

**ST. FRANCIS OF ASSISI CATHOLIC  
COLLEGE**

Governors' Terms of References



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## 1.1 Committee Structure



## 1.2 Governing Body- Responsibilities

The Governing Body is under a legal duty to conduct the school with a view to promoting high standards of educational achievement. It shall also ensure that the school is conducted in accordance with the Diocesan Trust Deed and its Instrument of Government, a legal document issued by the LEA, and relevant Education Acts.

The Governing Body is collectively corporate and responsible for all decisions and activities undertaken within the school's remit. It undertakes to manage its responsibilities by using a Governance model that employs Policies and Procedures with Committees (reporting to the Governing Body) for specific related areas.

Minutes of meetings will be kept along with copies of other relevant documentation and evidence of proceedings.

The Governing Body will manage its responsibilities either directly, or through properly appointed Committees. It charges the Headteacher to manage the day-to-day management of the school, and to provide accurate reports to the Governing Body or its Committees.

The Governing Body will undertake a range of monitoring activities to verify the reliability of information it receives.

### **Policies and Procedures:**

The Governing Body has established and maintains a range of Policies and Procedures to provide a robust framework of guidance and instruction to support the School's Catholic Ethos

and to ensure its religious, moral, pastoral and legal obligations are consistently met in a spirit of fairness and equality for all.

All Governing Body policies must be approved by the Governing Body and given an expiry/review date consistent with any legal requirements. The Governing Body must review and if necessary amend a policy to ensure its continuance by its review date. No review date should exceed three years.

If at any time circumstances arise that affect the function or application of a policy, the Governing Body may review, amend, withdraw or create a new policy.

The Governors have particular regard to the undernoted:-

- a) To make a written Statement of Curriculum Policy having regard to LA and Diocesan Policy.
- b) To make a written policy Statement on Sex Education with due regard for current statute and the Instrument of Government.
- c) To consider reinstatement of excluded pupils as and when required.
- d) To approve an Annual School Profile.
- e) To control use of premises.
- f) To determine admissions arrangements.
- g) To appoint and dismiss staff.
- h) To adopt appropriate discipline and grievance procedures.
- i) To adopt and keep under review a charging policy and modify when necessary.
- j) To ensure that pupils are entered for approved examinations only.
- k) To comply with Health and Safety Policy and requirements.
- l) To determine times of School sessions and dates of terms and holidays.
- m) To set an Annual Budget in the light of statutory requirements and to exercise proper financial management.
- n) To adopt a policy relative to pupil discipline.
- o) To ensure the National Curriculum is implemented.
- p) To ensure that Religious Education and Collective Worship are provided.
- q) To comply with statutory requirements concerning Inspection of Religious Education and Collective Worship and the Ofsted inspection.
- r) To make every endeavour to meet the needs of SEN pupils.
- s) To hold a meeting at least once a term.
- t) To elect a Chair and Vice-Chair annually and the Clerk to the Governors as required.
- u) To adopt and review home / school arrangements

The Governing Body must review the delegation of functions annually.

The Governing Body can delegate any of its statutory functions to a committee, a governor or to the Headteacher, subject to prescribed restrictions. The Governing Body, as a corporate body, will remain responsible for any decisions taken, including those relating to functions delegated to a committee or individual.

The following functions can be delegated to a committee, but cannot be delegated to an individual:

- Functions relating to the approval of the first formal budget plan of the financial year;
- Functions relating to school discipline policies;
- Functions relating to the exclusion of students (except in an emergency when the Chair has the power to exercise these functions);
- Functions relating to admissions (DfE Statutory Guidance 3.8.1)

The Governing Body cannot delegate any functions relating to:

- The constitution of the governing body;
- The appointment or removal of Chair and Vice-Chair;
- The appointment of the Clerk;
- The suspension of governors;
- The delegation of functions and the establishment of committees (DfE Statutory Guidance 3.8.2)

Any individual or committee to whom a decision has been delegated must report to the Governing body in respect of any action taken or decision made. The Governing body can still carry out functions and make decisions on matters it has delegated.

