

## STANDING ORDERS FOR THE GOVERNING BODY AND COMMITTEES OF THE GOVERNING BODY

These Standing Orders are an attempt to provide governing bodies with clear operating procedures and fall into two categories: Statutory regulations and good practice guidance. The new School Governance (Roles, Procedures and Allowances) (England) Regulations (2013) have been used to compile this document.

This document seeks to assist governing bodies to understand and interpret the regulations. This document should be considered in conjunction with other key documents: your school's Instrument of Government, the Oxfordshire Governors' Code,

**Governing bodies can adopt these Standing Orders if they wish to do so.** They can be adapted prior to adoption but care must be taken to ensure that changes comply with regulations.

Note:

These Model Standing Orders have been adapted from original Model produced by GLM, the consortium of Governor Services from Cambridgeshire, Oxfordshire and Warwickshire.

## **Regulation 6: The Roles of Governing Body and Headteacher**

- (1) 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 head teacher 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.
  
- (2) 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.
  
- (3) 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.
  
- (4) The head teacher's responsibilities include—
  - (a) the internal organisation, management and control of the school; and
  - (b) the educational performance of the school.
  
- (5) The head teacher is accountable to the governing body for the performance of all his or her responsibilities.
  
- (6) The head teacher must comply with any reasonable direction of the governing body.
  
- (7) In this regulation the term "governing body" includes the temporary governing body of a new school.

STATUTORY	GOOD PRACTICE GUIDANCE	GUIDANCE ADOPTED? Y/N OR ALTERNATIVE (PLEASE SPECIFY)
<b>Appointment, Functions and Removal of officers</b>		
<b>1. Election and Removal of Chair and Vice Chair (<u>Regulation 7</u>)</b>		
<ul style="list-style-type: none"> <li>• The governing body must decide the length of office of the chair and vice-chair-</li>   <li>○ [A chair/vice-chair may resign at any time and a new chair/vice-chair elected.]</li>   <li>• Election procedures need to be decided by the governing body.</li> <li>• Staff governors cannot be chair or vice-chair of the governing body.</li> <li>• All candidates must withdraw while the election process is undertaken and shall not vote. (Regulation 14 &amp; Schedule)</li> </ul>	<p>A one-year term of office is recommended</p> <p>If the chair/vice-chair resigns mid-term the new chair will be elected for a term of office to be agreed by the governing body. Options:</p> <ul style="list-style-type: none"> <li>• At next autumn meeting</li> <li>• One (or more) years from this election</li> <li>• The autumn meeting after next</li> </ul> <p>The clerk should manage the election procedures. Nominations should be notified to the clerk prior to, or at, the meeting at which the election will take place. All nominations can be self-nomination or from colleagues.</p> <p>Elections should be by secret ballot. If there is only one candidate the ballot should accept/decline the candidate.</p> <p>We recommend that in the event of a tie the decision is based on the drawing of lots – this covers the possibility that three or more candidates tie.</p>	<p>Term of office     <u>1</u>     Years</p> <p>This decision must be minuted at the time of 'replacement' election.</p> <p>Clerk to manage process? (Y)</p> <p>Nominations written/oral? (Y)</p> <p>Additional nominations accepted? (Y)</p> <p>Election will be by Secret Ballot (N)</p> <p>In the event of a tie the decision will be based on drawing lots</p>

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<b>2. Urgent Action (Regulation 8)</b>		
<p>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:</p> <ul style="list-style-type: none"> <li>▪ the school;</li> <li>▪ any pupil at the school (or his parent);</li> <li>▪ any person who works at the school.</li> </ul>	<p>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.</p> <p>Emergency action should only be used in extreme circumstances.</p>	
<b>3. Appointment and Removal of the Clerk (Regulations 10 - 12)</b>		
<p>The governing body must appoint the clerk to the governing body.</p> <p>The clerk to the governing body must not be:</p> <ul style="list-style-type: none"> <li>a) A governor;</li> <li>b) Headteacher of the school.</li> </ul> <p>[In an emergency a governor (<b>not</b> the headteacher) may clerk for that meeting only.]</p>		<p>Name of clerk: <b><u>Sue Smith</u></b></p>
<p>The clerk to the governing body must—</p> <ul style="list-style-type: none"> <li>(a) convene meetings by circulating agenda (Reg. 13)</li> <li>(b) attend meetings of the governing body and ensure minutes of the proceedings are produced;</li> <li>(c) maintain a register of members of the governing body and of associate members and report any vacancies to the governing body; and</li> <li>(d) perform such other tasks as may be determined by the governing body from time to time.</li> </ul> <p>The governing body may remove a clerk from office by resolution.</p>	<p>A full job description for clerks is available from the LA or Governornet.(www.governornet.co.uk)</p> <p>'Other tasks' might include meeting with head and chair to plan schedule of work or individual meeting agendas. (If this is not part of an SLA it may require negotiation and extra payment.)</p> <p>The governing body may need to seek HR advice from personnel provider if the clerk is employed directly by the governing body.</p>	

