

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE FOR THE ACADEMIC YEAR 2024-2025

THE BOARD OF TRUSTEES

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

In accordance with the Articles of Association the Board of Trustees will hold at least three meetings a year.

The Board will elect a Chair and Vice Chair from its members to serve for a two-year term. Elections will be held at the first meeting of the Board in alternate academic years.

The Board of Trustees is responsible to the Members of the Academy Trust for all matters relating to strategic leadership including:

1. Appointment of the Head Teacher who also acts as an ex-officio Trustee.
2. 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.
3. Agreement of constitutional matters, including procedures where the Board of Trustees has discretion.
4. Ensuring compliance with legal requirements.
5. Recruitment of new members as vacancies arise and to appoint new Trustees where appropriate in accordance with the Articles of Association.
6. 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.
7. Monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon.
8. Assessing and managing risk (including preparation of a statement on the School's risk management for its annual report and accounts).
9. 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;

10. Reporting National Curriculum assessments and examination results to parents and the DfE as required by law.
11. 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.
12. Drawing up an action plan after Ofsted or other inspection.
13. Considering audit reports and recommendations.
14. Establishing, following consultation with all staff, and reviewing annually, a performance management policy for staff appraisal.
15. Deciding which functions of the Board will be delegated to committees, groups and individuals and establishing the committees of the Board and their terms of reference.
16. Receiving reports from any individual or committee to whom a decision has been delegated and considering whether any further action by the Board is necessary.
17. Reviewing the delegation arrangements annually.

The Board of Trustees has authority to

- **appoint or remove the Chair and Vice Chair;**
- **appoint or remove a Secretary to the Board;**
- **appoint or remove a Secretary to each committee; and**
- **suspend a Trustee.**

The following will be decided by the Board **should it choose not to delegate to a committee:**

- 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.

Delegations

The Board of Trustees has resolved to make the following delegations-

- A. 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.
- B. Delegation of matters to each committee as detailed in each committee's Terms of Reference.

Membership**Quorum: 50% of Trustees (rounded up to a whole number)**

Up to 15 Trustees: 1 – Principal, 2 parents by election, 3 parents by election or co-opted, 9 Trustees from local community and/or staff (staff to be no more than 20% in total).

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

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE

FOR THE ACADEMIC YEAR 2024-2025

THE STUDENTS AND CURRICULUM COMMITTEE

1. Purpose

The Students & Curriculum Committee (hereinafter referred to as "the Committee") is responsible to the Board of Trustees for oversight and policy review in all matters relating to the welfare and educational outcomes of students including safeguarding and the curriculum. The Committee will aim to ensure that the Trust operates in accordance with its Articles of Association, statutory responsibilities, and the best interests of the students and the wider community it serves.

This Terms of Reference outlines the roles, responsibilities, and scope of the Committee, ensuring clarity of purpose and accountability.

2. Role of the Committee

The Committee's primary responsibilities are to:

- Ensure the National Curriculum is taught to all students.
- Consider the curriculum policy formulated by the Head Teacher and make recommendations to adopt it with or without modifications.
- Monitor, evaluate and review the implementation of the curriculum policy and other policies related to student experience, outcomes and welfare.
- Ensure the Trust complies with its legal and regulatory obligations as they apply to student welfare and their outcomes, including safeguarding, and the requirements of the Department for Education (DfE).
- Monitor, evaluate and review student academic outcomes including the implementation of the pupil premium strategy and its impact, and evaluate the school's approach to diminishing differences in achievement between groups of students.
- Ensure the provision of relationships and sex education in line with the requirements of the DfE and review the written policy.
- Receive reports on behaviour, attendance and safeguarding.
- Receive reports from pastoral and curriculum leaders.
- Review the Behaviour policy.
- Ensure provision of Religious Education.

3. Composition of the Committee

The Committee shall consist of:

- A minimum of 6 Trustees.

- The Head Teacher.
- The Designated Safeguarding Lead.

The Committee will ensure a balanced composition in terms of skills, experience, and diversity, with a commitment to continuous professional development and training for all trustees.

