



Kildwick CE Primary School
Learning to live, Living to Love, Loving to learn

Governing Body Standing Orders and Code of Practice

1. Meetings of the Governing Body

The governing body shall meet a minimum of nine times each school year, with a minimum of three meetings a term; one of which will focus on Curriculum, one on Resources.

Though the governing body will function without committees, there is a requirement for ad-hoc committees – these are detailed in appendix 1.

2. Chair and vice-chair – Term of Office

The chair and vice-chair shall have a term of office of 2 years. 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 of the following autumn term. 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 28 days of the adjournment.

4. Election of chair and vice-chair – procedure

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 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

Prior to the first meeting of the autumn term the Chair of Governors shall circulate a proposed schedule of dates for governing body and committee meetings. 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.

6. Notice of meetings and agenda

Every member of the governing body shall receive via the Governors Virtual Office 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 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.

Where the governing body agree, notice can be sent by email, but this should be discussed in the FGB, and a protocol agreed. For data security reasons, Governors will be provided with a secure school email address.

7. Agenda Items

The final agenda will be sent at least 7 days before the meeting date. With the agreement of the chair of the governing body or 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 7 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*** or such other number as may be determined from time to time by regulations issued by the Department for Education.
- ***the quorum for a meeting of any committee of the governing body shall be not less than 50% of the number of governors in post at the time of the meeting.***
- ***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 attending virtually, 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, this would also require the school to adopt the 2012 School Governance (Constitution) (England) Regulations)
- 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.

(NB Associate Governors are not eligible to vote at FGB meetings)

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 10 days of the meeting having taken place. Thereafter the approved draft governing body minutes shall be circulated to all members of the governing body within 21 days of the meeting having taken place. The minutes of committee meetings shall be circulated with the agenda for the next succeeding governing body meeting.

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.

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 meetings.

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. The period of 6 months shall begin from the date of the first meeting missed by the governor. Foundation (but not ex-officio foundation) governors, community governors, partnership governors or sponsor 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 (or appointment in the case of parent governors) 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.
- the record of attendance.
- the register of business interests.
- the record of hospitality/gifts.
- copies of self-declaration forms to confirm that governors are not disqualified for any of the criteria listed.
- any such other records as may be determined from time to time by formal resolution of the governing body.

The School Administration Manager maintaining and keeping up to date the records for the Governing Body meetings which shall comprise of:

- copies of DBS (formally CRB) information.

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 the Local Authority. Confidential items and confidential minutes shall not be made available for public inspection but will be available to Governors who will ensure that they are treated in confidence.

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 registerable business interests then a NIL return shall be recorded for that governor(s).

17. Code of Practice

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/her 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 governing body shall have regard to and take account of any advice or guidance that may be issued by the LA from time to time.

21. Standing Order on Governor Virtual Meeting Attendance

1. Introduction

- 1.1 The School Governance (England) (Roles, Procedures and Allowances) Regulations 2013 make provision for governing bodies of maintained schools in England to: "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".
- 1.2 In relation to this the governing body of Kildwick CE Primary School has determined the following arrangements will apply.
- 1.3 These arrangements apply to meetings of the full governing body and to committee meetings.

2. Virtual Attendance at Face-to-Face Meetings

- 2.2 Where a governor wishes to attend a meeting of the governing body by either telephone or video link the chair and clerk must be notified at least 48 hours in advance of the meeting to ensure that appropriate arrangements can be made where possible. The governors will be asked their reasons for not attending the meeting in person and their attendance virtually will be subject to the approval of the governing body at the beginning of the meeting, though this approval will not be withheld without good reason. Where approval is withheld the reason for this will be minuted and the governor informed immediately.
- 2.3 Governors attending the meeting either by telephone or video conference will be entitled to vote on any issue providing they have been 'present' for the whole agenda item which the vote relates to. Where a secret ballot is required this will be facilitated where possible (e.g., by taking a telephone call off speaker phone and the governor

sharing their vote verbally with the clerk). Where this is not possible the governor will be required either to vote publicly or abstain.