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<b>4. Meetings and proceedings of the Governing Body:</b>		
<p><b>Right to attend meetings (Regulation 12)</b></p> <p>The following persons have a right to attend all meetings of the governing body: (Regulation 14)</p> <ul style="list-style-type: none"> <li>▪ Headteacher;</li> <li>▪ All governors (unless suspended);</li> <li>▪ Clerk;</li> <li>▪ Associate members* who have been agreed by the full governing body (unless the governing body requires them to leave for items relating to an individual member of staff or pupil).</li> </ul> <p>* The governing body decides who shall be associate members of particular committees with limited voting rights on the committee.</p>	<p>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.</p> <p>Associate Members are appointed to a committee (rather than to the governing body) but have the right to attend governing body meetings.</p> <p>The governing body should decide whether an item under discussion is likely to relate to an individual member of staff or pupil – requiring an associate member or observer to withdraw.</p>	<p>Meetings will be open to the public? (N)</p> <p>Names of Associate Members and the committee to which they have been appointed:</p>

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<p><b>Convening meetings (<u>Regulation 13</u>)</b></p> <p>There must be at least 3 meetings of the full governing body each school year.</p> <p>Meetings of the full governing body must be convened by the clerk.</p> <p>Any 3 members of the GB may requisition a meeting by giving written notice, including a summary of the business, to the clerk.</p> <p>The agenda must be sent to the governors 7 days before the meeting.</p>	<p>Schools usually hold 6 meetings per year but this depends on the way in which governing body and its committee meetings are organised. Fewer meetings of the full governing body may be appropriate if more responsibilities are delegated to committees</p> <p>Ideally items for the agenda should be notified to the clerk 2 weeks before the meeting.</p> <p>The regulations no longer specify 'reports and papers'. However, it is good practice for papers to be circulated in advance of the meeting; if papers are not sent in advance it slows up proceedings, will disadvantage slow readers and may lead to poor decisions. We strongly recommend that the governing body makes a strong statement about the need to avoid tabled papers unless there are exceptional circumstances which make it unavoidable. This is an opportunity to make a stand against bad habits!</p>	<p>Number of planned meetings per term?</p> <p>Autumn <u>4</u> Spring <u>3</u> Summer <u>3</u></p> <p>The minimum time before meetings that papers must be made available to all governors is 7 days.</p> <p>Exceptional circumstances that the governing body may accept for the tabling or late circulation of papers are restricted to:</p> <ul style="list-style-type: none"> <li>• an issue that could not be foreseen which requires urgent discussion</li> <li>• serious illness of the paper's author</li> </ul> <p>The maximum acceptable length of a late or tabled paper is 1 or 2 sides A4 11 point text.</p> <p>If the late or tabled paper must be dealt with before the next scheduled meeting, an extra meeting of the governing body will be arranged at a date convenient to the majority of governors.</p>
<p><b>Governors failing to attend meetings</b></p> <p>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. (School Governance (Constitution) (England) Regulations 2012: Regulation 3.2.3)</p>	<p>A record (in the minutes of the meeting) of governing body consent or otherwise for absence is essential in order to invoke disqualification.</p> <p>If no apology is received then no consent can be granted.</p>	<p>Agreement, or otherwise, of absence is a standard item on governing body agenda? (Y)</p>

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<b>5. Quorum (Regulation 14)</b>		
<p>For all meetings of the governing body the quorum will be 50% of the number of governors in post. (this excludes vacancies)</p> <p>The headteacher must notify the clerk in writing if they do not wish to be a governor of their school. Associate members must not be included in the calculation for quorum.</p> <p>The governing body may approve alternative arrangements for governors to participate or vote at meetings of the governing body including but not limited to by telephone or video conference</p>	<p>While having the flexibility to agree to remote participation in meetings may be useful in exceptional circumstances, the benefit of having everyone discussing an issue in the same room should not be undermined by too many governors taking part remotely too often. Regulations state that the chair must be physically present in order to chair the meeting.</p> <p>Hearing the views of other governors in the meeting is necessary to arrive at a considered view. Telephone or video conference enables the remote governor to hear views; but we recommend that written or email voting in advance of discussion is not permitted.</p>	<p>The clerk will advise the chair of the current quorum at the start of each meeting.</p> <p>The governing body approves in principle remote participation in meetings - YES</p>