The foregoing list is not exhaustive but represents the prime responsibilities defined in the Instrument of Government, the School Standards and Framework Act 1998, the Statutory Guidance on School Governance (England) Regulations 2003 and other official sources.

Dated copies of any amended policies will be retained to provide a traceable record of policy development.

#### **Clerking and Minutes:**

- The Governing Body must appoint a Clerk responsible for Full Governing Body and Committee meetings.
- The Headteacher cannot be appointed as clerk to a committee. However, is entitled to attend any meeting of any committee which is not considering her/his conduct, pay, continued employment or the appointment of a successor.
- The convening, conduct and minuting of committees must comply with the same regulations as those applying to meetings of the full Governing Body. The Clerk to the Committee must give each member of the committee and the Headteacher (if not a member) written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting, normally at least seven days before the meeting.
- The Clerk must ensure that minutes are drawn up, approved by the governing body and are signed by the Chair at the next meeting. The Governing Body should make available to any interested party agenda, minutes, reports and papers (excluding confidential items) as soon as is reasonably practicable.

### **1.3 Governing Body - Establishment of Committees**

The Governing Body must determine the membership and terms of reference of any committee it chooses to establish and should review these annually. These decisions should be recorded in the minutes.

- a) At least half of the Governing Body members must be present when Committees are established or new members appointed.
- b) Each Committee must include at least three governors, and a quorum shall be a minimum of three governors.
- c) The Governing Body can disband a Committee, change its membership or amend/withdraw its delegated powers at any time.
- d) Committees to have the delegated status of decisions of the full Governing Body within their constitutional remit as defined in Section 1.4 of this Policy Document.

- e) Where Committees have a membership of four or more governors, the Committee will elect its own Chair and Vice Chair from its membership. Where a Committee has only three Governors, the members will elect their own Chair when they first meet.
- f) Committees to hold meetings when required, generally termly, two weeks notice being given whenever possible.
- g) Committees to be empowered to set up small groups from their membership to conduct the constitutional business of that Committee e.g. short listing and interviews for appointments.
- h) The Chair of a Committee to be empowered to co-opt other governors and non-governors with specialist skills and/or knowledge appropriate to the working of the Committee. Such co-opted persons will have no voting powers.
- j) All meetings to be formally minuted and all proceedings reported back to the full Governing Body. However, the Governing Body should not normally report in detail, where the power of decision is delegated to the Committee, the discussions leading to that decision.
- k) The Chair or Vice-Chair cannot be an employee or registered pupil.
- l) The Headteacher cannot be the clerk to the committee.
- m) There is no power for the Chair of a Committee to act in an emergency; if there is a need for emergency action, it has to be carried out by the Chair of the Full Governing Body.
- n) The Governing Body remains accountable for any decisions taken, including those relating to functions delegated to a committee or an individual, and can still perform functions it has delegated.

#### **1.4 Committee Terms of Reference and Composition**

Governors' Committees have a one-year life and must be re-constituted annually in the Autumn term of the new school year. They will be populated with members of the Governing Body who will have voting powers. They will be given agreed set Terms of Reference. Each Committee will have a Chair and Vice Chair. The Committee may co-opt other relevant persons to assist and advise the Committee. Such persons will have no voting rights.

The Governing Body or any Committee as required may request a relevant individual, or assemble a Working Party to over-see a project. Any powers to be delegated will be approved by the Governing Body and contained in the Terms of Reference. Working parties can be populated with any relevant person, including external advisers. The Governing Body may change or disband the project at any time, in which case the Terms of Reference and Working Party will cease.

Committees will report to the Full Governing Body through minutes, documents and presentations, except where their Terms of Reference dictate otherwise for reasons of confidentiality.

The quorum for any committee meeting and for any vote must be three governors who are members of the committee or more, as determined by the committee.

Governors should withdraw from any meeting where they have a direct or indirect pecuniary interest or where there is a reasonable doubt about the person's ability to act impartially.

