

THE ECCLESBOURNE SCHOOL
TERMS OF REFERENCE
FOR THE ACADEMIC YEAR 2019-20

ADMISSIONS COMMITTEE

The Admissions Committee is responsible to the Governing Body for the:

- (a) Preparation and review of the School's arrangements for admission (Admissions Policy);
- (b) Determination of the applications for admission to the school in accordance with The Schools Admissions Code (2014).
- (c) Review of published admission number whenever appropriate and recommend appropriate action to the Full Governing Body
- (d) Review of the number of students in years 1-6 residing in the normal area;
- (e) Preparation of press statements and publication of any proposed changes to the Governors' Admissions Policy in line with appropriate DfE regulations;
- (f) Ensuring that suitable arrangements are in place for admissions to the school including the determination of contacting an outside agency such as the LA, Admissions Department, to administer the Governors' Admissions Policy;
- (g) Ensuring that an Admissions Appeals Committee is in place, in accordance with the DfE regulations, to deal with appeals against refusal of admission to the school;
- (h) Ensuring advertisements are placed for lay members of the Appeals Committee and recommending appointments as necessary to the Full Governing Body [currently external];
- (i) Consideration of the promotion of The Ecclesbourne School in such a way as to attract more students should the projected number of admissions fall significantly below the Planned Admission Number.

Delegated Powers

The Admission Committee has delegated power to;

- 1) Refuse admission to a child once the Published Admission Number has been reached following the agreed criteria for admissions;
- 2) Admit a student who is chronologically younger or older than the recognised age group cohorts in line with the Admissions Policy;
- 3) Admit students additional to the Planned Admission Number provided that they can be accommodated in the existing premises and organisation.

Membership

The Admissions Committee shall consist of a minimum of four members which must include three governors and the Head Teacher.

Quorum: 3 Governors

Unless exceptional circumstances apply the following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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DEVELOPMENT SUB-COMMITTEE

Terms of Reference

The Development Sub-Committee is responsible to the Governing Body for the management, overseeing and monitoring of Facilities Projects. Responsibilities include:

Determination and appointment of resources required to manage and monitor the project and provide any technical advice.

Determination of the form of contract

Determination and approval of the specification taking into consideration wider uses.

Management of any tendering procedures and selection of any contractors

Financial control

Project monitoring and reports to the Full Governing Body

Membership

The Development Sub Committee shall comprise a minimum of four Governors and the Head Teacher to be determined by the Full Governing Body. In addition, staff, other Governors and advisors will be invited to attend as determined by the Head Teacher and Chair of Governors. Only members of the Governing Body will have voting rights.

Quorum

The Quorum for the Development Sub Committee shall be three.

Delegated Powers

Any decisions to be taken in advance of meetings of the Sub Committee or Full Governing Body will require the agreement of the Head Teacher, Chair of Governors and Chair of Finance or their representatives.

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FACILITIES/HEALTH & SAFETY COMMITTEE

The Facilities/Health & Safety Committee is responsible to the Governing Body for the following:

- (a) All matters relating to the Health and Safety of all students, staff and visitors.
- (b) Development and safety of the school site and property;
- (c) Execution of all building projects, except where agreed by Full Governors;
- (d) Development of a formal maintenance programme;
- (e) The maintenance of all sites and properties, including building services, in line with c);
- (f) The provision of support services, including telephone, security and cleaning;
- (g) Provision and maintenance of furniture and equipment;
- (h) Oversight of the relevant aspects of the school's Strategic Plan;
- (i) To receive reports / minutes of Development Sub-Committee and of Project Managers' meetings.
- (j) To receive reports of the Tendering Committee and take appropriate action.
- (k) To receive reports on the utilisation, impact and benefits of Facilities.

Delegated Powers

Governors delegate the following powers to the Facilities Committee:

- 1) To make H&S recommendations through the Strategic Leadership Team [SLT] for actions that need minimal expenditure.
- 2) To monitor and review incidents and accidents in order to make recommendations for SLT.
- 3) To monitor the application of the H&S policy.
- 4) Allocation of funds for various projects within the Governors' agreed budget;
- 5) Acceptance of all tenders and quotations and final selection of contracts for repair, maintenance and building projects, within the specified budget and the tender limits set-out in the school's Tendering Policy;
- 6) Provision of detailed advice to the school management team for Facilities items.
- 7) To monitor and review the School's Health and Safety policy annually, making any recommendations to the Governing Body for any changes.

