

Stroud & Cotswold Alternative Provision School
Management Committee and Committees Terms of Reference
January 2018

1 Purpose

1. Regulations require local authorities to establish **Management Committees** to run pupil referral units in their area, to make provision for the constitution (including composition) and procedures of management committees, and to delegate specific powers to management committees. The management committee must have a strategic role setting out and monitoring the aims and objectives of the unit to ensure children are safe, have their needs met and receive a good standard of education.
2. Members of the Management Committee will be referred to as **Governors**.

2 Constitution

The Management Committee will contain at least:

1. 1 Parent member
2. 2 Staff members
3. 1 Local authority appointed member
4. 7 Community Members (DfE guidance states that “*when appointing a community member the management committee ...should first seek to appoint a representative of a school*” and that *Community members “must outnumber all of the other members”*)

The normal term of office of a member of the Management Committee will be four years.

3 Quorums

The Management Committee and other Committees will be quorate if one half of committee members are present.

4 Election of Chair and Vice Chair

The election of chair and vice chair will be conducted by the following process:

- *Members will be able to submit written nominations prior to the full Steering Group meeting and verbal nominations at the meeting. A governor can nominate him/herself and does not need to be present at the meeting to be considered.*
- *The clerk takes the chair for this agenda item, but does not have a vote.*
- *A ballot will be conducted even where there is only one nominee.*
- *The nominee(s) will be asked to leave the room whilst the election process takes place.*
- *The remaining members (as long as the meeting remains quorate) will take a vote by a show of hands/a secret ballot (delete as agreed). If by secret ballot, the clerk will tally the votes. If the meeting has become inquorate the election must be abandoned and postponed to a new meeting convened at the earliest opportunity.*

- *The nominee(s) will return to the meeting.*
- *The clerk will announce the result, with the nominee polling the majority of votes being duly elected.*

If there is a tie the process is repeated until a nominee polls a majority of votes in their favour.

The positions of Chair and Vice Chair will be elected annually at the first Management Committee meeting of the academic year.

5 Individual Governor Responsibilities

The Management Committee will assign an individual Governor to have responsibility and oversight for the following areas:

1. Safeguarding
2. Looked After Children
3. Special Educational Needs
4. Health and Safety
5. Financial Controls and School Budgets
6. Standards

The Chair of the Management Committee will act as the first point of contact for the Alternative Provision School.

6 Committees

It will be for the Management Committee to decide whether or not to establish committees. If committees are established, appropriate Terms of reference will need to be adopted for each committee.

7 Jurisdiction

The SCAPS Management Committee will take responsibility for overseeing Gloucestershire’s Alternative Provision Schools as set out below

School	Stroud and Cotswolds Alternative Provision School
Centres	Belle Vue
	Ryeleaze

8 The Management Committee Terms of Reference

1. To determine the strategic direction of the Alternative Provision School by agreeing Aims and Objectives
2. To draw up the instrument of government and any amendments thereafter
3. To monitor and evaluate the performance of the school by receiving reports from the Head Teacher (HT)
4. To agree constitutional matters, including procedures where the Management Committee (MC) has discretion

5. To consider whether or not to exercise delegation of functions to individuals or committees and to establish the committee terms of reference
6. To receive reports and ratify recommendations from committees or from individual governors
7. To consider business provided by the LA
8. To send representatives to the Gloucestershire Alternative Provision Schools Steering Group and to report back on recommendations, advice and guidance from the Steering Group
9. To agree selection panel for the appointment of a head teacher
10. To appoint or remove the chair and vice chair
11. To appoint or dismiss the clerk
12. To hold at least 3 Management Committee meetings a year
13. To set up a register of members' business interests
14. To recruit and appoint new governors where appropriate
15. To suspend a governor
16. To manage the school budget and consider proposed revisions to the budget
17. To decide whether to delegate power to spend the delegated budget to the head teacher and if so establish financial limits of delegated authority
18. To investigate any financial irregularities
19. To ensure a policy review cycle is in place
20. To carry out the performance management of the head teacher and monitor the performance management of staff

