

**BAINES' ENDOWED PRIMARY SCHOOL AND CHILDREN'S CENTRE A CHURCH OF ENGLAND ACADEMY**

**TERMS OF REFERENCE**

**ALL COMMITTEES**

This document is to be reviewed each year by the full Governing Body at its first meeting of the Autumn Term.

1. **Ex-Officio Membership**

The Chairperson, Principal Officiating Minister, together with the Headteacher should automatically be members of each Committee and entitled to attend Committee meetings in their own right. The Headteacher may not be a member of the Staff Disciplinary, Pupil Exclusion or Special Needs Appeal Committee.

2. **Membership**

There must be a minimum of three Governors on each Committee, not counting the Headteacher, Chairperson and Minister. Grievance, Disciplinary, Appeals and Staffing Committees shall have a majority of Foundation Governors, with the exception of the Performance Management Committee and the Performance Management Review Committee.

3. **Chairmanship:**

Unless is given by the Governing Body, the Committee should elect their own Chair. No one employed at the school may be a Chair of a Committee with delegated powers.

4. **Terms of Reference**

**Matters which may not be delegated to Committees:**

- holding a meeting at least once a term
- electing the Chair and Vice-Chair of the Governing Body
- decisions about the Committee structure of the Governing Body
- considering the LA's Curriculum Policy
- ensuring that the National Curriculum is implemented
- deciding what Sex Education is to be provided
- ensuring that RE and Collective Worship are provided according to Trust Deeds
- deciding the policy on charging and remissions
- matters to do with the balanced treatment of political issues
- matters to do with admission of pupils to the school
- agreeing any general principles on pupil discipline
- approving the School Profile
- deciding any change in the times of school sessions
- deciding the dates of school terms

**Matters delegated to Committees include:**

- A general oversight of the areas of the school life with which they are concerned.
- The responsibility for bringing to the attention of the Governing Body matters which they feel necessary.
- Providing information and recommendations for final decision by the Governing Body.
- Specific responsibilities and powers delegated to the Committees to act without reference to the Governing Body. These are detailed in the notes for each Committee.

5. **Frequency and Order of Meetings:**

Committees will meet at least once each term. The timetable each term will be as follows:

- Committees meet at least termly
- Governing Body meets at least termly
- Additional Committee meetings may take place at any time

6. **Procedures**

Committee rules will generally be similar to those for Governing Bodies. Committee members are entitled to seven days' written notice of a meeting and its agendas. Papers to be considered will generally be supplied with agendas. Whilst there will be some limited exceptions to this, eg when documents are not available.

Minutes of all Committee meetings must be kept by the Head and Clerk. These should include the names of those present.

Minutes of Committee meetings shall be circulated to all Governors for the next appropriate Governing Body meeting.

Decisions made by the Committee within its delegated powers and recommendations to the full Governing Body should be clearly indicated.

It is the Clerk's duty to convene all Committee meetings following consultation with the Headteacher, Chair and, if appropriate, the Governing Body Chairperson.

Anyone who has a personal or pecuniary interest in a matter under discussion must declare that interest and withdraw and would not vote.

The Chair has a second or casting vote only when he or she has exercised a first vote.

A quorum shall be three (providing an overall majority of Foundation Governors).

Unless delegated powers are given to the Committee, each Committee will submit its recommendations for final discussion and approval to the main Governing Body. All Committee decisions involving finance must be passed to the Finance Committee for approval prior to submission to the Governing Body. The exception to this will be where the Governing Body has given delegated powers to the Committee.

