

GOVERNING BOARD AND COMMITTEE TERMS OF REFERENCE FOR MAINTAINED SCHOOLS 2022 - 2023

This document lists all statutory duties (listed in **bold**) and other items which are good practice. Some duties can be delegated to committees and a suggested structure is included. It is good practice to make this document available on the governing board page of the school website.

What you need to do:

1. Review the suggested committee structure and duties of each.
2. If your governing board will operate differently, amend the document to reflect this.
3. Ensure the board's approval of the terms of reference is recorded in the minutes annually.

The suggested committee structure is:

- **Resources committee** - responsible for staffing, performance management, finance, property management, health and safety and risk management.
- **Pay review committee** (if duties are not considered by the Resources) – at least three governors to consider the implementation of the teachers pay and appraisal policies.
- **Pay appeal committee** – if needed, three impartial governors (not on the Resources or Pay Review committee) to hear appeals from staff about pay decisions.
- **Teaching and learning committee** - responsible for the quality of education including ensuring a broad and balanced curriculum is being taught, target setting, assessment and outcomes and the quality of teaching.
- **Pupil support** - responsible for behaviour, safeguarding, attendance, children's personal development, children, parent and staff voice and equality and diversity.
- **Admissions committee** (for voluntary aided, and trust/foundation schools) – at least three governors to consider applications for school places and the admissions policy.
- At DGPS we have full governors, teaching and learning with pupil support as one committee and Resources committee, pay committee and pay appeals committee. In addition to this we also have an admissions panel as the school is a foundation school for the Wharfe Valley Partnership.

It is a legal requirement that any decision made by a committee is reported at the next governing board meeting.

FULL GOVERNING BOARD DUTIES **Statutory duties (bold) cannot be delegated**

1.01	Agree and monitor a strategic framework, including a vision and strategic priorities. (It is good practice for governors to agree a code of conduct). Guidance: DfE Governance handbook (sections 2.1, 4.1.2)
1.02	Hold leaders to account for both educational performance and for financial performance, ensuring all statutory duties are considered annually. Guidance: DfE Governance handbook (section 3.1)
1.03	Appoint a new headteacher or deputy headteacher and appoint an external advisor and performance management governors to conduct the headteacher's appraisal Guidance: DfE Governance handbook (section 6.6)
1.04	Agree financial limits and delegation • The level of delegation to the Headteacher for financial management. • The limit of virement or contracts that may be authorised by the Headteacher. • The authorisation of staff responsibilities for orders and invoices. Statutory guidance – The Leeds scheme for financing schools (sections 1 and 2) 
1.05	Approve policies • Safeguarding and Child Protection policy and adopt the statutory guidance Keeping Children Safe in Education Guidance: DfE Governance handbook (section 6.8) • Special Education Needs & Disabilities (SEND) information report (also known as the school offer) and SEND policy Legislation: The Education (Special Education Needs) (Information) Regulations 1999: SI 1999/2506 and SEND Code of Practice Guidance: DfE Governance handbook (section 6.5.11) • Teacher's Pay policy Legislation: The Education Act 2002 section 122 Guidance: DfE Governance handbook (6.6.7) • Complaints Legislation: The Education Act 2002: Section 29 Complaints procedure toolkit – DfE Guidance: DfE Governance handbook (section 6.16) • Staff discipline policy, staff grievance policy and staff code of conduct Legislation: The School Staffing (England) Regulations 2009 and The School Staffing (England) (Amendment) Regulations 2013, Guidance: DfE Governance handbook (section 6.6.8) • To produce and approve a behaviour principles written statement Statutory guidance: https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools Guidance: DfE Governance handbook (section 6.9.3)

1.06	Ensure all statutory information is published on the school website This should reflect the instrument of government and include interests declared by governors. Legislation: The School Information (England) (Amendment) Regulations 2012: SI 2012/2124 * The constitution of governing bodies of maintained schools Statutory guidance 2015 Guidance: DfE Governance handbook (sections 4.8, 5.3, 5.5 and 6.15.4)
1.07	Ensure that a member of the board oversees the SATS process to ensure there are no actions which could compromise the integrity of results