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<b>6. Voting (<u>Regulation 14</u>)</b>		
All matters are decided by a majority vote. In the event of a tie the chair (or acting chair) has an additional (casting) vote. (Except in the election of chair or vice-chair – see Reg. 5.)		
<b>7. Minutes and Papers (<u>Regulation 15</u>)</b>		
<p>Minutes should be prepared by the clerk. Signed minutes must be available for public inspection, with the exception of confidential items:</p> <ul style="list-style-type: none"> <li>▪ items which refer to an individual parent pupil or member of staff;</li> <li>▪ other items the governing body deems confidential.</li> </ul>	<p>Draft minutes, excluding confidential items, that have been approved by the chair should be made available as soon as possible after the meeting. These should be marked 'DRAFT - subject to change'.</p> <p>Confidentiality should be restricted to a few very sensitive items. Headteachers should be reminded that their report is a public document. The way individual governors vote, and their opinions should be regarded as confidential.</p>	<p>The governing body's minutes will be available:</p> <ul style="list-style-type: none"> <li>• Once approved at the next meeting</li> <li>• From the school office (Y)</li> </ul>

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<b>8. Restrictions on Participation (<u>Regulation 16 &amp; Schedule 1</u>)</b>		
<p>Governors must complete a pecuniary interest form and update it annually.</p> <p>Governors must declare at the start of any meeting if they have a potential conflict of interest, or where a fair hearing is required and their impartiality is in doubt. In such a case the governor must withdraw and cannot vote.</p> <p>The governor can give evidence, make representations and enter into a contract provided s/he does not take part in discussion or decision making. (16c)</p> <p>In the event of a dispute the governing body decides whether the individual should withdraw.</p>	<p>An annual register of interests must be established and updated annually</p>	<p>Date for annual update of register:</p> <p><u>Annually in the first term of the Academic Year</u></p>
<b>9. Suspension (<u>Regulation 15</u>)</b>		
<p>A governing body can suspend a member of the governing body for a limited number of prescribed reasons for a period not exceeding 6 months (refer to Regulations).</p>	<p>This should be used as a last resort. The suspension process is NEVER as easy as it seems!</p>	<p>A Code of Conduct has been adopted by the governing body? (Y)</p>

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<b>10. Delegation to Committees and Individuals (Regulations 18-20)</b>		
<p>The full governing body, in accordance with regulations, must annually decide any delegation to the headteacher, committees or individuals.</p> <p>(These requirements do not apply to other working groups without delegated powers.)</p> <p><b>Quorum for Committees (Regulation 22)</b></p> <p>The committee shall decide the quorum which must be at least three governors.</p>	<p>Ref. Regulations</p>	<p>A framework for delegation has been agreed and recorded (Y)</p>
<p><b>Chairing Committees (Regulations 22-25)</b></p> <p>A chair must be appointed annually to each committee by the governing body or elected by the committee, as determined by the governing body. (Chair cannot be the headteacher). The governing body must agree the names of associate members of committees and whether they have been granted voting rights (associate members must not outnumber the governors).</p>	<p>If the governing body takes care in selection of chairs of committees it helps succession planning by giving selected governors practice at chairing.</p>	<p>Chair of committees will be chosen by the:</p> <ul style="list-style-type: none"> <li>• Committee members</li> </ul>

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<p><b>Clerking Committees (Regulation 26)</b> The governing body must appoint a clerk to each committee who will:</p> <ul style="list-style-type: none"> <li>• Convene meetings of the committee</li> <li>• Take minutes</li> <li>• Perform other tasks as determined by the governing body</li> </ul> <p>The headteacher is not permitted to clerk a committee.</p> <p>Committees will meet at least 7 days before FGB meetings.</p>	<p>This can be undertaken by a governor who is a member of the committee or an associate member. It is recommended that the governing body appoint and pay a trained clerk.</p> <p>Where possible, all governors should be notified of the committee agendas and be able to contribute in writing or by attending. Where items of specific interest arise. If you are not a designated member of the committee you will not be able to vote.</p> <p>The committee meeting minutes are made available to all Governors.</p> <p>Delegated decisions taken by committees should be reported to the governing body but not re-debated</p>	<p>Clerking arrangements will be set out in the committee terms of reference.</p>
<p><b>Governors' Allowances (Regulations 27-30)</b></p>		
<p>The governing body cannot pay allowances unless it has an agreed policy.</p>		<p>The governing body has an Allowances Policy - it is on the Learning Platform</p>