7. **Committees**

(a) **Statutory Committees** (These Committees meet only as required)

- |                                |                                   |
|--------------------------------|-----------------------------------|
| Grievance and staff complaints |                                   |
| Staff discipline/dismissal     | Appeal Staff discipline/dismissal |
| Performance Management         | Appeal Performance Management     |
| Pay Review Committee           | Appeal Pay Review Committee       |
| Curriculum Complaints          |                                   |
| Public Relations               |                                   |
| Exclusion/Pupil Discipline     |                                   |
| Admissions                     |                                   |

(b) **Working Committees** (These Committees meet at least termly)

- Curriculum
- Staffing

Buildings & Grounds (including lettings) [Sub-Com-Health & Safety]  
Finance

8. **General**

The rules for specific Committees may override the above general rules. Any disputes between Committees shall be arbitrated by the Governing Body.

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**STATUTORY COMMITTEES**

**GRIEVANCE & STAFF COMPLAINTS COMMITTEE**

**Membership**

The Headteacher may not be a member. No governor who is tainted may be a member.

**Terms of Reference**

These are according to the model grievance procedure as issued to all staff within their National Society Contract. When a grievance arises, steps will be taken to resolve the matter informally. Only when this is unsuccessful will a formal grievance procedure be implemented.

**Delegated Powers**

- (i) To hear both sides of the case, see all relevant documents, hear and question witnesses, allow parties concerned to make submissions, each of them being accompanied, if they wish, by a friend.
- (ii) To allocate responsibility or blame or make recommendations to resolve the matter.

**STAFF DISCIPLINE/DISMISSAL COMMITTEE**

**Membership**

The Headteacher may not be a member, nor any Governor who is tainted.

Since our Governing Body has accorded advisory rights to both the LA and Diocese, these advisers should also be present in disciplinary cases that could lead to dismissal.

**Terms of Reference**

According to the Model Disciplinary Procedure issued to all staff within their National Society Contract and Education (School Government) Regulations 1999, disciplinary action may be contemplated on grounds of misconduct, gross misconduct, lack of competence or breach of contract or conditions of service including attendance and long term absence.

**Delegated Powers**

- (i) To follow any informal disciplinary procedures, hear the case, see all relevant documents, allow the teacher concerned to comment on or refute the complaints either himself/herself or through his/her accompanying friend.
- (ii) If necessary, follow the disciplinary procedure outlined in the National Society Contract.
- (iii) Except in cases of gross misconduct, a notice of dismissal should have been preceded by a warning, or a series of warnings, indicating the consequences.

**STAFF DISCIPLINE/DISMISSAL APPEALS COMMITTEE****Membership**

The committee will comprise the same number as the Staff Discipline/Dismissal Committee; the headteacher nor any Governor who is tainted may be a member,

Since the Governing Body has accorded advisory rights to both the LA and Diocese, these advisors should be invited to be present in disciplinary cases which could lead to dismissal.

**Terms of Reference**

According to the Model Disciplinary Procedure issued to all staff within their National Society Contract and Education (School Government) Regulations 1999.

**Delegated Powers**

- (i) To hear the appeal, see all relevant documents, allow the teacher concerned to comment on or refute the complaints either himself/herself or through his/her accompanying friend.
- (ii) To confirm or amend the decision of the disciplinary hearing.

**PERFORMANCE MANAGEMENT COMMITTEE****Membership**

Membership will be three governors including the Chair of Governors. The headteacher and staff members may not be members of the committee.

**Terms of Reference**

To work within the established Performance Management Policy to review the performance of staff on the Leadership Spine, those applying for the Upper Pay Spine and those on the Upper Pay Spine.

**Delegated Powers**

- (i) To work with the School Improvement Partner to review the performance of the headteacher and make recommendations to the Pay Review Committee.
- (ii) To work with the headteacher to review the performance of all staff on the leadership spine and make recommendations to the Pay Review Committee.
- (iii) To work with the headteacher to review the performance of staff applying for the Upper Pay Spine and those on the Upper Pay Spine and make recommendations to the Pay Review Committee.

**PERFORMANCE MANAGEMENT APPEAL COMMITTEE****Membership**

Membership will be three governors not included in the Performance Management Committee. The headteacher and staff members may not be members of the committee.

