



Bradleys Both Primary School Governing Board Standing Orders and Code of Practice

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Standing Orders for procedural workings of the governing board of Bradleys Both Primary School

1. Meetings of the Governing Board

The governing board shall meet a minimum of three times each school year.

2. Chair and vice-chair – Term of Office

The chair and vice-chair shall have a term of office of 1 year. The term shall begin at the first governing board meeting of the autumn term at which the chair and vice-chair are normally elected and shall end at the first meeting of the following autumn term. In the event of the chair and/or vice-chair ceasing to occupy their post(s) part way through their respective term(s) of office then their successor(s) shall serve out the remainder of their predecessor's term.

When the office of chair or vice-chair becomes vacant the governing board must elect a new chair or vice-chair at the next meeting. If the chair is absent from a meeting, or if the chair is vacant, the vice-chair will act as chair for all purposes.

3. Election of chair and vice-chair

The clerk shall take the chair for the item dealing with the election of the chair and, in the event of a failure to elect a chair, for the item dealing with the election of the vice-chair. In

the event of the governing board failing to elect a chair or a vice-chair the governing board shall elect a chair for the meeting. In the event of the governing board failing to elect a chair for the meeting then the meeting shall stand adjourned and the clerk, acting in consultation with the immediate past chair and the head teacher, shall convene a further meeting within 28 days of the adjournment.

4. Election of chair and vice-chair – procedure

The following procedure shall apply to the election of the chair and vice-chair:

- the clerk shall invite nominations from the meeting. A governor may nominate him/herself;
- if only one candidate is nominated that candidate must withdraw from the meeting whilst the remaining governors vote by secret ballot on whether to accept or reject the nominated candidate. In the event of an equality of votes the clerk does not have a casting vote and a "no decision" shall be recorded in the minutes;
- the clerk shall then invite further nominations from the meeting. If a further candidate is nominated but the result is the same, or the candidate is rejected, the clerk shall move on to the election of the vice-chair. The election of the chair shall then be placed as an item on the agenda for the next meeting of the governing board;
- if two candidates are nominated then both nominated candidates shall withdraw from the meeting whilst a secret ballot takes place. The chair shall be elected by a simple majority of the votes cast. In the event of each candidate polling the same number of votes then the successful candidate shall be decided by the toss of a coin;
- if 3 or more candidates are nominated and none of the candidates achieves a simple majority of the votes cast (e.g. 5.3.3.) then there shall be a second secret ballot to try to achieve a candidate with a simple majority (e.g. 6.3.2.) or, failing that, the candidate with the fewest votes (e.g. 5.4.2.) shall be eliminated;
- the unsuccessful candidate may then return to the meeting and a further secret ballot takes place between the two remaining candidates;
- following his/her election the chair shall take over the meeting immediately and conduct the election of the vice-chair using the same procedure.
- if the governing board fails to elect a chair or a vice-chair it shall elect a chair for the meeting;
- if the meeting fails to elect a chair for the meeting then the meeting shall stand adjourned and shall be re-convened within 14 days.

5. Annual calendar of meetings and business

At the first meeting of the autumn term the governing board shall approve a calendar of governing board and committee meetings and of planned business for the ensuing year and the clerk shall, within 14 days of the meeting, provide a copy of the calendar to all members of the governing board.

6. Notice of meetings and agenda

Every member of the governing board shall receive via the Governors Virtual Office the following *at least seven clear days in advance of a meeting*:

- *written notice of the meeting;*
- *a copy of the agenda for the meeting;*
- *a copy of any reports or papers to be considered at the meeting.*

This standing order shall not apply where the chair of the governing board so determines on the ground that there are matters demanding urgent consideration. In that case the written notice of the meeting shall state that fact and the agenda, reports and other papers to be considered at the meeting are received within such shorter period, as the chair shall direct.

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

7. Agenda Items

The final agenda will be sent at least 7 days before the meeting date. With the agreement of the chair of the governing board or of the relevant committee any member of the governing board shall be entitled to include, on the agenda for any governing board or committee meeting, an item(s) on any particular issue provided that written notice thereof is given, as appropriate, to the chair of the governing board, or of the relevant committee and to the clerk at least 7 days prior to the meeting taking place.