4. Chair and Vice-Chair

The Chair and Vice-Chair of the Committee shall be elected by a quorum of the committee for a term of one year in the first committee meeting each year. The Chair will:

- Lead the Committee, ensuring its effective operation and compliance with statutory duties.
- Act as the primary point of contact between the Committee and the Board of Trustees reporting to the board on the work of the committee at each board meeting.
- In the Chair's absence, the Vice-Chair will assume these responsibilities.

5. Quorum and Meetings

- The quorum for a meeting of the Committee shall be 3 trustees.
- The Committee shall meet at 3 times per academic year.
- Agendas and relevant papers will be circulated seven days in advance of meetings to ensure trustees are well-prepared for discussions and decision-making.

Minutes will be recorded for all meetings, reflecting key discussions, actions, and decisions. These minutes will be made available to trustees at each Board meeting.

6. Trustee Conduct

Trustees are expected to:

- Act in accordance with the Trust's Code of Conduct, demonstrating integrity, objectivity, and honesty in all dealings.
- Declare any conflicts of interest, ensuring that decisions are made in the best interests of the Trust and free from personal bias.
- Attend meetings regularly, engage fully with the work of the Board, and commit to their own professional development.

7. Review

These Terms of Reference will be reviewed annually to ensure they remain fit for purpose and aligned with the evolving needs of the Trust.

Approved by the Committee on 19 November 2024

Signed:

Chair of the Committee
Date: 19 November 2024

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE FOR THE ACADEMIC YEAR 2024-2025

STUDENT DISCIPLINE COMMITTEE

[Amended in line with the updated 'Exclusion from maintained schools, academies and pupil referral units in England' (DfE 2024) 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 Suspensions of 6-15 school days if parents/carers request a meeting to review the exclusion.
 - Fixed Period Suspensions of more than 15 school days either issued in a block or accumulated within one school term.
 - All Suspensions 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 Sept 2024) 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 Governance Professional may nominate a pool of governors from which three will serve as the Discipline Committee to consider particular exclusions. If a Trustee 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.

THE ECCLESBOURNE SCHOOL
TERMS OF REFERENCE
FOR THE ACADEMIC YEAR 2024-25

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) for adoption by Full Governors.
- (b) Determination of the applications for admission to the school in accordance with The Schools Admissions Code (2021).
- (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 Trustees and the Head Teacher.

Quorum: 3 Trustees

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

THE ECCLESBOURNE SCHOOL
TERMS OF REFERENCE FOR THE ACADEMIC YEAR 2024-25
FINANCE AND RESOURCES 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 Committee is responsible to the Governing Body for all financial, facilities, and health and safety matters including:
 - 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;
 - Approval of an annual budget for recommendation to the Governing Body;
 - Contributing to the formulation of the School's development plan, through the consideration of financial, facilities related, and health and safety priorities and proposals, in consultation with the Head Teacher, in line with the stated and agreed aims and objectives of the School;
 - Recommendation of financial, facilities, and health and safety policies to the Governing Body, ensuring adequate controls are maintained in accordance with those policies, including approving and monitoring school charging policies;
 - 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;
 - Ensuring that the school operates in accordance with the Academy Trust Handbook;
 - Ensuring adequate insurance provision for the School, its staff and Governing Body;
 - Monitoring and overseeing the maintenance of the Risk Register;
 - 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;
 - 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;
- To receive reports of the Tendering Committee and take appropriate action;
- Approval of the appointment of contractors and suppliers following formal tender/quotation procedures;
- Recommending to the Governing Body the Head Teacher's level of remuneration;
- 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;
- All matters relating to the Health and Safety of all students, staff, and visitors;
- To receive reports/minutes of Development Sub-Committee and of Project Managers' meetings;
- Development and safety of the school site and property;
- Execution of all building projects, except where agreed by Full Governing Body;
- Development of a formal maintenance programme and the maintenance of all sites and properties, including building services;
- The provision of support services, including telephone, security and cleaning;
- Provision and maintenance of furniture and equipment;
- Oversight of the relevant aspects of the school's Strategic Plan; and
- To receive reports on the utilisation, impact, and benefits of Facilities.

Delegated Powers

Trustees delegate the following powers to the Committee:

- To sanction expenditure from the identified cost centres, and allocation of funds for various projects, within the Governors' agreed budget total, without reference back to the Governing Body;
- To make H&S recommendations to the Strategic Leadership Team [SLT] on actions that need minimal expenditure;
- To monitor and review incidents and accidents and make recommendations for SLT for resolution;
- To monitor the application of the H&S policy and make recommendations to SLT;
- 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;
- Provision of detailed advice to the school SLT for Facilities items; and
- To monitor and review the School's Finance and Health and Safety Policies, making any recommendations to the Governing Body for any changes.