Membership

The Facilities Committee shall comprise a minimum of 8 Governors plus a delegated member of the Strategic Leadership Team, the Site Manager and up to three student representatives.

Quorum: 3 Governors

Unless exceptional circumstances apply then following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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FINANCE COMMITTEE

Purpose

To assist the decision making of the Governing Body, by enabling more detailed consideration to be given to the best means of fulfilling the Governing Body's responsibility to ensure sound management of the Academy's finances and resources, including proper planning, monitoring and probity. To make appropriate comments and recommendations on such matters to the Governing Body on a regular basis. Major issues will be referred to the Full Governing Body for ratification.

The Finance Committee is responsible to the Governing Body for all financial matters including:

1. Consideration of the School's indicative funding, notified annually by the DfE, and assessment of its implications for the School, in consultation with the Head Teacher, in advance of the financial year, drawing any matters of significance or concern to the attention of the Governing Body.
2. Approval of an annual budget for recommendation to the Governing Body.
3. Contributing to the formulation of the School's development plan, through the consideration of financial priorities and proposals, in consultation with the Head Teacher, in line with the stated and agreed aims and objectives of the School.
4. Recommendation of financial policies to the Governing Body, ensuring adequate financial controls are maintained in accordance with those policies, including approving and monitoring school charging policies.
5. Ensuring that provision is made for all financial statements to be presented, as required, to form part of the annual report of the Governing Body to parents and for filing in accordance with DfE, Companies Act and Charity Commission requirements.
6. Ensuring that the school operates in accordance with the Academies Financial Handbook.
7. Ensuring adequate insurance provision for the School, its staff and Governing Body.
8. Monitoring and reviewing budget and expenditure on a regular basis and ensuring compliance with the overall financial plan for the Academy, and with the financial regulations of the DfE, drawing any matters of concern to the attention of the Governing Body.

9. Monitoring and reviewing procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and, where appropriate, making recommendations for improvement.
10. Approval of the appointment of contractors and suppliers following formal tender/quotation procedures for such items which fall outside the remit of the Facilities Committee.
11. Recommending to the Governing Body the Head Teacher's level of virement.
12. Receiving auditors' reports, ensuring that recommendations are implemented as appropriate and recommending to the Full Governing Body the appointment or re-appointment of the auditors of the School.

Delegated Powers

The Finance Committee has delegated authority to sanction expenditure from the identified cost centres, within the Governors' agreed budget total, without reference back to the Governing Body.

Membership

The Finance Committee shall comprise of at least four voting governors and representative(s) of the School Strategic Leadership Team.

Quorum : 3 Governors

Unless exceptional circumstances apply then following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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THE FULL GOVERNING BODY

The Governing Body is constituted under a Memorandum of Association and Articles of Association and is responsible for ensuring that high standards of corporate governance are maintained.

The Governing Body is responsible to the Academy Trust for all matters relating to strategic leadership including:

1. Appointment of the head teacher who also acts as an ex-officio governor.
2. Delegation to the head teacher responsibility for the internal organisation, management and control of the academy, the implementation of all policies approved by the governing body and for the direction of teaching and the curriculum, policy development and strategic planning, including target-setting to keep up momentum on school improvement, management of the academy's financial, human and other resources, ensuring sound management and administration of the academy, and ensuring that managers are equipped with relevant skills and guidance.
3. Appointment of members of the Strategic Leadership Team, determining how the appointment of other staff will be managed and establishing procedures for the management of staff conduct, discipline and staff grievances.
4. Agreement of constitutional matters, including procedures where the Governing Body has discretion.
5. Ensuring compliance with legal requirements.
6. Recruitment of new members as vacancies arise and to appoint new governors where appropriate in accordance with the articles of association.
7. Establishing and maintaining a transparent system of prudent and effective internal controls and ensuring the annual report and accounts include a statement on the efficiency and effectiveness of such controls.
8. Monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon.
9. Assessing and managing risk (including preparation of a statement on the School's risk management for its annual report and accounts).