9 The Management Committee's Safeguarding Responsibilities

1. To ensure that the school follows the appropriate Safeguarding Guidelines
2. To regularly review the single central record
3. To comply with the Health and Safety Policy, including the monitoring and review of procedures
4. To ensure that adequate resources are available to fulfil the aims and objectives of the above policy
5. To ensure that actions are taken in respect of relevant health and safety legislation
6. To advise the governing body on priorities, including health and safety and maintenance and development of the premises
7. To oversee arrangements for repairs and maintenance of the premises
8. To make recommendations on premises related expenditure
9. To consider work-life balance, working conditions and well-being, including the monitoring of absence
10. In consultation with the head to oversee premises-related funding bids
11. To oversee arrangements, including health and safety, for the use of premises by outside users
12. To monitor the effectiveness of services provided through relevant SLA's and contracts
13. To receive health and safety reports
14. To ensure a termly health and safety tour is conducted
15. To receive reports on the condition of buildings and school environment.
16. To examine the accident report book for staff and pupils
17. To receive termly reports on the fire evacuation procedures
18. To consider tenders for work
19. To attend training as appropriate
20. Any items which individual governing bodies may wish to include

Review, Ratify or Approve

- To approve staff development dates
- To approve the Statement of Internal Control
- To review delegated spending limits
- To approve the first formal budget plan of the financial year
- To approve the Safeguarding Policy
- To approve a Health and Safety Policy
- To establish and review an Asset Management Plan
- To establish and review an Accessibility Plan
- To approve the Annual Audit
- To approve high risk educational visits

Agenda Model (Full Management Committee)

Autumn	Spring	Summer
<ul style="list-style-type: none"> • Apologies • Declaration of Interests • Election of Chair • Election of Vice Chair • Minutes & Matters Arising • Terms of Reference • Safeguarding • Committee Reports • EHT Report • Budget Report • Policy Review Schedule • LA Reports • Key Calendar Dates • Any Other Business • Dates & Times of meetings 	<ul style="list-style-type: none"> • Apologies • Declaration of Interests • Membership • Minutes & Matters Arising • Safeguarding • Committee Reports • Governor Monitoring Reports • HT Report (+ progress towards targets, SIP update) • Budget Preparation/SLA's • Policy Review • Governor Training • Staff Development Dates • LA Reports • Any Other Business • Dates & Times 	<ul style="list-style-type: none"> • Apologies • Declaration of Interests • School Improvement Report to Governors • Membership • Minutes & Matters Arising • Safeguarding • Committee Reports • Governor Monitoring Reports • HT Report (SIP Update, annual safeguarding report) • Approval of Budget & School Fund, Statement of Internal Control • GB self review • Policy Review • Governor Training • Staff Development Dates • LA Reports • Any Other Business • Dates & Times

Safeguarding Specifics

Autumn	Spring	Summer
<ul style="list-style-type: none"> • Notification of educational visits 	<ul style="list-style-type: none"> • Notification of educational visits 	<ul style="list-style-type: none"> • Notification of educational visits

<ul style="list-style-type: none"> • Examination of fire evacuation report • Examination of accident report book • Receive health and safety report 	<ul style="list-style-type: none"> • Examination of Fire Evacuation report • Examination of Accident report Book • Receive health and safety report • Organise annual health and safety visit 	<ul style="list-style-type: none"> • Examination of fire evacuation report • Examination of accident report book • Receive health and safety report
--	---	--

Head Teacher Appointments

- To shortlist, interview and recommend to the full governing body for appointment, one of the applicants interviewed

Review, Ratify or Approve

None

Disqualification - None

Staff governors can participate in appointments but they may be deemed to have a vested interest and therefore may be asked not to participate in senior team appointment

10 Model Finance and Staffing Terms of Reference

1. To determine staffing levels
2. To ensure safeguarding procedures are in place and one governor has completed the safeguarding training along with the Headteacher
3. To draft job descriptions
4. To consider pay awards (through the Pay Panel)
5. To conduct agreed arrangements for recruitment and selection
6. Appointment of teaching and non-teaching staff (unless delegated to a separate committee or head)
7. To conduct dismissal procedures (dismissal of staff delegated to HT and one or more governors; dismissal of HT ratified by full MC)
8. To suspend or end suspension of staff
9. To consider, adopt or adapt LA advice on procedures and practice
10. To approve leave of absence (where not delegated to the HT)
11. To receive reports and monitor status of any staffing issues
12. To select staff for removal from the staffing structure and to oversee the process leading to staff reductions
13. To consult with teacher associations and trade unions as appropriate
14. To manage and decide how to spend the delegated budget.
15. To approve the draft of the first formal budget plan of the financial year
16. To determine lettings charges for other users of the school buildings and grounds
17. To manage tendering processes and the awarding of contracts
18. To implement pay policies
19. To consider early retirement requests
20. To consider requests for secondment
21. To consider requests for disposal of obsolete stock