**Terms of Reference**

To consider any appeals in terms of the operation of the school Performance Management Policy. When a concern arises, steps will be taken to resolve the matter informally. Only when this is unsuccessful will the appeal committee be called upon.

**Delegated Powers**

- (iii) To hear both sides of the case and see all relevant documents, hear and question witnesses, allow parties concerned to make submissions, each of them being accompanied, if they wish, by a friend.
- (iv) To determine whether the policy has been implemented appropriately, require procedures to be revisited if necessary and either confirm or change the decision of the Performance Management Committee.

**PAY REVIEW COMMITTEE****Membership**

Membership will be the three governors from the Performance Management Committee, plus one other governor. The headteacher and staff members may not be members of the committee.

**Terms of Reference**

To work within the established Pay Policy to review the pay of staff on the Leadership Spine, those applying for the Upper Pay Spine and those on the Upper Pay Spine.

**Delegated Powers**

- (i) To receive the recommendations of the Pay Review Committee.
- (ii) To make decisions about movement up the pay spine for relevant staff, bearing in mind the recommendations of the Pay Review Committee, but also bearing in mind the short and longer term budget situations.

**PAY REVIEW APPEAL COMMITTEE****Membership**

Membership will be four governors not included in the Pay Review Committee. The headteacher and staff members may not be members of the committee.

**Terms of Reference**

To consider any appeals in terms of the operation of the school Pay Policy. When a concern arises, steps will be taken to resolve the matter informally. Only when this is unsuccessful will the appeal committee be called upon.

**Delegated Powers**

- (v) To hear both sides of the case and see all relevant documents, hear and question witnesses, allow parties concerned to make submissions, each of them being accompanied, if they wish, by a friend.
- (vi) To determine whether the policy has been implemented appropriately, require procedures to be revisited if necessary and either confirm or change the decision of the Pay Review Committee.

**EXCLUSION/PUPIL DISCIPLINE COMMITTEE****Membership**

The Headteacher, who will present the case, may not be a member; nor any Governor who is tainted.

**Terms of Reference**

To deal with cases of fixed period of over five days in a term or permanent exclusion of pupils from the school, according to the Education (School Government) Regulations 1999 and the written procedures of the LA.

In all cases, parents have the right to make representations and may, if they wish, be accompanied by a friend.

**Delegated Powers**

- (i) Hear the case, see all relevant documents, and allow the parents/pupil concerned to comment on or dispute the allegations.
- (ii) Consider and decide whether to confirm the exclusion, alter its length or terms, or direct reinstatement.
- (iii) Inform parents, Headteacher and LA of decision without delay.

**CURRICULUM COMPLAINTS COMMITTEE****Membership**

The headteacher may not be a member of the committee.

**Terms of Reference**

To consider formal complaints to the Governing Body by any parent who considers that the National Curriculum, Religious Education or Collective Worship are not being provided according to the requirements of the Education Reform Act, 1988 or the Trust Deed. When a complaint of this nature is made, the Headteacher should first attempt to resolve the matter informally with the parents concerned.

**Delegated Powers**

- (i) Hear the complaint, carry out investigations and decide whether or not the complaint is to be upheld.
- (ii) If the complaint is upheld, to direct how the matter may be rectified.
- (iii) Where appropriate to recommend initiation of competence or disciplinary procedures.

**ADMISSIONS COMMITTEE****Membership**

Three governors will make up this committee, including the Chair of Governors,

**Terms of Reference**

All matters to do with admissions policy and procedures, subject to the requirement that the full Governing Body must approve the policy.

**Delegated Powers**

- (i) Draft the Admissions Policy, including criteria, which must be approved by the full Governing Body.

- (ii) If the school is over-subscribed, apply the admissions criteria to all applicants and decide which children are to be admitted and which refused a place.
- (iii) Ensure that all procedures regarding notification of parents of offer or refusal of a place and the right to appeal is carried out.
- (iv) Prepare the case of the Governing Body to go to the Appeal Panel.