Membership

The Committee shall comprise a minimum of 8 voting Trustees, a minimum of one representative(s) of the School Strategic Leadership Team, the Site Manager and up to three student representatives.

Quorum: 3 Trustees. Only Trustees on the Committee can vote.

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

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE FOR THE ACADEMIC YEAR 2024-5

TENDERING COMMITTEE

Use of frameworks will be considered in all cases to contract suppliers. All goods/services with a value over £40,000 or for a series of contracts which in total exceed £40,000 must be subject to formal tendering procedures.

For purchases over the Public Contracts Regulations (PCR) threshold the school must run a PCR compliant process.

The Finance and Facilities Committee considers proposals and may delegate authority to proceed as follows:

£1,000-£9,999.99	One written quotation should be obtained from a competent supplier and approved by the budget holder. If a quote is not obtained there should be a documented explanation.
£10,000-£39,999.99	Three quotations should be obtained from competent suppliers by the budget holder, and forwarded to the finance office with a written explanation of why the successful quote was chosen. If three quotes are not obtained there should be a documented explanation from the budget holder. School trips, even if over the £40,000 value, will also fall in this category.
£40,000 or more	Subject to tendering procedure as follows: • Budget holder researches the goods/services required. Guidance can be found here: Buying for schools: how to buy what you need - Research and prepare - Guidance - GOV.UK (www.gov.uk) • Create a specification. Guidance may be found here: Buying for schools: how to buy what you need - Writing a specification - Guidance - GOV.UK (www.gov.uk) • Identify how you are going to buy the items, and whether you are able to select a supplier directly or must run a PCR compliant process. Guidance can be found here: Buying for schools: how to buy what you need - Find the right route to buy - Guidance - GOV.UK (www.gov.uk) • To run a buying process for high value purchases under the PCR threshold follow the guidance here: Buying for schools: how to buy what you need - Route 4: advertise a contract and run a buying process for high value purchases under the PCR threshold - Guidance - GOV.UK (www.gov.uk) • To run a PCR compliant process for high value purchases over the PCR threshold, follow the guidance here: Buying for schools: how to buy what you need - Route 5: run a public contracts regulations (PCR) compliant process for high value purchases over the threshold - Guidance - GOV.UK (www.gov.uk) • In general, a minimum of three tenders should be sought. Where it is appropriate and in line with PCR limits, however, a single tender may be sought with the approval of the Tender Committee. The Committee must clearly record its reasons for seeking a single tender in writing; • Returned, priced tender documents are held unopened until seen by the Tender Committee. For contracts over £40,000 the Head Teacher or CFO, plus a member of the Finance and Facilities Committee must be present;

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- The Tender Committee meets to open the tenders, agree the supplier and give formal approval for the work to proceed. All items discussed and considered should be recorded in writing;
 - A report of the Tender Committee meeting is given to the next full Finance and Facilities Committee. The minutes of the relevant meeting will be reported at the next Full Governors meeting for ratification;
 - When the decision to proceed has been taken, confirmation is sent to the approved supplier and confirmed afterwards by a school purchase order. If the Find a Tender or Contracts Finder services were used the contract award must be advertised;
 - Work commences and is monitored by the Finance and Facilities Committee staff member and/or the Budget Holder;
 - Work is completed to detailed specification and signed off by the Budget Holder;
 - The supplier's invoice is approved by the Budget Holder and payment is made subject to any agreed retentions.

Notes:

- PCR 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. (Budget holder to ensure that regulations have been checked for current levels).
- The competency of a supplier shall be judged by its inclusion in the list 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 Finance and Facilities Committee or their representative, the Head Teacher/CFO or their representative, and at least one other Governor.

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE

FOR THE ACADEMIC YEAR 2024-2025

THE HUMAN RESOURCES COMMITTEE

1. Purpose

The Human Resources Committee (hereinafter referred to as "the Committee") is responsible to the Board of Trustees for oversight and policy review in all matters relating to the welfare and educational outcomes of students including safeguarding and the curriculum. The Committee will aim to ensure that the Trust operates in accordance with its Articles of Association, statutory responsibilities, and the best interests of the students and the wider community it serves.