22. To establish and maintain a three year financial plan
23. To annually consider whether to spend a proportion of the delegated budget on the provision of community facilities
24. To consider termly budget position statements including virement decisions and to report anomalies to the full MC
25. To ensure that the school operates within the Financial Regulations of Gloucestershire County Council
26. To monitor expenditure of all voluntary funds kept on behalf of the MC
27. To make decisions on expenditure following recommendations from other committees
28. To publish proposals to change category of school
29. To consider SLA's and contracts and to monitor the effectiveness of services in consultation with appropriate committees
30. To consider future pupil rolls and income levels
31. To attend training were appropriate
32. To form a Pay Panel of 3 Governors

Review, Ratify or Approve

- To approve allegations against staff policy
- To approve the rarely cover policy
- To agree and conduct procedures for capability, discipline, grievance, attendance, whistle blowing and staff welfare issues
- To approve the budget management policy
- To annually review benchmarking data
- To regularly complete governor competencies audit
- To review the Freedom of Information Act Publication Scheme
- To review staffing structures
- To agree and review annually the performance management policy ensuring all staff have been consulted
- To review salary for HT
- To review the pay policy
- To annually review staff salaries
- To establish and review a Governor Allowance Policy

Disqualification - Any relevant person employed to work at the school other than as the head, when the subject for consideration is the pay or performance review of any person employed to work at the school

11 The Pay Panel (A Panel of Three Governors)

Head Teacher Performance Review

- To discuss and agree the head's performance targets
- To decide whether the targets have been met and to set new targets annually
- To monitor through the year the performance of the head against the targets
- To make recommendations to the Finance and Staffing Committee in respect of pay awards for the successful meeting of targets

To approve all staff pay awards within the prescribed timescales

Agenda Model (Finance and Staffing)

Autumn	Spring	Summer
<ul style="list-style-type: none"> • Declaration of Interests • Elect Chair and Vice Chair • HT 's Report • Business Manager's Report • Review Performance Management arrangements • Annual Pay Review for EHT & OH • Review Policies in accordance with the agreed cycle • Review individual school range • Monitor SLA's • Prepare for SFVS (if applicable) • Review buyback across the service 	<ul style="list-style-type: none"> • Declaration of Interests • Business Manager's Report • PM arrangements for staff • Review staff and governor development against SIP • Review pupil numbers forecast • Prepare draft budget • Consider SLA's • Monitor SLA's • Review Governor Allowances Policy • To formulate the buyback offer 	<ul style="list-style-type: none"> • Declaration of Interests • Business Manager's Report • Review PM arrangements • Succession planning for staff & governors • Review delegated spending limits • Complete asset management plan • Consider outturn • Approve disposal of obsolete resources • Monitor SLA's • Review Budget Management Policy • Governor competencies audit • Benchmarking • Whistle Blowing Policy • Review delegated spending limits

12 Model Standards Terms of Reference

1. To monitor and review pupil and school performance, attendance and behaviour
2. To monitor all exclusion data
3. To benchmark the school's performance against other providers nationally and locally
4. To advise the MC on appropriate school performance targets
5. To ensure that Performance Management supports the improvement of Teaching and Learning
6. To participate in school self-evaluation
7. To set the times of school sessions
8. To ensure provision of free school meals to those pupils meeting criteria
9. To review home-school agreements
10. To discharge duties in respect of pupils with special needs by appointing a "responsible person"
11. To ensure the National Curriculum is taught to all pupils and to consider any disapplication
12. To consider and approve admissions arrangements
13. To consider relevant SLA's and contracts
14. To be involved in an Ofsted Inspection or any other Review of Performance
15. To assist in the development of, monitor and review the School Improvement Plan
16. To contribute to the MC self review

17. To consider curriculum complaints
18. To attend training as appropriate
19. Additional items which the MC may wish to include

Review, Ratify or Approve

- Behaviour, Exclusion and Discipline Policy
- Homework Policy
- Curriculum Policy
- Equal Opportunities Policy
- RE Policy
- Race Equality Policy
- SEN Policy
- Gifted and Talented Pupils Policy
- Sex and Relationships Education Policy
- Disability Equality Duty
- Early Years Foundation Stage Policy
- Gender Equality Policy

Disqualification - None

Agenda Model (Standards Committee)