10. Making sure that the curriculum for the school is balanced and broadly based and in particular that the curriculum satisfies legal requirements such as the National Curriculum, religious education and sex education;
11. Reporting National Curriculum assessments and examination results to parents and the DfE as required by law.
12. Managing the School's budget including determining the staff complement and making decisions on staff pay in accordance with the School Teachers' Pay and Conditions Document.
13. Drawing up an action plan after Ofsted or other inspection.
14. Considering audit reports and recommendations.
15. Establishing, following consultation with all staff, and reviewing annually, a performance management policy for staff appraisal.
16. In accordance with the articles of association the Governing Body will hold at least three Governing Body meetings a year and will have the authority to appoint or remove the Chair and Vice Chair; appoint or remove a Clerk to the Governing Body; appoint or remove a Clerk to each committee; suspend a governor.
17. Deciding which functions of the Governing Body will be delegated to committees, groups and individuals and establishing the committees of the Governing Body and their terms of reference.
18. Receiving reports from any individual or committee to whom a decision has been delegated and considering whether any further action by the Governing Body is necessary.
19. Reviewing the delegation arrangements annually.

Membership

Quorum: 50%

Up to 22 Governors: 12 Appointed Governors, 3 Staff Governors, 7 Parent Governors

NB : The following will be decided by the Governing Body **should it choose not to delegate to the committee itself** :

- To appoint the Chair of any committee
- To approve the first formal budget plan of the financial year
- To keep the Health and Safety Policy and its practice under review and to make revisions where appropriate.

Unless exceptional circumstances apply then following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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PAY APPEAL COMMITTEE

The Pay Appeal Committee reports to the Governing Body.

Delegated Powers

The Governing Body delegates to the Pay Appeal Committee the following function:

The hearing of any appeal in respect of a decision taken by the Pay Committee.

Membership

The Committee shall consist of no fewer members than the Pay Committee (3 governors who may not be Staff Governors to be appointed to the committee. 3 governors are needed to be quorate). Only governors who have not taken part in the proceedings of the Pay Committee are eligible. The Head Teacher shall not be a member. Any non-governor co-opted on to this committee shall not have the power to vote. The Governing Body shall appoint a Clerk to this committee.

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PAY COMMITTEE

The Pay Committee is responsible to the Governing Body for all staff salary matters. The Pay Committee shall meet at least once annually. One meeting should take place each November.

Delegated Powers

The Pay Committee will have delegated power to:

- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to observe all statutory and contractual obligations;
- to decide on the individual school range for salaries for those in the leadership group:
- to set the Head Teacher's salary range and the spine point within the Head Teacher's salary range;
- to set the Deputy Head Teachers' salary range and to set the specific spine points within the Deputy Head Teachers' salary range;
- to agree with the Head Teacher the targets for each academic year;
- to determine whether or not those targets have been met and any salary increase that might result;
- to ratify decisions of the Finance and Personnel Committees about budget and staff salaries;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

Membership

The Pay Committee shall comprise of three Governors from the six Chairs of Governors Committees, including the Chair of Governors. Vice Chairs to be invited to attend in their absence. The Head Teacher and Human Resources Manager shall attend all meetings in an advisory capacity only and not as a Governor. The Head Teacher will not attend where discussions and decisions are taken regarding their salary.

The quorum for the Pay Committee is a minimum of three Governors.

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PERSONNEL COMMITTEE

The Personnel Committee is responsible to the Governing Body for all matters relating to:

- (a)** the school Pay Policy and Conditions of Service, to include staffing policy, appointments, promotions and appropriate reviews of staff salaries;
- (b)** oversight of staff pastoral matters;
- (c)** contracts of employment
- (d)** review of the governors' grievance procedures and disciplinary rules for staff including the Appeals Policy and ensuring steps are taken to make known such procedures to members of the staff of the school as required;
- (e)** consideration of disciplinary action in respect of staff;
- (f)** consideration of such cases as may be referred to it by the head teacher or as its members may decide to consider;
- (g)** consideration with regard to staff dismissal, redundancy and early retirement.
- (h)** Decisions from the Pay Committee affecting staff salaries should be ratified by the Personnel Committee.

