



St Thomas More Roman Catholic
Academy

**TERMS OF
REFERENCE
2017 - 2018**

Approved by full governing body

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In preparation of the document the following regulations and guidance were used:

- A Guide to the Law for School Governors, and statutory instruments and legislation contained therein
- Articles of Association
- Academy Financial Handbook
- Governornet.co.uk

The Role of the Chair of a Committee

- To ensure the business of the Committee is conducted properly, in accordance with legal requirements.
- To work with the Headteacher and committee clerk to draw up an appropriate agenda with a focus on school improvement as well as statutory requirements.
- To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making.

Disqualification from role – none.

The Role of the Clerk to Committees

- To convene meetings of the Committee, taking directions from the governing body and chair of the committee.
- To attend meetings of the Committee and ensure minutes are taken.
- To perform such other functions with respect to the Committee as may be determined by the governing body from time to time.
- To ensure the Governing Body/Board of Directors publishes up to date details of our governance arrangements on the Academy website including relevant business and pecuniary interests.
- To notify the EFA of the appointment of members or trustees.

Disqualification from role – the headteacher.

Confidentiality

- In general, governors' minutes and papers are not confidential and must be available, once ratified, for anyone to read. Information relating to a named person or any other matter that the committee considers confidential does not have to be made available for inspection. In respect of items of confidentiality, total discretion is expected.
- Occasionally, minutes of a committee may be deemed confidential and in these cases will be circulated only to the committee members and not the full governing body. (This may be to ensure that in the event of appeal against a decision made by the committee, an appeal panel of governors who have no prior knowledge of the circumstance can be constituted). [It is common practice to produce confidential items on pink paper for identification].
- Any document to be presented to the full governing body should avoid using staff names (it is better to refer to the person's designation i.e. special educational needs co-ordinator). Likewise students' names should not be recorded in minutes and should be omitted from presentations to governors.
- Confidential items should be written on separate sheets, stating 'Confidential'. The need to classify information as Confidential should only be used when absolutely necessary.
- With regard to discussion within committees, the same rules of confidentiality apply in relation to sharing discussion with other parties, i.e. total discretion should be integral to governors' roles where appropriate and deemed confidential.

Finance, Premises, Health & Safety Committee

Finance

Planning

- To establish and maintain a three-year financial strategy, having particular regard to the School Development Plan, approved by the full governing body; Ensure that the school budget:
 - is realistic and affordable in relation to available resources and cash flows
 - reflects the school development plan
 - is consistent with longer term financial plans (including recovery of deficits or saving for future developments);
 - as far as is practical, that Health and Safety issues are appropriately prioritised
- Where approval of the final budget is delegated to the Finance Committee, the Finance Committee will authorise submission on behalf of the whole governing body a final budget plan to the EFA by 31st July

Monitoring

- To receive and consider information on financial performance at least three times a year, and ensure appropriate action is taken to address variances between the budget that has been set and actual income and expenditure and ensure the Academy's ongoing viability;
- To ensure sufficient rigour and scrutiny in the budget management process;
- To oversee capital investment projects;
- To keep under general review the staffing structure of the school and to recommend to the governing body the financial limits for salaries and wages within the overall school budget;
- To vire between budget headings during the course of the year, within the delegated limits specified by the whole governing body;
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- To monitor School Fund Account, including all voluntary funds kept on behalf of the governing body;

Outturn

- To consult with the Director of Finance and consider the draft out-turn figures for the previous year by the first meeting of the academic year;
- To review financial statements and associated documents at year end.