#### **PUBLIC RELATIONS COMMITTEE**

##### **Terms of Reference**

- (i) To provide an interface between the Governing Body, the school and the parents as well as other organisation or bodies, for matters outside the Headteacher's daily operations.
- (ii) Under the direction of the Governing Body to promote the school and its activities in the community.
- (iii) To assist in drafting the school prospectus and, after its approval by the Governing Body, implement its publication and distribution.
- (iv) To assist other Committees to achieve their goals and publicise their work.
- (v) To prepare reports for the Governing Body as and when required.

##### **Revision**

These powers will be reviewed and agreed annually by the Governing Body at the autumn term meeting. Any disputes between Committees will be resolved by the Full Governing Body.



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**NON-STATUTORY (WORKING) COMMITTEES**

**CURRICULUM & STANDARDS COMMITTEE**

**Terms of Reference**

The Committee shall advise the Governing Body in relation to its statutory obligations for the curriculum.

**Delegated Powers**

- (i) To work with appropriate members of staff to draft for approval by the Governing Body and then review on a regular basis:

**School Development Plan**

**school's curricular aims**

**all policies relating to the formal curriculum and pastoral care**

The Committee will draw up a schedule for the review of policies.

- (ii) To draft for approval by the Governing Body and then review on a regular basis:

**Policy for Collective Worship**

**Religious Education Policy**

**Sex Education Policy**

- (iii) To ensure that the requirements of children with special educational needs are met and the correct policy adhered to.
- (iv) To ensure, on behalf of the Governing Body, that any statutory returns about the school's curriculum are completed.
- (v) To review annually the results of National Curriculum assessments.
- (vi) To review termly data to ensure ongoing monitoring of standards and progress towards targets.
- (vii) With the assistance of the staff, provide information to the Governing Body about how the curriculum is taught, evaluated and resourced.

## **BUILDINGS & GROUNDS COMMITTEE**

### **Terms of Reference**

To be responsible for all matters to do with major or minor works or improvements, the maintenance of the buildings and grounds, health and safety, safeguarding, the appearance of the school, use of buildings and grounds.

In matters relating to structures on the site, to liaise with the Baines Charity Trustees as the Trustees of the land and building.

### **Delegated Powers**

- (i) Ensure that the buildings enable the school to deliver its curriculum.
- (ii) In consultation with the CIDARI, approve all matters to do with any new building or improvement which has been agreed by the Governing Body. Ensure payments on the schedule prepared by the architect.
- (iii) In consultation with the architect, ensure that there is a scheme for regular maintenance of the buildings, informed by the Asset Management Plan and, once it has been approved by the Governing Body be responsible for its implementation.
- (iv) Provide costings for the Finance Committee.
- (v) Within their agreed limits, oversee preparation and implementation of contracts for all agreed works.
- (vi) Ensure that school complies with Health and Safety regulations and report to the Governing Body annually or where appropriate.
- (vii) Ensure that school complies with safeguarding legislation, receive reports from the school and report to the Local Governing Committee annually or where appropriate.
- (viii) Respond promptly to any requirements for emergency work.
- (ix) Ensure that all works carried out conform with Planning and Building Regulations and Fire Regulations, particularly the means of escape and Fire Prevention.
- (x) Ensure all necessary plant and equipment is maintained to a suitable standard or replaced.
- (xi) Recommend to the Governing Body whether to buy in to services offered by Total Property Management and various firms and make appropriate recommendations to the Finance Committee.
- (xii) Maintain responsibility for the school grounds.

The Committee delegates to the Headteacher responsibility for

- Consulting with architects, buildings consultants and contractors on behalf of the Governing Body and reporting back to the committee on such consultations;
- Ensuring that urgent action is taken in accordance with the guidelines (see Finance Committee Remit).

**HEALTH & SAFETY COMMITTEE**

This Committee will be a Sub-Committee of the Buildings Committee.