Delegated Powers

The Governing Body delegates the following powers to the Personnel Committee

- 1)** act on discipline, suspension and dismissal of staff.
- 2)** advise on staffing levels, salary levels and early retirements.

Membership

The Personnel Committee shall comprise of up to eight governors and the clerk. Each committee will be required to elect a chairman and vice chairman at the first meeting of each academic year. The committee will be required to appoint a Clerk who may not be an Associate Governor or the Head Teacher. A committee may also have representatives from the school such as students and other members of staff who will be non-voting members of the committee. A Governor may only clerk the committee on the rare occasion when no other suitable person is available. A committee may have Associated Governors who are non-voting members of the committee.

Quorum: 3 Governors

Unless exceptional circumstances apply then following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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STAFF EMPLOYMENT APPEAL COMMITTEE

The Staff Employment Appeal Committee reports to the Governing Body.

Delegated Powers

The Governing Body delegates to the Staff Employment Appeal Committee the following function:

The hearing of any appeal in respect of a decision taken by the Staff Employment Committee.

Membership

The Committee shall be selected from all Full Governors but should not consist of fewer members than the Staff Employment Committee (Full Governors who may not be Staff Governors to be appointed to the committee with a minimum of three Governors needed to be quorate). Only Governors who have not taken part in the proceedings of the Staff Employment Committee are eligible. The Head Teacher shall not be a member. Any non-Governor co-opted on to this committee shall not have the power to vote. The Governing Body shall appoint a Clerk to this committee.

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STAFF EMPLOYMENT COMMITTEE

The Staff Employment Committee reports to the Governing Body.

Delegated Powers

The Governing Body delegates to the Staff Employment Committee the following functions:

1. The initial decision that a person employed to work at The Ecclesbourne School should have his/her contract of employment with the governing body terminated or should not have that contract renewed.
2. The hearing of a staff grievance where this has not been resolved by the Head Teacher.

Membership

The Staff Employment Committee shall be selected from all Full Governors, who may not be Staff Governors, and requiring a minimum of three governors to be quorate.

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STUDENT DISCIPLINE COMMITTEE

[Amended in line with the updated 'Exclusion from maintained schools, academies and pupil referral units in England' (DfE 2017) guidance]

1. To consider written representations from parents in the case of exclusions of 5 days or less;
2. Review at a meeting (convened within statutory time limits):
 - Fixed Period Exclusions of 6-15 school days if parents/carers request a meeting to review the exclusion.
 - Fixed Period Exclusions of more than 15 school days either issued in a block or accumulated within one school term.
 - All exclusions which would deny a pupil the opportunity to take a public examination.
 - All permanent exclusions.
3. To ensure that the statutory guidance contained in '*Exclusion from maintained schools, academies and pupil referral units in England*' (DfE 2017) is applied correctly.
4. To review the School Behaviour and Discipline Policy and make recommendations on changes to the Governing Body or relevant committee.

Membership

Quorum: 3

The Governing Body may nominate a pool of governors from which three will serve as the Discipline Committee to consider particular exclusions. If a governor has a connection with the student or the incident could affect his/her ability to act impartially the governor should not serve at the hearing.

Disqualification

The Head Teacher
Any Governor with prior knowledge of the student or incident.