Policy & Regularity

- To agree the level of delegation to the headteacher for the day-to-day financial management of the school;
- To ensure value for money is secured in relation to procurement and/or competitive tendering for services/contracts/service level agreements in accordance with agreed delegation arrangements of the whole governing body;
- Authorise disposal of fixed assets when a value is greater than £10k;
- Maximise potential for attracting external funding from grants, sponsorship and income generation ensuring timely submission of applications;
- To advise the governing body on the school's charging policy, including lettings, financial support for educational visits, and expenses;
- Where appropriate, review annually the Financial Handbook and Finance Policy in line with the Education Funding Agency's "Academies Financial Handbook"
- To authorise signatories for the school bank account;
- To authorise items of petty cash spend in excess of £50; To approve arrangements for the audit of funds received from sources other than the EFA
- To complete a Controls Assurance Statement at the end of the financial year, for publication by 31st December;
- **The Finance Committee may delegate the following to the chair of the Finance Committee:**
 - Signing the annual accounts and Controls Assurance Statement (CAS) on behalf of the governing body;
 - Assist in the preparation of the annual budget for the school;
 - Consider strategic financial issues on behalf of the governing body.

Premises

- To monitor major repairs or maintenance;
- To seek to improve the use of the school premises and land;
- To make recommendations to the Finance Committee on premises-related expenditure and funding bids;
- To establish and keep under review an Accessibility Plan which complies with the schools Single Equality Scheme;
- Liaise with Finance Committee regarding arrangements for the letting of school premises and the use of premises outside normal school hours, e.g. where school is used for extra curricular activities :
- To oversee arrangements, including Health and Safety, for the use of school premises by outside users, subject to governing body policy;
- Where school is undertaking a major capital build the Premises Committee may be given specific delegated responsibilities in relation to decision making or finance by the governing body.

Health and Safety

- To advise the governing body on priorities, including Health and Safety, for the maintenance and development of the school's premises;
- To undertake an annual Health & Safety inspection;
- To monitor and review the Health & Safety Policy;
- To monitor compliance with all current health and safety legislation;
- To ensure that all staff receive appropriate Health & Safety information and training.
- To ensure that the governors and the staff have identified the risks currently faced by the school and the measures necessary to manage serious risks;
- Ensure that the school has established a register of potential risks and consequences and that this is updated on a regular basis and the impact is monitored;
- To monitor the accident and incident reports within the school;
- To ensure that proposed changes to buildings, plant, equipment or systems take account of the health, safety and welfare of the persons affected, and that where applicable the appropriate regulations are being adhered to;
- To ensure that mechanisms and timetables for inspecting the school buildings and grounds, in respect of health and safety standards, are in place;
- To ensure that mechanisms are in place to provide all contractors, and others who are appointed to work on the school premises, adequate information regarding the presence of Asbestos materials in the building or any plant or equipment within the school;
- To ensure that an appropriate teacher has been designated by the Headteacher with responsibility for Child Protection.

Meetings of the Committee	
Frequency	It is recommended that the Finance Committee meet at least once per term with additional meetings as required.
Membership	At least 7 governors including the headteacher.
Conflict of Interest	Withdrawal from discussion by an employee at the school when the subject for consideration is the pay or performance of that employee or another member of staff. The headteacher would only withdraw if the consideration was around his/her pay or performance.
Quorum : minimum of 4 governors	

Audit Committee

Role

To advise the Academy Trust on the adequacy and effectiveness of the Academy's systems of internal control and its arrangements for risk management, control and governance processes, and securing economy, efficiency and effectiveness (value for money)

Internal Audit/Responsible Officer

- To advise the Academy Trust on the appointment, reappointment, dismissal and remuneration of the internal audit/responsible officer service.
- To maintain an up to date register of business interests and connected parties for governors.
- To agree the work programme of the Internal Audit/Responsible Officer service.
- To consider the reports of the internal audit/responsible officer service and, when appropriate, advise the governing body of material controls issues.
- To monitor the implementation of agreed recommendations relating to internal audit/Responsible Officer reports

External Audit and Financial Statements

- To advise the Academy Trust on the appointment, reappointment, dismissal and remuneration of the external auditor
- To consider the reports of the external auditors and internal audit/responsible officer service and, when appropriate, advise the governing body of material controls issues.
- To monitor the implementation of agreed recommendations relating to the external auditors management letter.
- To establish, in conjunction with the Academy's Executive, relevant performance measures and indicators, and to monitor the effectiveness of the external auditor.
- To review the annual financial statements in the presence of the external auditor, including the auditor's formal opinion, the governance statement, including consideration of the internal control systems effectiveness, risk management statements and any relevant issue raised in the external audit management letter.
- To recommend the annual financial statements to the Academy Trust for approval.

