

SCHEME OF DELEGATION

WESTLEA PRIMARY SCHOOL January 2022

This handbook sets out the responsibilities and powers of the Governors and Members to the school to ensure compliance with legal requirements and operation in accordance with the established Articles of Association.

The delegations set out in this handbook are delegated to the specified committees of the Governing Body and post holders employed at the school.

Delegations cannot be exercised other than by the designated person or committee unless otherwise directed or agreed by the Governing Body.

The Full Governing Body notes that it remains accountable for all delegated decisions and that any delegated decisions made or actions taken on its behalf must be reported back to the FGB.

THE FULL GOVERNING BODY (FGB)

1. Composition:

- The Head Teacher
- Up to 3 Parent Governors (and a minimum of 2)
- Up to 2 Staff Governors - one teacher staff and one non-teaching staff (in addition to the Head Teacher)
- 1 representative from the SRP
- Up to 3 Appointed Governors
- 5 Co-opted Governors
- 1 Clerk (non-voting)

2. Appointing the Chair

The Governing Body will elect a Chairperson and Vice Chairperson at the first meeting of each school year for that school year. (*Employees at the school are not eligible for election.*) The Clerk will chair the meeting for the duration of the election of chair and Vice Chair and conduct the election. Governors will be invited to nominate themselves and/or others prior to the meeting. Nominations can also be made within the meeting. Appointment of Chairperson and Vice Chairperson will be made by a show of hands, whilst those nominated can be asked to leave the room.

3. Membership and Quorum

The quorum for any meeting of FGB shall be one half of all Governors. For all other Governor committees, quorum shall be any three Governors, or, where greater, a third of the total number of Governors appointed to the specific committee. There are 3 exceptions to this: appointment of a Parent Governor; removal of a Governor; or removal of the Chair to Governors, which all require two-thirds of all Governors to vote.

The FGB shall meet at least 3 times in any school year.

The total number of Governors (including the Head Teacher) who are employees of the school AND Academy Trust shall not exceed one-third of the total number of Governors.

The Governing Body has resolved to have the same term of office for all categories of governors and the agreed term is 4 years (with the exception of Head Teacher).

In addition to the Governors, there are 'Members' to the school – who are the original subscribers to the Memorandum of Association.

4. VACANCIES /ELECTING GOVERNORS

When a vacancy occurs on the Governing Body, the Clerk to Governors will inform Governor Support and advise the governors on what action to take.

Governors are elected in various ways:

- Parent Governors are elected through nominations from other parents/guardians following the procedures laid out by Governor Support. This has been delegated to the Clerk to Governors. Disqualification criteria will be given with all nomination forms. In the event that the number of parents standing for election is less than the number of vacancies, the Governing Body can appoint a Parent Governor (who must be a parent of a registered pupil at the Academy, or the parent of child of compulsory school age).
- Co-opted Governors are elected by the Full Governing Body.
- Staff Governors are elected following set guidelines from Governor Support.
- Appointed Governors are appointed by consensus of all Members.
- Members are also accountable for the appointment of an SRP representative.

5. RECRUITING CLERKS

The Governing Body will appoint the Clerk to the Governing Body referring to the Governor Support Recruitment Toolkit. Neither Governors nor the Head Teacher of the school can be appointed as Clerk to the Governing Body.

6. COMMUNICATION

The majority of communication is managed via e-mail and through use of Governor Hub from the Clerk of Governors or other relevant party. Agenda's for all meetings are drafted by the Clerk and agreed by the Head Teacher and relevant committee chair. They are distributed to all members of the Governing Body or committee 7 days prior to any meeting, along with any supporting documents required. Minutes are produced by the Clerk and agreed by the chair of the committee or Chair of Governors for FGB meetings, within 10 days of said meeting. Upon agreement by the relevant chair, minutes are circulated to the assigned committee Governors with a copy always being sent to the Chair of Governors. Once approved, minutes shall be signed at the next subsequent meeting by the person acting as chair.

7. WITHDRAWAL FROM MEETINGS

- A governor may be asked (or may ask) to leave a meeting if there is a conflict of interest or pecuniary interest declared at the start of the meeting.
- If there is a disagreement about whether a person is required to withdraw from a meeting, it is for the other members of that meeting to make the decision

8. PUBLICATION OF GOVERNOR'S DETAILS

- The Governing Body is required to publish the Articles of Association for the school along with information about its membership on the school website and Governor membership is to be published on Get Information About Schools. The information should, as a minimum, include for each governor:

- name;
- category of governor;

- term of office;
- any committees the governor serves on; and
- details of any positions of responsibility such as chair or vice-chair of the Governing Body or a committee of the Governing Body
- Conflicts of Interest

9. CODE OF CONDUCT

The Governing Body agrees to adopt the school Code of Conduct and review annually at the start new academic year thereafter.