	RESOURCES COMMITTEE
2.00	Finance
2.01	Approve annually and monitor the budget, financial limits and delegations, considering pupil numbers and the funding of school priorities including identifying, managing and recording risks. Statutory guidance - The Leeds Scheme for Financing Schools (sections 1.5, 2.3, 2.5, 2.10) 
2.02	Complete a self-assessment against the Schools Financial Value Standard (SFVS) • Ensure school has in place an inventory of non-capital assets • Ensure robust fraud controls are in place • Keep service level agreements under review and conduct regular benchmarking (points 17-19 of SFVS checklist guidance) • Respond to any audit reports on the management of the budget (point 3 of SFVS checklist guidance) Gov.uk guidance Schools Financial Value Standard and Checklist Statutory guidance - The Leeds Scheme for Financing Schools (2.10, 2.14, 2.16, 2.17, 8.3)
2.03	Ensure unofficial school funds are audited and planned expenditure is agreed to the best advantage of the school Statutory guidance - The Leeds Scheme for Financing Schools (section 2.8)
2.04	Approve policies • Charging and Remission (ensuring safeguarding procedures are followed relating to the use of premises for extended activities and community use) Legislation: The School Information (England) (Amendment) Regulations 2012 Guidance: DfE Governance handbook (section 6.7.5, 6.12.3) • Governor Expenses Legislation: The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 Guidance: DfE Governance handbook (section 4.7.1) • Whistleblowing policy (this is not a statutory requirement) Guidance: DfE Governance handbook (section 6.17)
2.05	In conjunction with the Teaching and Learning committee, ensure government grant funding is allocated effectively to overcome barriers to learning. Guidance: DfE Governance handbook (section 6.7.3)

3.00	<u>Personnel</u>
3.01	Monitor staffing considerations including staff wellbeing and review staffing levels/structure whenever a vacancy occurs, or at least annually.
3.02	Request evidence to ensure the Teacher's Pay and Appraisal policies are being effectively implemented, pay awards are linked to performance and development opportunities are identified. Approve pay recommendations if appropriate. Legislation: The Education (School Teachers' Appraisal) (England) Regulations 2012 and as subsequently amended: The Education (School Teachers) (Qualifications and Appraisal) (Miscellaneous Amendments) (England) Regulations 2012 and the Education (School Teachers' Appraisal) (England) (Amendment) Regulations 2012. Guidance: DfE Governance handbook (section 6.6.6, 6.6.7)
3.04	To comply with the Early Career Framework statutory induction guidance Guidance: DfE Governance handbook (6.6.4)
3.05	Approve policies • Teacher Appraisal Guidance: DfE Governance handbook (section 6.6.6) • Capability of Staff Legislation: School Staffing (England)(Amendment) Regulations 2013 Guidance: DfE Governance handbook (section 6.6.8) • Data Protection Legislation: The Data Protection Act 2018 Further information is on the Information Commissioner's Office website Guidance: DfE Governance handbook (section 6.15.5) • Freedom of Information Policy Legislation: The Freedom of Information Act 2000:Section 19 Further information is on the Information Commissioner's Office website. Guidance: DfE Governance handbook (6.15.6)
4.00	<u>Pay Review Committee</u> (if there is no separate Pay Review Committee the responsibilities remain with the Resources committee as per 3.02)
4.01	Request evidence to ensure the Teacher's Pay and Appraisal policies are being effectively implemented, pay awards are linked to performance and development opportunities are identified. Approve pay recommendations if appropriate. Legislation: The Education (School Teachers' Appraisal) (England) Regulations 2012 and as subsequently amended: The Education (School Teachers) (Qualifications and Appraisal) (Miscellaneous Amendments) (England) Regulations 2012 and the Education (School Teachers' Appraisal) (England) (Amendment) Regulations 2012. Guidance: DfE Governance handbook (section 6.6.6, 6.6.7)
5.00	<u>Pay Appeals Committee</u>
5.01	Hear appeals from staff about pay awards and make a decision.
6.00	<u>Premises and Health and Safety</u>

6.01	Approve a Health and Safety policy and ensure that the school meets all relevant health and safety legislation including first aid and assurance that fire safety precautions are suitable and risk assessed annually and ensure there is an effective system of consulting with and informing staff (including in induction) of health and safety issues Legislation: The Health and Safety at Work Act 1974: Sections 2(3), 3 and 4 Risk Assessments: The Management of Health and Safety at Work Regulations 1999: SI 1999/3242 Statutory guidance - The Leeds Scheme for Financing Schools (section 11.5) and DfE Governance handbook (sections 6.3, 6.9.13, 6.9.15)
6.02	Ensure there is an annual inspection of the premises and grounds and priorities for maintenance and development are identified and followed up. Legislation: Compliance Monitoring for Council Buildings report DfE additional non-statutory advice; Managing asbestos in your school Statutory guidance - The Leeds Scheme for Financing Schools (section 12)
6.03	Ensure the school complies with any direction from the LA concerning the health and safety of pupils involved in school activities off-site, including signing off relevant visits on the Evolve system. Departmental Advice : Health and safety: advice for schools