##### **1.4.1. Personnel, Finance and Resources**

###### **a) Membership:**

Minimum 4 Governors, 2 of whom will be Foundation Governors  
Headteacher

Co-opted: Deputy Headteacher, Assistant Headteacher

- b) **Chair and Vice-Chair:**  
To be elected by the Committee from its membership annually.
- c) **Reporting:**
  - i) Minutes to be published
  - ii) Report on activities and decision to the next Governing Body meeting.
- d) **Frequency:**  
To meet at least termly.
- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher
- f) **Quorum:**  
Three
- g) **Terms of Reference:**
  1. To determine, under the financial limits set by the Finance and General Purposes Committee the number of staff, both teaching and non-teaching and levels of salaries, allowances and enhancements.
  2. To review and report to the governing body on the school's staffing structure.
  3. To consider and recommend personnel policies, for example on discipline and grievance, to the governing body.
  4. To make staff appointments including promotions, except for the Head and Deputy Head posts and those delegated for appointment by the Headteacher.
  5. To monitor policies and procedures related to personnel, i.e. disciplinary codes, dismissal, early retirement schemes, appraisal systems, equal opportunities, Health and Safety (Welfare) and personal development.
  6. To agree annually the arrangements for the appointment of temporary staff.
  7. To review and report to the governing body in respect of local or national legislative or policy initiatives which may have personnel implications.
  8. To act as the co-ordinating body for spending committees, preparing and recommending to the Governing Body an Annual Budget for approval.
  9. To monitor all financial income and expenditure, taking action appropriate for sound administration of the Annual Budget.
  10. To consider the financial implications relative to school development plans and priorities.
  11. To determine lettings policy and charges.
  12. To receive and approve audited school fund accounts for presentation to the Governing Body.
  13. To consider the financial implications of the School Development Plan, post-Diocesan and post-OFSTED inspection planning and any similar plans.
  14. To review and report on any other appropriate financial matter as requested by the governing body.
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#### 1.4.2 Pay Committee

- a) **Membership:**

Three eligible governors

**Total 3**

b) **Chair:**

To be elected by the Governing Body annually.

c) **Reporting:**

i) A written record of the proceedings to be maintained.

ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the staff concerned to be strictly maintained at all times.

d) **Frequency:**

As necessary

e) **Convening and Agenda:**

Chair in consultation with the Headteacher

f) **Quorum:**

Three

Note: The Chair to ensure that three governors are in attendance at each hearing.

g) **Terms of Reference:**

1. To draw up a pay policy for recommendation to the governing body and thereafter to review the policy.
2. To carry out an annual review of all staff salaries and to determine any matter within the discretion of the governing body relating to pay, salaries or wages of staff employed at the school (e.g. upper pay spine progression, management allowances, leadership spine progression, etc.). The Committee will receive the report and recommendation of the Appointed Governors on the Headteacher's pay review, regarding requests, etc.

#### 1.4.2a **Pay Appeals Committee**

a) **Membership:**

Three eligible governors

**Total 3**

b) **Chair:**

To be elected by the Governing Body annually.

c) **Reporting:**

i) A written record of the proceedings to be maintained.

ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the staff concerned to be strictly maintained at all times.

d) **Frequency:**

As necessary



- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher
- f) **Quorum:**  
Three
- g) **Terms of Reference:**  
To consider any appeal arising from the decision of the Pay Committee.

### 1.4.3. Curriculum, Spiritual and Pastoral

- a) **Membership:**  
Three Foundation Governors  
One Staff Governor  
Two Other Governors  
Headteacher  
**Total 4**  
  
Co-opted: Deputy Headteacher, Head of RE, School Chaplain, Assistant Headteacher (Pastoral), appropriate members of the Senior Leadership Team
- b) **Chair:**  
To be elected by the Committee from its membership annually.
- c) **Reporting:**
  - i) Minutes to be published
  - ii) Report on activities and decision to the next Governing Body meeting.
- d) **Frequency:**  
To meet at least termly.
- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher.
- f) **Quorum:**  
Three
- g) **Terms of Reference:**
  1. To promote and support the Catholic ethos of the school through the spiritual and moral development of pupils.
  2. To monitor whole school activities in relation to the pastoral and spiritual life of the school.
  3. To liaise with the Religious Education Department and Senior Staff having pastoral responsibility.
  4. To approve policies and procedures in relation to spiritual and moral teaching e.g. Sex Education Policy.
  5. To consider student attendance, behaviour and exclusion issues in accordance with applicable legislation and DfE guidance.