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STUDENTS & CURRICULUM COMMITTEE

The Students & Curriculum Committee is responsible to the Governing Body for all matters relating to the students and the curriculum, including, but not exclusive to:

- (a) ensuring the National Curriculum is taught to all students and considering any disapplication for student(s);
- (b) considering the curriculum policy formulated by the head teacher and adopting it with or without modifications, or remitting it to the head teacher for reformulation;
- (c) monitoring, evaluating and reviewing the implementation of the curriculum policy;
- (d) considering and adopting, with or without modifications, or rejecting any changes to the curriculum policy proposed by the head teacher;
- (e) Monitoring, evaluating and reviewing the implementation of the pupil premium strategy and the impact it has on student outcomes
- (f) Evaluating the schools approach to diminishing difference in achievement between groups of students
- (g) ensuring the provision of sex education – regularly reviewing the written policy*;
- (h) prohibiting political indoctrination and ensuring the balanced treatment of political issues*;
- (i) reviewing the discipline policy*;
- (j) having responsibility for ensuring provision of Religious Education in line with the school's basic curriculum;
- (k) ensuring that all students take part in a daily act of collective worship. The Governing Body also has similar duties;

* Functions that the whole Governing Body must also consider

Delegated Powers

Governors delegate the following power to the Students & Curriculum Committee:
To review curriculum policy and make recommendations

Membership

The Students & Curriculum Committee shall comprise of at least 8 governors, up to two student representatives and a delegated member of the Strategic Leadership Team.

Quorum: 3 Governors

Unless exceptional circumstances apply then following two consecutive absences from a committee meeting the Governors will consider whether a third absence will be accepted.

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TENDERING COMMITTEE

All goods/services with a value over £25,001 or for a series of contracts which in total exceed £25,001 must be subject to formal tendering procedures.

Purchases that fall under EU procurement rules require advertising in the Official Journal of the European Union.

- 1 Items for maintenance or refurbishment are brought to the attention of the Governors' Facilities Committee.
- 2 The Committee considers proposals and may delegate authority to proceed as follows:

£1,001-£5,000	ONE written quotation should be obtained from a competent supplier and approved by the budget holder.
£5,001-£25,000	THREE quotations should be obtained from competent suppliers and approved by the Chairman of the Governors' Facilities Committee.
£25,001 or more	TENDERING PROCEDURE as follows: <ul style="list-style-type: none">• Tender documents are prepared by the budget holder. Staff preparing tenders should familiarise themselves with the EU procurement rules, NJCC Code of Procedure for Single Stage Selective Tendering and the JCT agreement for Minor Building Works;• Letter, tender documents, plans and tender return envelopes are sent out to competent suppliers. In the absence of a competent supplier advertise in the general press or trade journals.• In general a minimum of THREE tenders should be sought. Where it is appropriate, however, a single tender may be sought with the approval of the Tender Committee. The Committee records its reasons for seeking a single tender;• Returned, priced tender documents are held unopened until seen by the Tender Committee. For contracts up to £25,000 the budget holder plus the Head Teacher or Bursar must be present, for contracts over £25,000 either the Head Teacher or Bursar plus a member of the Facilities Committee.• The Tender Committee meets to open the tenders and agree the supplier and give formal approval for the work to proceed;• A report of the proceedings of the Tender Committee, signed and dated, is given to full Facilities Committee. The minutes of the relevant meeting will be presented at the next Facilities Meeting as a standing item and reported at the next Full Governors meeting for ratification

- 3 The decision to proceed having been taken, a letter is sent to the approved supplier and confirmed afterwards by a school order.
- 4 Work commences and is monitored by the Facilities Committee staff member and/or the Budget Holder.
- 5 Work is completed to detailed specification and signed off by the Budget Holder.
- 6 The supplier's invoice is approved by the Facilities Committee staff member and payment is made subject to a 5% retention on invoices for quotations/tenders over £5,000.

Notes:

- EU Procurement Rules – Where a single work involves more than one contract the estimated value of all contracts must be aggregated to decide whether the Threshold is reached. Where the threshold is reached each of the works contracts will be covered by the rules except small contracts (known as small lots) the value of which falls below the de minis level provided for in the regulations. (Originator to ensure that regulations have been checked for current levels).
- The competency of a supplier shall be judged by its inclusion in the Facilities Committee's central file of approved suppliers and/or upon appropriate professional advice, for example from the project architects or quantity surveyors.
- When evaluating quotations/tenders, consideration must be given to issues of price; professional competence and experience; financial stability; and commitment to health and safety.
- The Tender Committee shall consist of the Chairman of the Facilities Committee or her/his representative, the Head Teacher/Bursar or her/his representative and one other Governor.