respective term(s) of office then their successor(s) shall serve out the remainder of their predecessor's term.

When the office of chair or vice-chair becomes vacant the governing body must elect a new chair or vice-chair at the next meeting. If the chair is absent from a meeting, or if the chair is vacant, the vice-chair will act as chair for all purposes.

3. Election of chair and vice-chair

The clerk shall take the chair for the item dealing with the election of the chair and, in the event of a failure to elect a chair, for the item dealing with the election of the vice-chair. In the event of the governing body failing to elect a chair or a vice-chair the governing body shall elect a chair for the meeting. In the event of the governing body failing to elect a chair for the meeting then the meeting shall stand adjourned and the clerk, acting in consultation with the immediate past chair and the head teacher, shall convene a further meeting within 14 days of the adjournment.

4. Election of chair and vice-chair – procedure

(Note: Unless the chair and/or vice-chair have been elected for a longer period, the election of the chair and vice-chair takes place at the first meeting of the governing body held in the autumn term.

The following procedure shall apply to the election of the chair and vice-chair:

- The clerk shall invite nominations from the meeting. A governor may nominate him/herself;
- If only one candidate is nominated that candidate must withdraw from the meeting whilst the remaining governors vote by secret ballot, or as otherwise agreed, on whether to accept or reject the nominated candidate. In the event of an equality of votes the clerk does not have a casting vote and a "no decision" shall be recorded in the minutes;
- The clerk shall then invite further nominations from the meeting. If a further candidate is nominated but the result is the same, or the candidate is rejected, the clerk shall move on to the election of the vice-chair. The election of the chair shall then be placed as an item on the agenda for the next meeting of the governing body;

- If two candidates are nominated then both nominated candidates shall withdraw from the meeting whilst a secret ballot takes place. The chair shall be elected by a simple majority of the votes cast. In the event of each candidate polling the same number of votes then the successful candidate shall be decided by the toss of a coin;
- If 3 or more candidates are nominated and none of the candidates achieves a simple majority of the votes cast (e.g. 5.3.3.) then there shall be a second secret ballot to try to achieve a candidate with a simple majority (e.g. 6.3.2.) or, failing that, the candidate with the fewest votes (e.g. 5.4.2.) shall be eliminated;
- The unsuccessful candidate may then return to the meeting and a further secret ballot takes place between the two remaining candidates;
- Following his/her election the chair shall take over the meeting immediately and conduct the election of the vice-chair using the same procedure.
- If the governing body fails to elect a chair or a vice-chair it shall elect a chair for the meeting;
- If the meeting fails to elect a chair for the meeting then the meeting shall stand adjourned and shall be re-convened within 14 days.

5. Annual calendar of meetings and business

At the first meeting of the autumn term the governing body shall approve a calendar of governing body and committee meetings and of planned business for the ensuing year and the clerk shall, within 14 days of the meeting, provide a copy of the calendar to all members of the governing body.

6. Notice of meetings and agenda

Every member of the governing body shall receive the following at least seven clear days in advance of a meeting:

- Written notice of the meeting;
- A copy of the agenda for the meeting;
- A copy of any reports or papers to be considered at the meeting.

This standing order (6) shall not apply where the chair of the governing body so determines on the ground that there are matters demanding urgent consideration. In that case the written notice of the meeting shall state that fact and the agenda, reports and other papers to be considered at the meeting are received within such shorter period as the chair shall direct.

Notice may be sent by email. Governors must not use shared family e-mail accounts for governor communication, all official governor business being carried out via the Ebor approved account. Non-governors must not be allowed access to this account

7. Agenda Items

With the agreement of the chair of the governing body, or of the chair of the relevant committee, any member of the governing body shall be entitled to include on the agenda for any governing body or committee meeting, an item(s) on any particular issue provided that written notice thereof is given, as appropriate, to the chair of the governing body, or of the relevant committee, and to the clerk, at least 14 days prior to the meeting taking place.

8. Quorum

- The quorum for a meeting of the governing body shall be not less than 50% of the number of governors in post at the time of the meeting
- The quorum for a meeting of any committee of the governing body shall be at least three (3) governors who are members of that committee, unless otherwise agreed by the full governing body;
- Associate members shall not be included in the calculation for quorum purposes.

9. Voting

- Every proposition shall be seconded prior to the vote being taken;
- Every proposition shall be determined by a show of hands or, at the discretion of the chair of the meeting, by general consensus;
- Only those governors at the meeting and present in the room, or virtually present as previously described, at the time of the proposition being put by the chair shall be entitled to vote; (please note the one exception to this is a vote to change the name of the school where ALL governors would be required to vote and for this reason a proxy vote is allowed);
- In the event of a tied vote the chair shall have a second or casting vote;
- After a proposition is put from the chair, but before the vote is taken, any two governors by show of hands may require that the voting be recorded in the minutes of the meeting to show whether each governor present gave his/her vote for or against the proposition or abstained from voting. It is recommended that this would be a confidential minute;
- After a proposition is put from the chair, but before the vote is taken, any two governors by show of hands may require that the voting shall be by secret ballot;
- In the event of requisitions for both a secret ballot and a recorded vote then the requisition for the secret ballot shall take precedence and no action shall be taken on the requisition for a recorded vote.