Risk Management and Internal Control

- To review the adequacy of the Academy Trust's Risk Management Policy and procedures and to regularly review the risk register.
- To monitor the implementation of Risk Management Action Plans.
- To ensure the Academy cooperates with risk management auditors and risk managers and implements all reasonable risk management audit recommendations that are made to them.

Fraud Prevention and Detection

- To review the Academy Trust's arrangements in respect of whistleblowing and anti-fraud and corruption and to make recommendations as necessary.
- To ensure that all allegations of fraud and irregularity are properly followed up and control weaknesses addressed, including being notified of all cases.

Overall

- To produce an annual report for the Academy Trust and Accounting Officer, which should include the Committee's advice on the effectiveness of the Academy's risk management, control and governance processes, and any significant matters arising from the work of the Internal Audit/Responsible Officer Service and the external auditor;

Authority

The Committee is an advisory body with no executive powers. However it is authorised by the Academy Trust to investigate any activity within its Terms of Reference. It is authorised to seek any information it requires from any Academy Trust member, Committee of the Academy Trust or employee of the Academy's, plus relevant information from sub- contractors and other third parties; all Academy Trust members and employees of the Academy's are directed to co-operate with any request made by the Committee.

Approval

The Terms of Reference may only be amended by a resolution of the Academy

POSSIBLE AGENDA ITEMS

- Apologies for absence
- Approval of terms of reference
- Election of chair
- Declarations of interest
- Approval of previous minutes (second and future meetings)
- Declarations of frauds logged
- Review of internal assurance (RO) report
- Internal assurance plans/work programme for the year – areas to be covered, timing, etc?
Should address any significant risks identified by committee.
- External audit reports (dependent on timing, but will include annual accounts, regularity, AAR, WGA or other assurance reports)
- Re-appointment of auditors (year end)
- Risk management, risk assessment, disaster recovery plans and monitoring/implementation of plans
- Review whistle blowing and anti-fraud policies and procedures
- Annual self assessment of audit committee
- Annual report of audit committee
- Changes to audit requirements (if applicable)

Membership and Quorum

- At least three governors shall be a member of the committee.
- No senior employees of the Academy Trust will serve on the committee, but may sit in attendance.
- At least one of the members will have appropriate financial skills.

Membership shall be agreed on an annual basis at the first meeting of the whole governing body in the autumn term.

The Chair of the committee will be elected by the committee at the first meeting in the academy year. No governor employed at the Academy will act as chair to the committee. The Chair of the Finance Committee may not be chair. In the absence of the chair, the committee will elect a temporary replacement from among the governors present at the committee meeting.

Frequency of Meetings

The Committee shall normally meet three times per academic year in line with the Academy Trust's annual cycle of business, and to align with the requirements for filing with the external authorities. These meetings will form part of the Finance, Premises and Health & Safety meetings.

The clerk of the committee will be the Head of Governance.

The quorum is three governors who are members of the committee (or one-tenth of the total number of governors with full voting rights, whichever is the greater).