10. CONFIDENTIALITY

- Governors will observe complete confidentiality when required or asked to do so by the Governing Body, especially regarding matters concerning individual staff or students;
- As a matter of trust, Governors will not discuss the views of fellow governors with members of the public outside of meetings;
- Governors will be circumspect if any discussion of a potentially contentious matter affecting the school arises outside of the governing body.

11. ATTENDANCE

- The Governing Body expects Governors to make every effort to attend all meetings. Should a Governor be unable to attend then they are required to give apologies via the Clerk wherever possible. The Governing Body will consider whether to accept apologies at each meeting. A Governor shall cease to hold office if he is absent from all meetings held within a six month period AND the Governors agree that this office should therefore be vacated.
- A Register of Attendance will be maintained for all meetings. This will also be published on the school website.
- Any Governor may be able to participate in meetings of the Governors by telephone or video conference provided that he has given notice of such intention at least 48 hours before the meeting.
- Other representative or subject-matter experts may be invited to attend individual meetings, according to the agenda, or to be a permanent member of a Committee. See more information on 'Voting' below.

12. VOTING

If a decision needs to be voted upon, all Governors are entitled vote, as long as they are present, a member of the relevant committee, AND have not declared any conflict of interest. In relation to committees including subject matter experts or non-Governor members, the Governors of such committee shall decide whether some or all of these members are entitled to vote in any proceedings of the committee.

13. MEMBER DUTIES AND VOTING RIGHTS

- Under the AofA, In the AoA for the school, a Member is defined in accordance with Article 112 of the 2006 Companies Act Article 112:

Article 112 of the Companies Act -The members of a company
(1) The subscribers of a company's memorandum are deemed to have agreed to become members of the company, and on its registration become members and must be entered as such in its register of members.

(2) Every other person who agrees to become a member of a company, and whose name is entered in its register of members, is a member of the company.

Westlea School shall have Members who are the initial subscribers to the Memorandum of Association or anyone subsequently appointed by Special Resolution by existing Members. Members of the Academy Trust must be ~~(a) the Link Academies Collaborative Trust,~~ (b) the Chair of Governors, and (c) any person subsequently appointed.

- Each person nominated to be Member of the Academy shall sign a written consent.
- The number of Members to the Academy can never be less than three (unless accompanied by the appointment of a replacement Member).
- In terms of voting rights, any Member vote requires 75% of the Members to exercise their vote.
- In relation to Governor appointments:

Articles 46a and 50 state that Members are accountable for the appointment of 'Appointed Governors' (MC).

Article 52 states that the Governor representative of the SRP must be made by Members (SS).

14. COMMITTEE STRUCTURE

- All Governors are expected to be a member of at least one committee, in the event there are more than one. In addition to the FGB (Full Governing Body), the agreed structure of committees is as follows:

- Finance

Further details are set out in Appendix B.

- The terms of reference for these committees is documented within this Scheme of Delegation, showing delegated powers, and is reviewed at least once every 12 months (Appendix A).
- The membership of any committee may include persons who are not Governors, provided that the majority of members of the committee are Governors.
- Each committee will meet at least once every two terms (three times per year) and otherwise as required, using the meeting planner as a guide to agenda setting (Appendix D).
- The committee will report to each meeting of the Full Governing Body.
- Each committee will elect a Chairperson and Vice Chairperson at the beginning of each school year for that school year. The Chair of Governors can also Chair any or all of the Committees (subject to election).
- Seven day's notice should be given of any committee meeting, which must be clerked by one of their members (not the Head Teacher or Chair), or by the Clerk to Governors.
- The committee Clerk (normally the Clerk to Governors) will be responsible for arranging and distributing agendas and minutes plus any supporting documentation required and following up agreed actions. Committee minutes (using a standard pro-forma and listing those present and who has chaired the meeting) must be approved by the Chair of the Committee and be circulated to all members of the Committee, cc'd to the Chair of Governors. Wherever feasible, documentation for all meetings are stored on GovernorHub.

In addition, there are a number of specialist/link governors covering ICT, SEND, PE and Sports, Numeracy, Literacy and Child Protection & Safeguarding.