8. Quorum

- ***the quorum for a meeting of the governing board shall be not less than 50% of the number of governors in post at the time of the meeting*** or such other number as may be determined from time to time by regulations issued by the Department for Children, Schools and Families;
- ***the quorum for a meeting of any committee of the governing board shall be not less than 50% of the number of governors in post at the time of the meeting;***
- ***associate members shall not be included in the calculation for quorum purposes.***

9. Voting

- every proposition shall be seconded prior to the vote being taken;
- every proposition shall be determined by a show of hands or, at the discretion of the chair of the meeting, by general consensus;
- only those governors at the meeting and present in the room at the time of the proposition being put by the chair shall be entitled to vote; (please note the one exception to this is a vote to change the name of the school where ALL governors would be required to vote and for this reason a proxy vote is allowed, this would also require the school to adopt the 2012 School Governance (Constitution) (England) Regulations)
- in the event of a tied vote the chair shall have a second or casting vote;
- after a proposition is put from the chair, but before the vote is taken, any two governors by show of hands may require that the voting be recorded in the minutes of the meeting to show whether each governor present gave his/her vote for or

against the proposition or abstained from voting. It is recommended that this would be a confidential minute;

- after a proposition is put from the chair, but before the vote is taken, any two governors by show of hands may require that the voting shall be by secret ballot;
- in the event of requisitions for both a secret ballot and a recorded vote then the requisition for the secret ballot shall take precedence and no action shall be taken on the requisition for a recorded vote.

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

10. Confidential Matters

Prior to the consideration of or discussion on any matter on any agenda for a meeting of the governing board or of any committee, consideration shall be given as to whether the matter includes confidential information and the governing board or committee shall determine whether the public or any other person, not being a member of the governing board, should be excluded from the meeting during the consideration of the matter. In the event of any matter being deemed to be confidential then the minutes of the discussion and decision shall be excluded from the minutes of the meeting to be made available for public inspection. This standing order is additional to the requirement for governors to withdraw from a meeting and take no part in the consideration or voting on any item in which they have a declarable interest as required by standing order 18.

11. Minutes of Meetings

The draft minutes of all governing board and committee meetings shall be approved by the chair of the meeting within 14 days of the meeting having taken place. Thereafter the approved draft governing board minutes shall be circulated to all members of the governing board within 21 days of the meeting having taken place. The minutes of committee meetings shall be circulated with the agenda for the next succeeding governing board meeting.

All non-confidential minutes shall be made available for public inspection only after they have been submitted for approval to the next succeeding meeting of the governing board or committee, as appropriate.

12. Record of Attendance

Every governor attending a meeting of the governing board or of any of its committees of which s/he is a member shall sign her/his name in the attendance book or sheet provided for that purpose.

13. Apologies for non-attendance at meetings of the governing board

All apologies together with the reason(s) for non-attendance at a meeting of the governing board shall be submitted to the clerk or to the chair not later than the commencement of the meeting. The governing board shall then determine whether such absence(s) should be treated as a 'consented' or 'non-consented' absence(s) and recorded as such in the minutes of the meeting. The failure to submit an apology shall be deemed to be a 'non-consented' absence and recorded as such in the minutes of the meetings.

14. Disqualification for non-attendance

Any governor, with the exception of the head teacher, who fails to attend any meeting of the governing board for a consecutive period of 6 months without the approval of the governing

board, and such approval being recorded in the minutes, shall be automatically disqualified from serving as a governor. The period of 6 months shall begin from the date of the first meeting missed by the governor. Foundation (but not ex-officio foundation) governors, community governors, partnership governors or sponsor governors so disqualified shall not be eligible for nomination, election or re-appointment as a governor of any category for a period of 12 months immediately following his/her disqualification. Parent or staff governors are eligible for nomination and election (or appointment in the case of parent governors) immediately following their disqualification.

15. Records of the governing board

The clerk to the governing board shall be responsible for maintaining and keeping up to date the records of the governing board which for the purpose of this standing order shall comprise the following:

- the minutes of the meetings of the governing board;
- the record of attendance;
- the register of business interests;
- the record of hospitality/gifts;
- copies of self-declaration forms to confirm that governors are not disqualified for any of the criteria listed;
- any such other records as may be determined from time to time by formal resolution of the governing board:
- records of governor monitoring visits to school;
- the signed and approved Code of Conduct and Standing Orders.

The records of the governing board shall be kept in a secure place provided at the school and shall be available for inspection by the public, members of the governing board, parents of pupils at the school and the Local Authority. Confidential items and confidential minutes shall not be made available for public inspection.

16. Register of business interests

Every governor shall complete the register of business interests within one month of their election/appointment as a governor. Entries in the register shall be updated as and when necessary and in any event annually. In the event of any governor having no registerable business interests then a NIL return shall be recorded for that governor(s).

17. Eligibility

Every governor shall complete the Disqualification and Declaration form to indicate that they are eligible to be a governor at a maintained school. Every governor shall complete an application for an enhanced check to the Disclosure and Barring Service. Refusal to do so disqualifies the refusing governor. Governor DBS records should be held within the school's Single Central Record along with those of all staff and volunteers.