**Terms of Reference**

- (i) Ensure that the Governing Body and School Health and Safety Policies and safety procedures are implemented throughout the School.
- (ii) Review safety measures and advise the Headteacher and Governing Body of any necessary changes to those measures, ensure that risk assessments are undertaken and appropriate responses made.
- (iii) Ensure that there are arrangements for dissemination of information on health and safety matters to all staff and pupils.
- (iv) Receive reports of accidents and dangerous occurrences and to draw the attention of the Headteacher and Governors to any necessary preventative/remedial action.
- (v) Receive reports for Cidari, safety representatives and external health and safety agencies.
- (vi) Ensure that arrangements are in place to protect the health, safety and welfare of staff, pupils and visitors to the school, and to review these as necessary.
- (vii) Receive auditing and monitoring reports and advise the Governors and Headteacher of any necessary preventative and/or remedial action arising from those reports.
- (viii) Review of the School Health and Safety policies and monitor log book entries.

**STAFFING COMMITTEE****Terms of Reference**

All matters to do with the appointment of staff (except for the appointment of Headteacher and Deputy which will be dealt with by the full Governing Body), and the Governing Body's responsibilities as an employer.

The Committee shall act in accordance with the staffing policy as approved by the Governing Body.

**Delegated Powers**

- (i) Draw up a staff pay policy and review annually for approval by the Governing Body.
- (ii) Implement the pay policy. (Initial individual reviews of pay to be heard by the Pay Review Group).
- (iii) Draw up a staffing structure (teaching and non-teaching staff, posts of responsibility, grades, etc) and review it annually.
- (iv) Draw up for approval by the Governing Body all personnel policy documents required:

Equal Opportunities

Conditions of Service

Directed Time

Health and Safety of Employees (in conjunction with Health & Safety Sub-Committee)

Leave of Absence

Supply Cover

Professional Development

INSET

Induction

Other policies (eg procedure for reviewing job descriptions, appraisal) will be drawn up by the Headteacher for approval by the Committee.

- (v) Carry out all procedures for the appointment of new teaching staff (except Headteacher, Deputy Headteacher and Assistant Headteacher), caretaker, office manager.
- (vi) Delegate to the Headteacher and either the Chairman of the Committee or the Chairman of Governors, the appointment of all other non-teaching staff.
- (vii) Consult as required (eg over pay policy) with recognised trade unions and/or with all staff.
- (viii) Ensure that contracts of employment and appropriate job descriptions have been issued to all staff, where in existence, National Society contracts to be used.
- (ix) In appointing staff the Committee will follow the Governing Body's appointment procedure.

This means that the full Governing Body reserves to itself the responsibility for deciding the arrangements in consultation with CIDARI for appointing an Assistant, Deputy or Headteacher.

## **FINANCE COMMITTEE**

### **Terms of Reference**

#### **Meetings**

The Committee will meet at least once a term.

#### **Function**

The main function of the Committee is to advise the Headteacher and Governing Body of general financial matters relating to the school's delegated budget. In addition, the Committee have the following specific tasks:

- a) During the Autumn Term, to consider the financial out-turn figures for the previous financial year and report to the Governing Body.
- b) During the Autumn Term, to receive the provisional budget allocation for the forthcoming year and provide a provisional budget for the approval of the Governing Body.
- c) During the Autumn Term, to receive the provisional budget allocation for the forthcoming three years and provide a provisional three year budget for the approval of the Governing Body.
- d) To consider at each meeting a detailed account of the school's finances. The information provided shall include:
  - The approved budget;
  - The estimated budget for the year to date;
  - Actual expenditure for the year to date;
  - Committed expenditure;
  - Variances;
  - Details of funds held in reserve;
  - A list of unpaid invoices, where necessary;
  - Details of actual supply teacher costs for the past year and projections for the coming term where known;
  - Implications for future budgets.
- e) Make note of decisions made by the Pay Review Committee and ratified by the Governing Body with regard to pay levels for staff.