15. OPEN MEETINGS AND CONFIDENTIALITY

- The governing body agrees that neither its FGB nor meetings of its committees shall be open to the public.
- By agreement of the Head Teacher and Chair of Governors, members of the public may be invited to attend all or part of any meeting (subject to confidentiality of the agenda).
- In the interests of transparency, the governing body agrees to keep confidential minutes to a minimum. As a minimum copies of minutes of FGB meetings (in PDF format, redacted as required) on the school website.

16. GOVERNOR VISITS TO THE SCHOOL

There is an expectation that the governors will visit the school at least 3 times in any academic year during school hours in order to experience the variety of activities that go on at the school. It is important that any visit is arranged in the correct manner to ensure that the visit is productive for the Governor and that staff are aware of the arrangements in order to assist in making the visit a valuable experience for all involved. Governor visits are managed via an annual plan and confirmed prior to attendance with the Head Teacher.

APPENDIX A – COMMITTEES AND SCHEME OF DELEGATION

FULL GOVERNING BODY

Minutes Clerk to Governors

Quorum – Half the total number of Governors in post

Terms of Reference:

- To recruit new members as vacancies arise and to appoint new governors where appropriate
- To hold at least three Governing Body meetings a year
- To appoint or remove the Chair and Vice Chair
- To appoint or remove the Clerk to the Governing Body
- To establish the committees of the Governing Body and their terms of reference
- To suspend a governor
- To decide which functions of the Governing Body will be delegated to committees, groups and individuals
- To receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Governing Body is necessary
- 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
- To own and review LAC status and performance
- To own and review Safeguarding Policy, training, reports and implementation
- To review the delegation arrangements annually
- To agree the School Development Plan, annually
- Members Vote: Receive Accounts and appoint auditors for the following year.

FINANCE

Composition and membership See Appendix B

Minutes - Clerk to Governors

Quorum – a minimum of three Governors (at least 1 non staff member)

- To establish and maintain an up to date 3 year financial plan, taking into account priorities of the school, roll projection, and signals from central and government and the LA regarding future years budgets, within the constraints of information available
- To consider a budget position statement at least three times in an academic year and to report significant variations from the anticipated position to the Full Governing Body.
- To ensure that the school operates within the Financial Regulations of the EFA.
- To monitor income and expenditure throughout the year of all funds (including those that are delegated and devolved) against the annual budget plan.
- To annually review charges and remissions policies and expenses policies.
- To make decisions in respect of service agreements.
- To approve any budgetary adjustments that will, from time to time, be necessary in response to the evolving requirements of the school.
- To make decisions on expenditure following recommendations from other committees.
- To own and agree investment priorities for the school, as informed by other committees.
- To oversee income generation opportunities and evaluate charging rates/
- To determine whether sufficient funds are available for pay increments as recommended by the Head Teacher.
- To prepare the Trustee Report to form part of the Statutory Accounts of the governing body and for filing in accordance with Companies Act requirements.

- To receive auditors reports and to recommend the governing body action as appropriate in response to audit findings.
- To recommend to the FGB the appointment or re-appointment of the auditors.
- Single item expenditure limits as follows:
 - Head £1000
 - Finance Committee £10000
 - FGB >£10000

COMMITTEE MEMBERSHIP AND LINK ROLES
Appendix B & C

From September 2021

The Committees need three governors to be quorate

FINANCE

Bob Barrett
 Abdul Amin
 Nigel Green (Chair)
 Jayne Dickinson
 Sarah Sumner

FGB

Nigel Green (Chair)
 Holly Coe (Vice Chair)

Link Governors	
Sarah Sumner	Healthy Schools
	ICT
Abdul Amin	Numeracy
Abdul Amin	Literacy / Dyslexia
Bob Barrett	PE & Sport
	SEND
	Looked After Children
Bob Barrett	Child Protection
Bob Barrett	Safeguarding
Sarah Sumner	SRP

Teaching Leads	
Leatham Bagley	ICT & E-Safety
Alex Watson	Numeracy
Emma Mundy	Humanities and English
Alex O'Brien	Humanities and RE
Lou Edmonds	SENCO/PP/LAC
Lesley Ponsonby	EYFS/Nursery
Sarah Green	EYFS
Lou Edmonds	More Able Pupils
Jess Webster	MFL and English
Craig Breeze	PE and Science
Sarah Sumner	Curriculum/Safeguarding/Healthy Schools
Dawn Batchelor	Music and Science