#### **1.4.4. Buildings and Health & Safety Committee**

a) **Membership:**

5 Governors

Headteacher

**Total 6**

Co-opted: Deputy Headteacher, School Health and Safety Officer, Architects Representative, School Business Manager, School Premises Manager, appropriate members of the Senior Leadership Team

b) **Chair:**

To be elected by the Committee from its membership annually.

c) **Reporting:**

i) Minutes to be published

ii) Report on activities and decisions to the next Governing Body meeting.

d) **Frequency:**

To meet at least termly

e) **Convening and Agenda:**

Chair in consultation with Headteacher.

f) **Quorum:**

Three

g) **Terms of Reference:**

1. To be responsible for the Maintenance, Development and Letting of the School buildings and grounds.
2. To prepare an annual maintenance programme in accordance with the school's delegated budget and development plan.
3. To be responsible for compliance with all current Health and Safety requirements and associated regulations.
4. To ensure that the School's Health and Safety Policy is regularly reviewed to maintain validity.
5. To ensure that there are appropriate systems in place for the risk management of sites and buildings including playing fields.
6. To make recommendation to the governing body for minor works.
7. To make recommendations to the governing body for the use of the School's devolved capital allocation and Diocesan funding in line with the School's Asset Management Plan.
8. To review and make recommendations to the governing body on the School's Asset Management Plan

#### **1.4.5. Admissions Committee**

a) **Membership:**

Three eligible governors

**Total 3**

- b) **Chair:**  
To be elected at the “first” meeting of the Committee.
- c) **Reporting:**
  - i) Minutes to be published
  - ii) Report on activities and for approval of decision at the next Governing Body meeting.
- d) **Frequency:**  
As necessary
- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher
- f) **Quorum:**  
Three
- g) **Terms of Reference:**
  - 1. To annually review Admission Criteria and make recommendations to the Governing Body.
  - 2. To annually review September intake numbers and make recommendations to the Governing Body.
  - 3. To be responsible for implementing this Catholic School’s Admissions Policy.

#### **1.4.6. Pupil Discipline and Grievance Committee**

- a) **Membership:**  
Three eligible governors  
**Total 3**
- b) **Chair:**  
To be elected at each ‘first’ meeting of the Committee.
- c) **Reporting:**
  - i) A written record of the proceedings to be maintained.
  - ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the pupils concerned to be strictly maintained at all times.
- d) **Frequency:**  
As necessary
- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher.
- f) **Quorum:**  
Three

Note: The Chair to ensure that three governors are in attendance at each hearing.

g) **Terms of Reference:**

1. To implement the School's Pupil Disciplinary Code.
2. To conduct disciplinary proceedings in respect of pupils in accordance with Diocesan and LA guidelines
3. To hear grievances/complaints involving pupils in accordance with Diocesan and LA guidelines.

#### **1.4.7 First Appeals and Discipline (Capability) Committee (Staff)**

a) **Membership:**

Three eligible governors

**Total 3**

(The Headteacher and staff governors cannot sit as members of this committee.)

b) **Chair:**

To be elected at the "first" meeting of the Committee.

c) **Reporting:**

- i) A written record of the proceedings to be maintained.
- ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the staff concerned to be strictly maintained at all times.

d) **Frequency:**

As necessary

e) **Convening and Agenda:**

Chair in consultation with the Headteacher

f) **Quorum:**

Three

g) **Terms of Reference:**

1. To consider and make a decision relating to the following staff matters, in accordance with Diocesan policy and with reference to LA guidance.
  - (i) Matters, including discipline, which may lead to the dismissal of a member of staff;
  - (ii) Redundancy and redeployment
2. To consider any grievance from a member of staff against the Headteacher, not previously resolved through the stages set out in the Grievance Procedure (if the school grievance procedure requires this).

#### **1.4.8. Governors' Appeals Committee**

a) **Membership:**

Three eligible non-staff Governors

**Total 3**

(The Headteacher and staff governors cannot sit as members of this committee.)

- b) **Chair:**  
To be elected at the first meeting of the Committee.
- c) **Reporting:**
  - i) A written record of the proceedings to be maintained.
  - ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the persons concerned to be strictly maintained at all times.