10. Confidential Matters

Prior to the consideration of or discussion on any matter on any agenda for a meeting of the governing body or of any committee, consideration shall be given as to whether the matter includes confidential information and the governing body or committee shall determine whether the public or any other person, not being a member of the governing body, should be excluded from the meeting during the consideration of the matter. In the event of any matter being deemed to be

confidential then the minutes of the discussion and decision shall be excluded from the minutes of the meeting to be made available for public inspection. This standing order is additional to the requirement for governors to withdraw from a meeting and take no part in the consideration or voting on any item in which they have a declarable interest as required by standing order 18.

11. Minutes of Meetings

The draft minutes of all governing body and committee meetings shall be approved by the chair of the meeting within 14 days of the meeting having taken place. Thereafter the approved draft governing body minutes shall be circulated to all members of the governing body with the agenda for the next meeting of the governing body/committee. The minutes of committee meetings shall be circulated with the agenda for the next succeeding governing body meeting. Additionally all draft minutes of the full governing body shall be posted for view by the Chair of Trustees, Ebor MAT.

All non-confidential minutes shall be made available for public inspection only after they have been submitted for approval to the next succeeding meeting of the governing body or committee, as appropriate.

12. Record of Attendance

Every governor attending a meeting of the governing body or of any of its committees of which s/he is a member shall sign her/his name in the attendance book or sheet provided for that purpose and shall have their attendance recorded in the minutes.

13. Apologies for non-attendance at meetings of the governing body

All apologies together with the reason(s) for non-attendance at a meeting of the governing body shall be submitted to the clerk or to the chair not later than the commencement of the meeting. The governing body shall then determine whether such absence(s) should be treated as a 'consented' or 'non-consented' absence(s) and recorded as such in the minutes of the meeting. The failure to submit an apology shall be deemed to be a 'non-consented' absence and recorded as such in the minutes of the meeting.

14. Disqualification for non-attendance

Any governor, with the exception of the head teacher, who fails to attend any meeting of the governing body for a consecutive period of 6 months without the approval of the governing body, and such approval being recorded in the minutes, shall be automatically disqualified from serving as a governor. In the case of Trust-appointed governors, this decision must be ratified by the Trustees. In the case of parent, staff or associate governors, the local governing body requires no additional authorisation. The period of 6 months shall begin from the date of the first meeting missed by the governor. Trust appointed governors so disqualified shall not be eligible for nomination, election or re-appointment as a governor of any category for a period of 12 months immediately following his/her disqualification. Parent or staff governors are eligible for nomination and election immediately following their disqualification.

15. Records of the governing body

The clerk to the governing body shall be responsible for maintaining and keeping up to date the records of the governing body which for the purpose of this standing order shall comprise the following:

- The minutes of the meetings of the governing body and its committees;
- The record of attendance;
- The register of business interests;
- The record of hospitality/gifts;
- Copies of DBS (formally CRB) information;
- Copies of disqualification declaration forms to confirm that governors are not disqualified for any of the criteria listed;
- Training records and any such other records as may be determined from time to time by formal resolution of the governing body.

The records of the governing body shall be kept in a secure place provided at the school and shall be available for inspection by the public, members of the governing body, parents of pupils at the school and appropriate members and officers of the Ebor MAT. Confidential items and confidential minutes shall not be made available for public inspection.

16. Register of business interests

Every governor shall complete the register of business interests within one month of their election/appointment as a governor. Entries in the register shall be updated as and when necessary and in any event annually. In the event of any governor having no eligible business interests then a NIL return shall be recorded for that governor(s).

17. Conduct

All Members of the governing body shall abide by The Nolan Principles on Public Life as follows:

- Selflessness - holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves their family, or their friends;
- Integrity - holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties;
- Objectivity - in carrying out public business; including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; holders of public office should make choices on merit;
- Accountability - holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;

- Openness - holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands;
- Honesty - holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest;
- Leadership -holders of public office should promote and support these principles by leadership and example.

18. Declarations of interest

If any member of the governing body has any interest, whether pecuniary or otherwise, in any item on the agenda for any meeting at which they are present, they shall declare such interest prior to the consideration of that item and shall immediately leave the room and take no part in the consideration of or voting on that item.

19. Urgent action by the chair/vice-chair of the governing body

Where it is not reasonably practical to hold a meeting of the governing body (or of the relevant committee that has the delegated authority to deal with any matter) or where the relevant 7 days' notice of the meeting cannot be given and there will be a delay that would be seriously harmful to the school or to any pupil or member of staff if the matter is not dealt with then the chair (or in his absence the vice-chair) shall have authority to take such action as is deemed appropriate in the circumstances to deal with the matter. Such action must be reported to the next available meeting of the governing body or committee.

20. Financial and other guidance

The LGB shall have responsibility to ensure value for money with respect to the academy budget but shall not have operational accountability. Any concerns shall be discussed with the Headteacher, Business Manager or MAT Financial Director

21. Variation and revocation of standing orders

Any motion to add to, vary or revoke these standing orders, unless appearing in full on the agenda for the meeting shall, when proposed and seconded, stand adjourned without discussion until the next ordinary meeting of the governing body. Any decision to add to, vary or revoke standing orders shall take effect when specified in the resolution or immediately in default of a time and date being specified.

22. Interpretation of standing orders

The ruling of the Chair, in conjunction with the Clerk, as to the construction or application of any of these standing orders, or as to any proceedings of the governing body, shall be final and shall not be challenged at any meeting of the governing body or committee. Should the Chair be directed by the meeting to subsequently seek further guidance, this will be sought from the MAT governance manager.

23. Associate members

Any reference to governors in these standing orders shall, where the context so admits, include associate members.

24. Further Guidance

Further guidance regarding these standing orders shall be obtained from the Ebor MAT Governance Manager

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