Staffing Committee

- Make representations to the Finance Committee;
- To ensure that the school has clear HR policies and procedures [having regard to advice from the CES, Diocese and HR Service Provider) which are implemented and operated in school appropriately – including any necessary employee consultation;
- To ensure that school policies and procedures comply with the appropriate equal opportunity and diversity legislation – for example Sex, Race, Disability, Age, Religion & Belief, now covered by the Single Equality Scheme
- To keep under review the staffing structure in consultation with the headteacher and the Finance Committee;
- To achieve the aims of the Whole-School Pay Policy in a fair and equal manner
- To apply the criteria set by the Whole-School Pay Policy in determining the pay of each member of staff at their annual review
- To observe all statutory and contractual obligations
- To minute, clearly, the reasons for all decisions and report a summary of these decisions to the next meeting of the Governing Body as a confidential item
- To recommend to the Governing Body, the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of discretion.
- To keep abreast of relevant developments and to advise the Governing Body when the school's Pay Policy needs to be revised
- To work with the Headteacher in ensuring that the Governing Body complies with the Appraisal Regulations
- To review individual pay decisions in light of representations made by staff within the timescales set by this policy
- To scrutinise temporary re-grading or temporary discretionary payments referred by the Headteacher for ratification
- To keep under review staff work/life balance, working conditions and well-being, including a general overview of absence monitoring;
- To ensure that aspects of safeguarding children, including DBS (formerly CRB) checks for staff and volunteers, are incorporated in to all practices and policies of the school in line with safeguarding children - safer recruitment training undertaken by relevant staff and governors;
- To ensure that the school has an appropriate induction policy/procedure for all staff in school and that this is embedded in practice;
- To review the CPD of staff in relation to the priorities outlined in the School Development Plan
- To make all necessary arrangements for the appointment of the headteacher/deputy headteacher if delegated by the governing body and in consultation with the Diocese.
- To undertake the headteacher's performance management review with advice from the School Improvement Partner (SIP)/external advisor
- To decide, with the support of the SIP/external advisor, whether the targets have been met and to set new targets annually;
- To monitor throughout the year the performance of the headteacher against the targets;
- The Performance Management governor reviewers have the delegated authority to make a decision on the headteacher's pay progression
- To undertake appropriate Governor Performance Management training prior to undertaking the headteacher's performance management process and to remain current with initiatives and legislation through continued training.
- To monitor compliance with the Freedom of Information Act;
- In accordance with Data Protection Act 1998 ensure that the school has issued a Fair Processing Notice to pupils and/or parents summarising the information held about pupils, why it is held, and the third parties to whom it might be passed on. For further information visit <http://www.teachernet.gov.uk/management/atoz/d/dataprocessing> ;

<u>Meetings of the Committee</u>	
Frequency	It is recommended that the Staffing Committee meet in the first half term of the school year with additional meetings as required. Policies may be considered for recommendation to full Governors via email.
Membership	At least 7 governors including the headteacher. The 3 Performance Management Governors are to be members of the Staffing Committee.
Conflict of Interest	Any person employed to work at the school, other than the Headteacher, must withdraw from a meeting at which the pay of any other employee of the school is under consideration. The Headteacher must withdraw from that part of the meeting where the subject of consideration is their own pay
Quorum - Minimum of 4 Governors	

Ethos and Safeguarding Committee

- Consider Reports re: school ethos and monitor the work of the Chaplaincy / Liturgy Group.
- To have a rolling programme of review for subject or curriculum policies, including collective worship and the provision of religious education, sex education and the delivery of PSHCE;
- Monitor and review policy on educational visits and ensure that the policy is adhered to;
- To approve arrangements for pupils to be released for work experience.
- To monitor attendance and exclusion data including targeted groups;
- To review safeguarding and Child Protection policies and procedures.

Meetings of the Committee	
Frequency	Meetings to be held once a term
Membership	At least 4 governors.
Conflict of Interest	None.
Quorum - minimum of 3 governors	

Teaching, Learning and Achievement Committee

- To support the Headteacher in the Self Evaluation of the School
- To review progress on a regular basis against the priorities of the School Development Plan;
- To liaise with the Headteacher/SIP to agree pupil achievement targets in relation to statutory targets (if **delegated** to this Committee by the full Governing Body). The committee should report back to the whole governing body.
- Where instructed by the whole governing body, to review, analyse and report on progression between key stages and in relation to assessment/achievement data in consultation with the headteacher and appropriate staff members;
- To monitor and evaluate pupil performance using comparative data and school pupil tracking systems (including targeted groups e.g. Looked After Children, Young Carers, Ethnic Minority, English as an Additional Language, SEN, Travellers, Refugees, Asylum Seekers, Excluded Pupils);
- To review and monitor policies and procedures that will help all children achieve their potential e.g. looked after children, children with special educational needs, young carers, gifted and talented, etc;
- To consider and approve changes and developments in the curriculum including those which have implications for Finance and Personnel decisions and to make recommendations to the relevant committees or the governing body;
- To consider any complaints re: the curriculum;
- To review the CPD of staff in relation to the priorities outlined in the School Development Plan;
- Investigate and develop opportunities for wider communication e.g. newsletters, school website and the Learning Portal;
- To ensure practices are in place to ascertain the views of learners, parents, carers and other stakeholders e.g. parental satisfaction surveys.