#### **Delegated Powers to the Committee**

The Committee will have delegated powers within the following framework:

1. Responsibility for the management of the Budget within the following constraints:
  - Not to exceed the grand total of the approved Annual Budget and to report to the Governing Body if there is any possibility of an overspend.
  - In line with the Scheme of Delegation authorisation for transactions above £10,000 is required
2. Plan a provisional Budget for the next financial year and obtain approval of the Full Governing Body **at the earliest opportunity in the new financial year.**
3. Plan a provisional Budget for the next three financial years, subject to the availability of information from the Local Authority, and obtain approval of the Full Governing Body **at the earliest opportunity in the new financial year.**
4. Decide the final Budget for submission to the LA by the required date.

5. Monitor on a regular basis all school expenditure and compare with the profiles of estimated spending, calling an extra-ordinary meeting of the Full Governing Body where necessary, especially in the possibility of an overspend.
6. Make decisions on spending within the constraints of 1 (1) above to be reported to the Full Governing Body. Where the Committee considers variations beyond the constraints of 1 (1) above to be desirable, to make proposals for the approval of the Full Governing Body.
7. Have authority over spending recommendations from other committees within the constraints of 1 (1) above. However, the Committee must seek approval for expenditure ***outside the agreed Budget where that is in excess of that prescribed in 1 (1) above.***
8. Receive and, where appropriate, respond to periodic audits of delegated funds.
9. Ensure the annual audit of any other funds operated by the school.
10. The Committee will present minutes to the Full Governing Body at a termly meeting of the Governing Body and, where appropriate, share the PSF report/s deemed.

#### **Delegated Powers to the Headteacher**

1. Authorise expenditure in accordance with the precise provision of the School Budget, ***variance will be made*** with the specific permission of the Chair of the Finance Committee up to the maximum for the Finance Committee and informing the Chair of Governors.
2. Arrange repairs and maintenance of the buildings within the ***planned and itemised*** Budget.

In case of emergency repairs exceeding this amount the Chair of Governors, Chair of the Finance Committee, Chair of the Buildings Committee and CIDARI should all be informed.

**Extended Services Committee**

This committee is entrusted with a twofold responsibility:

- a) overall responsibility for ensuring that the school meets the requirement to offer extended services and monitors the ongoing provision. The responsibilities of this committee include:
- To receive reports regarding extended provision in school.
  - To receive reports regarding childcare provided through our nursery.
  - To monitor the provision of nursery and extended services in consultation with the headteacher and extended services/nursery staff.
  - With regard to providing wrap around child care ie Early Birds, Bridges and Holiday Club:
    1. Interviewing and employing staff, deciding salaries and conditions of service and making appropriate payroll arrangements.
    2. Determining an admissions policy and ensuring the groups operate in a non-discriminatory way.
    3. Liaising with the finance committee of the Governing Body who receive the accounts annually. The extended services committee receives a termly report from the member responsible for finance.
    4. Ensuring the childcare provision meets the every child matters agenda within a caring and secure environment.
- b) shared responsibility alongside the Children's Centre Advisory Board to oversee:
- The extended services provision provided through the Children's Centre.
  - The financial management of the Children's Centre.
  - The general day to day operation of the Children's Centre.

This committee should include:

1. Three governors
2. Children's Centre Manager
3. A parent who accesses extended schools provision.

The Head teacher and the Chair of Governors are ex-officio members of the committee. All members have voting rights. In addition the committee may co-opt non-voting members in an advisory capacity- namely the extended services co-ordinator, the nursery manager and a member of extended services staff (the supervisor).

The committee should elect a chairperson annually. This committee will liaise with:

- The finance committee who will receive financial reports, receive and monitor the audited accounts and make recommendations about finances for both school and centre.
- The staffing committee who will support the appointment process and receive recommendations regarding pay awards for school and centre.
- The buildings committee who have overall responsibility for ensuring both the school and centre are a safe environment for all at all times.