TEACHING AND LEARNING COMMITTEE

7.01	Ensure that school is teaching the national curriculum, teaching time allocated for this is appropriate and information is provided on the school website. (This includes cultural education, relationships and sex education, physical education, religious education and a daily act of collective worship) Legislation: Education Act 2002 Statutory guidance: The national curriculum Regulations for RE: Section 70 School Standards and Framework Act 1998 Guidance: DfE Governance handbook (section 6.5.1, 6.5.3, - 6.5.7)
7.02	Primary Schools only – Ensure the school complies with the requirements of the Early Years Foundation Stage framework Statutory Guidance: Statutory framework for the Early Years Foundation Stage Guidance: DfE Governance handbook (section 6.5.10)
7.03	High Schools only – Ensure the school complies with its duties under Section 29 of the Education Act 2011 in respect of careers advice and careers guidance provision for young people in schools and ensure the participation of young people in education, employment and training Legislation: http://www.legislation.gov.uk/ukpga/2011/21/contents Statutory Guidance: Careers guidance and inspiration in schools Guidance: DfE Governance handbook (6.5.2, 6.5.9)
7.04	Ensure assessment arrangements are in place and monitor the quality of education through the analysis of test results, data and reports from a number of sources to ensure that all groups of children, including the most vulnerable and high achievers make good progress Guidance: DfE Governance handbook (section 3.4, 6.5.14)
7.05	Ensure government grant funding is used to overcome barriers to learning.

	Guidance: DfE Governance handbook (section 6.7.3)
7.06	Ensure school reports at least annually to parents on their child's achievement and general progress Statutory Guidance: Reporting to Parents 2015 Guidance: DfE Governance handbook (section 6.5.14)
7.07	Monitor the implementation of non-statutory policies: • Collective worship • Teaching and learning • Marking and feedback • Homework

	PUPIL SUPPORT COMMITTEE
8.01	Ensure effective safeguarding and child protection procedures are in place, including safer recruitment and staff training, and understand how arrangements are monitored Statutory guidance: Keeping Children Safe in Education Prevent Duty Guidance: for England and Wales Guidance: DfE Governance handbook (section 6.6.3, 6.8)
8.02	Monitor the effectiveness of provision for children with special educational needs and disabilities (SEND) ensuring there is a qualified teacher designated as special educational needs co-ordinator (SENCO) Statutory Guidance: SEND code of practice Legislation: The Education (Special Education Needs) (Information) Regulations 1999: SUI 1999/2506 Guidance: DfE Governance handbook (section 6.5.11, 6.5.12)
8.03	Monitor the effectiveness of provision for children looked after (CLA) and previously looked after Statutory guidance: The role and responsibilities of the designated teacher for looked after children Guidance: DfE Governance handbook (section 6.5.13)
8.04	To ensure the school promotes the general wellbeing of pupils Good practice guidance: Promoting children and young people's health and wellbeing Guidance: DfE Governance handbook (section 6.9.1)
8.05	Ensure registers of pupils' admission and attendance are in place and monitor the use of exclusions and pupils who are electively home educated Legislation: The Education (Pupil Registration) (England) (Amendment) Regulations 2010 (amended 2013) Education and Inspections Act 2006: Section 88 Statutory Guidance: Exclusion from maintained schools, Academies and pupil referral units Guidance: DfE Governance handbook (section 6.9.5, 6.9.6)
8.06	Ensure the provision of school lunches and/or other school food and milk meets DfE standards

	Statutory guidance: (The Education (nutritional Standards and Requirements for School) School-food-standards-resources-for-schools Guidance: DfE Governance handbook (section 6.9.9)
8.07	Ensure the school meets its statutory obligations in respect of equality Guidance: DfE Governance handbook (section 6.4)
8.08	Ensure feedback is gathered from pupils, parents and staff and consider the results Statutory Guidance: Listening to-and involving children and young people Guidance: DfE Governance handbook (section 2.3, 6.9.2)
8.09	Approve policies Supporting Pupils at School with Medical Conditions Statutory guidance: Supporting pupils at school with medical conditions Guidance: DfE Governance handbook (section 6.9.12) Relationships and Sex (and Health for secondary schools) Education policy Statutory Guidance: https://www.gov.uk/government/publications/sex-and-relationship-education Legislation: The Education Act 1996: Section 404 Guidance: DfE Governance handbook (6.5.4) Accessibility Plan Legislation: Equality Act 2010: Schedule 10, Paragraph 3 and Disability Discrimination (prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations 2005

	ADMISSIONS COMMITTEE VA and trust/foundation schools only
9.01	Determine within statutory provisions the school's Admission policy and propose this to the full governing board for approval Guidance and Legislation: Section 88C of the School Standards and Framework Act 1998 and the Schools Admissions Code www.gov.uk/government/publications/school-admissions-appeals-code Guidance: DfE Governance handbook (section 6.10)
9.02	Determine whether a child should be admitted to the school