Meetings of the Committee	
Frequency	Meetings to be held once a term
Membership	At least 4 governors.
Conflict of Interest	None.
Quorum - minimum of 3 governors	

Admissions Committee

- To determine within statutory provisions and the governing body policy whether any child should be admitted to the school;
- To act in accordance with the School Admissions Code of Practice regarding consultation on proposed admission arrangements;
- To review admissions arrangements and to make recommendations for changes to the governing body;
- To consider annually any amendment to the school's standard number which is publicised and to propose this to the full governing body;
- To recommend an Admission Policy and oversubscription criteria to the Governing Body;
- The delegated authority to make offers and decisions in accordance with governors agreed Admissions Policy
- To ensure that the Admissions Policy is implemented justly
- To make offers of places in the light of the agreed Admissions Policy and oversubscription criteria;
- To delegate to the Headteacher and one nominated governor the right to make some in-year recommendations re: admission, with subsequent approval by the Admissions Committee;
- Consult the School Admission Appeals Code of Practice if an appeal is made.

Meeting of the Committee	
Frequency	As required.
Membership	5 Governors (It is considered good practice to appoint the headteacher onto any admissions committee)
Conflict of Interest	Any interested party i.e. a relative of the appellant.
Quorum - minimum of 3 governors, committee can determine higher number).	

Hearings Committee

- To consider hearings in the first instance, in line with agreed policies, **where there is a two stage appeal process** otherwise it may be appropriate to go straight to the Appeal Committee;
- Take appropriate guidance from Diocesan and Headteacher;
- To attend training as appropriate.

Meetings of the Committee	
Frequency	As required.
Membership	3 Governors
Conflict of Interest	<ul style="list-style-type: none"> • The headteacher and any governor with prior knowledge of the incident • Staff governors in the event of a staffing issue.
Quorum - minimum of 3 governors	

Appeals Committee

- To consider any appeal which arises from a school staffing policy regarding HR issues e.g. disciplinary, redundancy, capability, grievance etc.
- To consider any complaints against the school/headteacher in accordance with the agreed complaints policy at stages 2 or 3, whichever is applicable;
- To attend training as appropriate.

Meetings of the Committee	
Frequency	As required.
Membership	At least 3 governors, who must be different from those making the original decision (no fewer members than the original committee which made the decision being appealed against)
Conflict of Interest	<ul style="list-style-type: none"> • The headteacher or any member of the committee which made the original decision. • Staff governors in the event of a staffing issue, but staff may be part of a general complaint appeal provided they have no prior involvement.
Quorum - minimum of 3 governors	

Pupil Discipline Committee

- To review the school Behaviour and Discipline Policy;
- The school will refer to current DFE Guidance document “ Exclusion from maintained schools, Academies and pupil referral units in England” September 2012 re: the responsibilities of the governing body with regard to exclusions;
- To consider representations made by parents against the Headteacher’s decision to exclude if applicable.
- Refer to Section 5 and Section 6 of the Guidance re: the governing body’s duties regarding exclusions.
- NB – Extract from September 12 Guidance:

“Only the headteacher of a school can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year) or permanently. A fixed period exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.”

Meetings of the Committee	
Frequency	As required.
Membership	At least 3 governors from a pool of 5 not previously involved and who do not have a connection with the pupil.
Conflict of Interest	The Headteacher or any governor with a connection with the pupil or knowledge of the incident which could affect his/her ability to act impartially.
Quorum - minimum of 3 governors	