- 2.4 Governors attending the meeting virtually will contribute to the quorum for the meeting. If the technological link is lost, they will cease to contribute to the quorum, but this will not prevent the meeting continuing in their absence unless for decision making purposes; in this case, discussions could continue without decision making/voting taking place; it would be rescheduled on a future agenda.
- 2.5 Where possible and practical, the meeting will be chaired by a governor who is present in person.
- 2.6 If, after all reasonable efforts, it does not prove possible for a governor to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.

3. Virtual Meetings

- 3.1 The three statutory full governing body meetings and termly scheduled committee meetings should be, when possible and practical, face to face meetings. However additional and extraordinary meetings can take place via telephone or video conference call as long as the usual quorum of governors is 'present' on the call.
- 3.2 Where a meeting is taking place virtually every effort will be made to enable all governors to access the meeting.
- 3.3 Where a meeting is taking place virtually the usual statutory notice arrangements will apply and all papers to be considered will be circulated at least seven days in advance of the meeting, except where the chair has exercised his/her right to waive the usual notice in an emergency situation.
- 3.4 Virtual meetings will be minuted in the same way as other meetings, either by the clerk being present virtually or by a governor who is present, other than the headteacher, taking the minutes, and these will be presented to the next meeting of the full governing body.
- 3.5 Virtual meetings should not be recorded by any governor or the clerk without the approval of the governing body and for a specified purpose.

22. 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 to 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.

23. Interpretation of standing orders

The ruling of the chair 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.

24. Associate members

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

25. Published information

Governors hold an important public office, and their identity should be known to their school and wider communities. In the interests of transparency, Kildwick CE Primary School Governing Body will publish on its website up-to-date details of its governance arrangements in a readily accessible form identified as a Governance Annual statement. This will include:

- the structure and remit of the governing body and any committees, and the full names of the chair of each.

- for each governor who has served at any point over the past 12 months: • their full names, date of appointment, term of office, date they stepped down (where applicable), who appointed them (in accordance with the governing body's instrument of government),
- relevant business and pecuniary interests (as recorded in the register of interests) including:
- governance roles in other educational institutions.
- any material interests arising from relationships between governors or relationships between governors and school staff (including spouses, partners, and close relatives); and
- their attendance record at governing body and committee meetings over the last academic year.

Kildwick CE Primary School Governing Body will also publish this information for associate members, making clear whether they have voting rights on any of the committees to which they have been appointed.

Any governor failing to provide information to enable the governing body to fulfil their responsibilities may be in breach of the code of practice and as a result be bringing the governing body into disrepute. In such cases Kildwick CE VC Governing Body will consider suspending the governor.

Code of Practice

General

- we have corporate responsibility for determining, monitoring, and keeping under review the strategic policies, plans and procedures within which the school operates recognise that the headteacher is responsible for the implementation of policy, day-to-day management of the school and the implementation of the curriculum.
- we accept that all governors have equal status, and although appointed by different groups (e.g., parents, staff, LA) our overriding concern will be the welfare of the school as a whole.
- we have no legal authority to act individually, except when the governing body has given us delegated authority to do so.
- we have a duty to act fairly and without prejudice, and in so far as we have responsibility for the employment of staff, we will fulfil all that is reasonably expected of a good employer.
- we will encourage open government and should be seen to be doing so.
- we will consider carefully how our decisions may affect other schools and the community served by our school.

Commitment

- we acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing body, attend regularly, and accept our fair share of responsibilities, including service on committees or working groups.
- we will get to know the school well and respond to opportunities to involve ourselves in school activities.
- we will consider seriously our individual and collective needs for training and development.

Relationships

- we will strive to work as a team.
- we will seek to develop and maintain effective working relationships with the head, staff, parents, the LA and other relevant agencies and the community.

Confidentiality

- we will observe complete confidentiality when required or asked to do so by the governing body, especially regarding matters concerning individual staff or pupils.

- as a matter of trust, we will not discuss the views of fellow governors with members of the public outside our meetings.
- we will exercise the greatest prudence if a discussion of a potentially contentious issue affecting the school arises outside the governing body.