This Terms of Reference outlines the roles, responsibilities, and scope of the Committee, ensuring clarity of purpose and accountability.

2. Role of the Committee

The Committee's primary responsibilities are:

- a. Approval of Pay Policy and Performance Management policies whose review is delegated to the Pay Committee.
- b. Approval of appointments and recruitment processes.
- c. Review and approval of grievance and disciplinary policies and procedures for staff.
- d. Review and approval of capability policy and procedure.
- e. Delegation of disciplinary action to the Employment Committee.
- f. Consideration of such HR cases as may be referred to it by the head teacher.
- g. Review and approval of policy and procedure related to staff dismissal and redundancy.
- h. Ratification of decisions of the Pay Committee affecting staff salaries .
- i. Consideration of succession planning.
- j. Consideration of staff Continuous Professional Development.

3. Composition of the Committee

The Committee shall consist of:

- A minimum of 6 Trustees.
- The Head Teacher.
- The Director of Human Resources.

The Committee will ensure a balanced composition in terms of skills, experience, and diversity, with a commitment to continuous professional development and training for all trustees.

4. Chair and Vice-Chair

The Chair and Vice-Chair of the Committee shall be elected by a quorum of the committee for a term of one year in the first committee meeting each year. The Chair will:

- Lead the Committee, ensuring its effective operation and compliance with statutory duties.
- Act as the primary point of contact between the Committee and the Board of Trustees reporting to the board on the work of the committee at each board meeting.
- In the Chair's absence, the Vice-Chair will assume these responsibilities.

5. Quorum and Meetings

- The quorum for a meeting of the Committee shall be 3 trustees.
- The Committee shall meet 3 times per academic year.
- Agendas and relevant papers will be circulated seven days in advance of meetings to ensure trustees are well-prepared for discussions and decision-making.

Minutes will be recorded for all meetings, reflecting key discussions, actions, and decisions. These minutes will be made available to trustees at each Board meeting.

6. Trustee Conduct

Trustees are expected to:

- Act in accordance with the Trust's Code of Conduct, demonstrating integrity, objectivity, and honesty in all dealings.
- Declare any conflicts of interest, ensuring that decisions are made in the best interests of the Trust and free from personal bias.
- Attend meetings regularly, engage fully with the work of the Board, and commit to their own professional development.

7. Review

These Terms of Reference will be reviewed annually to ensure they remain fit for purpose and aligned with the evolving needs of the Trust.

Approved by the Committee on 19 November 2024

Signed:

Chair of the Committee
Date: 3 December 2024

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE
FOR THE ACADEMIC YEAR 2024-2025

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 Chairs of the Trustees Committees . Vice Chairs to be invited to attend in their absence. The Chair of Trustees may co-opt other members of the governing body onto the Pay Committee based on them having relevant professional experience and knowledge. The Head Teacher and Director of Human Resources shall attend all meetings in an advisory capacity only and not as a Trustee. 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 Trustees.

THE ECCLESBOURNE SCHOOL
FOR THE ACADEMIC YEAR 2024-2025
TERMS OF REFERENCE

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 their contract of employment with the governing body terminated or should not have that contract renewed following a Step 6 meeting of the Absence Control Management Policy.
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 Trustees, who may not be Staff Governors, and requires a minimum of three trustees to be quorate. Only trustees who have not taken part in any previous meeting relating to the issues to be heard may be part of the committee. The Governing Body shall appoint a Clerk to this committee. The Head Teacher will attend any Step 6 meeting where he has been involved in previous meetings.

THE ECCLESBOURNE SCHOOL

TERMS OF REFERENCE FOR THE ACADEMIC YEAR 2024-2025

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 Head Teacher and Chair of Trustees relating to disciplinary matters.

The hearing of any appeal in respect of a decision taken by the Staff Employment Committee relating to the Absence Control Management Policy or staff grievance.

Membership

The Committee shall be selected from all Trustees excluding Staff Governors with a minimum of three trustees needed to be quorate. The Head Teacher shall not be a member. Any non-Trustee co-opted on to this committee shall not have the power to vote. The Governing Body shall appoint a Clerk to this committee.