18. Conduct

All Members of the governing board shall abide by the Code of Conduct below and by The Nolan Principles on Public Life as follows:

- **Selflessness** - holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves their family, or their friends;
- **Integrity** - holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties;
- **Objectivity** - in carrying out public business; including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; holders of public office should make choices on merit;
- **Accountability** - holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;
- **Openness** - holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands;
- **Honesty** - holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest;
- **Leadership** -holders of public office should promote and support these principles by leadership and example.

18. Declarations of interest

If any member of the governing board has any interest, whether pecuniary or otherwise, in any item on the agenda for any meeting at which they are present, they shall declare such interest prior to the consideration of that item and shall immediately leave the room and take no part in the consideration of or voting on that item.

19. Urgent action by the chair/vice-chair of the governing board

Where it is not reasonably practical to hold a meeting of the governing board (or of the relevant committee that has the delegated authority to deal with any matter) or where the relevant 7 days' notice of the meeting cannot be given and there will be a delay that would be seriously harmful to the school or to any pupil or member of staff if the matter is not dealt with then the chair (or in his absence the vice-chair) shall have authority to take such action as is deemed appropriate in the circumstances to deal with the matter. Such action must be reported to the next available meeting of the governing board or committee.

20. Financial and other guidance

The governing board and any committee(s) established by it shall, at all times, abide by the North Yorkshire County Council Financial Standing Orders and any directions that may be issued by the Children and Young People's Service (LA) under The Code of Practice on Local Education Authority – School Relations, Ref.: DfEE 0027/2001 and any subsequent amendment thereto. The governing board shall also have regard to and take account of any advice or guidance that may be issued by the LA from time to time.

21. Variation and revocation of standing orders

Any motion to add to, vary or revoke these standing orders unless appearing in full on the agenda for the meeting shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the governing board. Any decision to add to, vary or revoke standing orders shall take effect when specified in the resolution or immediately in default of a time and date being specified.

22. Interpretation of standing orders

The ruling of the chair as to the construction or application of any of these standing orders, or as to any proceedings of the governing board, shall be final and shall not be challenged at any meeting of the governing board or committee.

23. Associate members

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

24. Published information

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

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

Bradleys Both Governing Board will also publish this information for associate members, making clear whether they have voting rights on any of the committees to which they have been appointed.

Any governor failing to provide information to enable the governing board to fulfil their responsibilities may be in breach of the code of practice and as a result be bringing the governing board into disrepute. In such cases Bradleys Both Governing Board will consider suspending the governor.

Code of Conduct

This Code should be read in conjunction with the relevant law and for academies, their articles of association and agreed scheme of delegation. It should be adapted as appropriate depending on the governance setting and level of delegation.

The governing board has the following strategic functions:

Establishing the strategic direction, by:

- Setting and ensuring clarity of vision, values, and objectives for the school(s)/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the lead executive/headteacher (where delegated)
- Monitoring the educational performance of the school/s and progress towards agreed targets
- Performance managing the lead executive/headteacher (where delegated)
- Engaging with stakeholders
- Contributing to school self-evaluation

Overseeing financial performance, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring money is well spent and value for money is obtained
- Ensuring risks to the organisation are managed

As individuals on the board we agree to the following:

Role & Responsibilities

- We understand the purpose of the board and the role of the executive leaders.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing board.
- We will actively support and challenge the executive leaders
- We will accept and respect the difference in roles between the board and staff, ensuring that we work collectively for the benefit of the organisation;
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements;

- We agree to adhere to the school's rules and policies and the procedures of the governing board as set out by the relevant governing documents and law
- When formally speaking or writing in our governing role we will ensure our comments reflect current organisational policy even if they might be different to our personal views;
- when communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation

Commitment

- We acknowledge that accepting office as a governor/trustee/academy committee member involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/s well and respond to opportunities to involve ourselves in school activities.
- We will visit the school/s, with all visits arranged in advance with the senior executive leader/headteacher and undertaken within the framework established by the governing board.
- When visiting the school in a personal capacity (i.e. as a parent or carer), we will maintain our underlying responsibility as a governor/trustee/academy committee member.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the board responsible for appointing us will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (Edubase).

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/trustees/academy committee members, the clerk to the governing board and school staff both in and outside of meetings.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.

- We will seek to develop effective working relationships with the executive leaders, staff and parents, the trust, the local authority and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.
- We will ensure all confidential papers are held and disposed of appropriately.

Conflicts of interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- We accept that the Register of Business Interests will be published on the school/trust's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

Ceasing to be a governor/trustee/academy committee member

- We understand that the requirements relating to confidentiality will continue to apply after a governor/trustee/academy committee member leaves office

Breach of this code of conduct:

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governing board member, such as the vice chair will investigate.