Conduct

- we will encourage the open expression of views at meetings but accept collective responsibility for all decisions made by the governing body or its delegated agents.
- we will not speak or act on behalf of the governing body unless we have been specially authorised by it to do so.
- in making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing body.
- our visits to the school will be undertaken within the framework established by the governing body and agreed with the headteacher.
- in discharging our duties, we will always be mindful of our responsibility to maintain and develop the aims, values, ethos, and reputation of our school.
- we will abide by The Nolan Principles of Public Life.

Breach of this code of conduct

If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing body will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.

Should it be the chair that we believe has breached this code, another governing body member, such as the vice chair will investigate.

Undertaking

As a member of the governing body of Kildwick CE Primary School, I will always have the well-being of the children and the reputation of the school at heart; I will do all I can to be an ambassador for the school, publicly supporting its aims, values, and ethos; I will never say or do anything publicly that would embarrass the school, the governing body, the Principal, or staff.

Governors will sign the Code at the first governing body meeting of each school year.

Signed.....

Date.....

Appendix 1.

In addition, the following Committees may also meet when required.

- Pay Committee
- Staff Discipline
- Staff Appeal
- Pupil Discipline
- Complaints

These Committees will be reviewed at the first meeting of the governing body each autumn and decisions on the following aspects will be formally recorded in the minutes:

- the composition and membership of each committee
- the terms of reference of each committee.
- the statutory functions (if any) that are to be delegated to each committee.
- committees with delegated statutory functions - whether the chair of a committee is to be elected by the committee or appointed by the governing body.
- the appointment of a clerk for each committee that has statutory functions delegated to it.

Pay Committee

Membership: Any three governors as available, excluding the Head Teacher, Staff Governors.

Quorum: Three governors

Terms of Reference:

The purpose of the meeting is to ratify the recommendations on pay progression made by the Headteacher, challenging, and discussing any of these as necessary. Governors are not there to re-run the performance management (PM) process.

Staff Discipline Committee

Membership: Any three governors (or more) as available, excluding the Head Teacher, staff Governors and the Chair of Governors

Notes:

1. it is recommended that Associate Members should not be appointed to this Committee; and,
2. the Headteacher (in the case of potential dismissals) has a right to attend the meeting and offer advice.

Quorum: Three governors

Terms of Reference:

1. to consider matters relating to staff discipline.
2. to determine whether an employee should or should not work at the school.

3. should the need arise, and in consultation with staff, to draft and review policies for redundancy and other terminations for approval by the Governing Body and to establish criteria for selection; and,
4. to apply the agreed criteria in the selection of staff for redundancy or other terminations.

Staff Discipline Appeals Committee

Membership: The same number (but not the same governors) as the Staff Discipline Committee making the initial decision again excluding the Head teacher, staff Governors and the Chair of Governors

Notes:

1. it is recommended that Associate Members should not be appointed to this Committee; and,
2. the Headteacher (in the case of dismissals) has a right to attend the meeting and offer advice.

Quorum: Three governors

Terms of Reference:

1. to hear appeals against initial decisions of the Staff Discipline Committee or the Headteacher about matters relating to the discipline of staff, dismissal of staff, other terminations, or staff redundancy in accordance with the adopted policies.
2. to uphold or dismiss an appeal

Pupil Discipline Committee

Membership: It is recommended that membership should be any three members of the Governing Body excluding staff Governors

Notes:

1. the Headteacher shall not be a member of the committee; and,
2. it is recommended that Associate Members should not be appointed to this committee.

Quorum: Three governors

Terms of Reference:

- (a) For any exclusion, either fixed term of more than five days or ten lunchtimes in any one term or permanent or where exclusion would result in the loss of an opportunity to take any public examination:
 1. to consider the actions of the Headteacher in excluding the pupil.
 2. to consider representations made by parents and by the LA; and,
 3. to determine whether the pupil should be re-instated immediately, re-instated by a particular date or not re-instated.
- (b) In the case of a fixed-period exclusion which would result in the pupil being excluded from the school for a total of 5 days or less in any one term to consider representations made by parent(s).

School Complaints Panel

Membership: 3 Governors as available excluding staff governors, the Head teacher, and the Chair of Governors.

Quorum: Three Governors

Meetings: As and when necessary

Terms of reference:

1. to determine an appeal of any formal complaint made pursuant to the school's formal complaints procedure; and,
2. to consider and review the schools' formal complaints procedure.