- d) **Frequency:**  
As necessary
- e) **Convening and Agenda:**  
Chair of the Governing Body in consultation with the Headteacher
- f) **Quorum:**  
Three
- g) **Terms of Reference:**
  - 1. To hear and mediate on all appeals, in accordance with the DSC model Grievance and Disciplinary Procedures for the Employees of the Governing Bodies of Catholic Voluntary Aided Schools with Delegated Budgets, arising from: -
    - a) Staff dismissal.
    - b) Staff disciplinary and grievance proceedings.
    - c) Staff pay disputes.

#### **1.4.9a Appointed Governors**

- a) **Membership:**  
Chair of Governors and 2 Foundation Governors  
**Total 3**
- b) **Chair:**  
To be elected at the “first” meeting of the Committee.
- c) **Reporting:**
  - i) A written record of the proceedings to be maintained.
  - ii) Report on proceedings and decision to the next Governing Body meeting.
- d) **Frequency:**  
Annually
- e) **Convening and Agenda:**  
Chair in consultation with the Headteacher
- f) **Quorum:**  
Three

Note: The Chair to ensure that three Governors are in attendance at each hearing.

**g) Terms of reference:**

To undertake the Headteacher's Annual Review by:

1. Appointing and taking advice from an external adviser.
2. Conducting the Headteacher's performance review/appraisal.
3. Agreeing targets and objectives with the Headteacher, relating to the Headteacher's performance and her/his duties in accordance with the applicable legislation.
4. Making recommendation on the Headteacher's pay to the Pay Committee.
5. Ensuring that there is a system of performance management for all staff at the school and to review the operation of that system.

**1.4.9b Review Officer**

To be appointed by the Full Governing Body to hear any appeal by the Headteacher regarding Performance Review. This may not be the as he/she sits on the Appointed Governors Panel.

**1.4.11 Complaints Committee**

**a) Membership:**

Three eligible governors

**Total 3**

**b) Chair:**

To be elected at each 'first' meeting of the Committee.

**c) Reporting:**

- i) A written record of the proceedings to be maintained
- ii) Report on proceedings and decision to the next Governing Body meeting.

Note: The confidentiality of the party/ies concerned to be strictly maintained at all times.

**d) Frequency:**

As necessary

**e) Convening and Agenda:**

Chair in consultation with the Headteacher

**f) Quorum:**

Three

Note: The Chair to ensure that three governors are in attendance at each hearing.

**g) Terms of Reference:**

- 1) To hear grievances/complaints in accordance with Diocesan and LA guidelines.

## 1.5 Governors Delegation to the Headteacher

### a) Financial:

- i. To establish a school Financial Procedures Manual, recommending approval to the Governing Body.
- ii. To establish a School Financial Procedures Manual, recommending approval to the Governing Body.
- iii. To prepare a budget to be approved by the Governing Body.
- iv. To administer the budget and report action taken to the next appropriate Governors' Finance Committee meeting.
- v. To make recommendations to the Personnel, Finance and Resources Committee for the virement of monies within the school budget, providing that the decision does not lead to the involuntary movement of existing staff.
- vi. To review and recommend to the Governing Body an annual policy on charging for school activities.
- vii. To review and recommend an annual policy on lettings of the school building and grounds.
- viii. Spending power in line with the Walsall delegation of spending, but requirement to report back to the Finance Committee any spend over £50,000 in a single transaction.
- ix. To monitor spending against projections on a monthly basis.
- x. To manage the budget on a day-to-day basis.

### b) Other:

- i. To manage the Admission of Pupils
- ii. To co-ordinate the School Improvement and Development Plans and Post-inspection reports.
- iii. To approve leave of absence after consultation with the Chair of Governors.
- iv. To approve trips and visits. Where residential trips are envisaged, the Governing Body to give its approval subject to the suitability of centres being used for the first time and to ensure that appropriate arrangements for Mass on Sundays and Days of Obligation are made.
- v.

**Note:** These delegations are additional to the professional duties of the Headteacher as defined in the Job Description for the post and will be reviewed annually by the Governing Body.