Autumn	Spring	Summer
<ul style="list-style-type: none"> • Declaration of Interests • Elect Chair and Vice Chair • HT's Report • Receive update on Performance Management Arrangements • Set Performance Targets • Arrange to review policies in accordance with agreed cycle • Review self evaluation • Receive and agree SIP 	<ul style="list-style-type: none"> • Declaration of Interests • HT's Report • Review policies in accordance with agreed cycle • Review school prospectus • Review self evaluation sections 	<ul style="list-style-type: none"> • Declaration of Interests • HT's Report • Review policies in accordance with agreed cycle • Review home school agreement/parent handbook • Review SIP • Review self evaluation • Governing Body Self Review • Safeguarding Annual Report from Safeguarding link governor

13 Pupil Discipline Committee Terms of Reference (as required)

1. To consider representations from parents in the case of exclusions of five days or less in one term (committee may not re-instate)

2. To consider representations from parents in the case of exclusions totalling more than five but not more than 15 school days in one term (meeting to be held between 6th and 50th school days after receiving notice of the exclusion – only if the parent requests the meeting)
3. To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (meeting to be held between 6th and 15th school days after receiving notice of the exclusion)

Review, Ratify or Approve - None

Disqualification - Head or any governor with prior knowledge of the pupil or the incident

14 Appeals and Complaints Committee Terms of Reference (as required)

1. To consider appeals against the decision of the HT or committees
2. To consider any complaints against the school in accordance with the agreed Complaints Procedure
3. To consider appeals against Committee or MC decisions
4. To attend training as appropriate

Review, Ratify or Approve

- To approve a Complaints Policy
- To approve an appeals policy

Disqualification - Head or any member of the committee who made the original decision

15 The Delegation Plan

This planner shows to which level the governing body may legally delegate functions

KEY

Level 1: Management Committee

Level 2: A committee

Level 3: An individual Governor

Level 4: Head Teacher

Tick: Suggested delegation

Although decisions may be delegated, the Management Committee as a whole remains responsible for any decision made under delegation

			Decision Level			
Key Function	No	Tasks	1	2	3	4
Budgets	1	To approve the first formal budget plan each financial year	√			
	2	To monitor monthly expenditure.		√		

	3	To establish a charging and remissions policy		√		
	4	Miscellaneous financial decisions				√
	5	To enter into contracts (MC will wish to agree financial limits)		√		
	6	To make payments				√
Staffing	7	HT appointments (delegated panel and ratified by MC)		√		
	8	Senior Staff appointments (delegated panel and ratified by MC)		√		
	9	Appoint other teachers				√
	10	Appoint non teaching staff				√
	11	Agree a pay policy		√		
	12	Pay discretions		√		
	13	Establishing disciplinary/capability procedures		√		
	15	Dismissal of staff		√		
	17	Suspending staff		√		

Key Function	N o	Tasks	Decision Level			
			1	2	3	4
	19	Ending suspension		√		
	20	Determining staffing levels		√		
	22	Determining dismissal payments/ early retirement		√		
Curriculum	23	Ensure National Curriculum (NC) taught to all pupils and to consider any disapplication for pupil(s)		√		
	24	To establish and implement a curriculum policy				√
	26	To agree or reject and monitor curriculum policy		√		
	27	Responsible for standards of teaching				√
	28	To decide which subject options should be taught having regard to resources, and		√		

		implement provision for flexibility in the curriculum (including activities outside school day)				
	29	Responsibility for individual child's education				√
	30	Provision of sex education – to establish and keep up to date a written policy		√		
	31	To prohibit political indoctrination and ensuring the balanced treatment of political issues		√		
	32	To establish a charging and remissions policy for activities (non NC based)		√		
Performance Management	33	To formulate an Appraisal policy		√		
	36	To review annually the Appraisal policy		√		
Target Setting	37	To set and publish targets for pupil achievement	√			

			Decision Level			
Key Function	No	Tasks	1	2	3	4
Discipline/ Exclusions	38	To establish a discipline policy		√		
	39	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination. (Can be delegated to chair/vice-chair in cases of urgency)		√		
	40	To direct reinstatement of excluded pupils (Can be delegated to chair/vice-chair in cases of urgency)		√		
Religious Education	47	Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools) NB this must fall into line with locally agreed syllabus		√		
	48	Decision to revert to previous RE syllabus (Foundation Schools except VA of religious character)		√		
	49	Decision to provide RE according to trust deed/specified denomination in VA schools with religious character (Foundation and VC schools of religious character at request of parents)				√
	50	Decision to provide RE in line with locally agreed syllabus (VA schools – only if parents				√

		request it. All other schools not covered in 49 above)				
--	--	--	--	--	--	--

			Decision Level			
Key Function	No	Tasks	1	2	3	4
Premises and Insurance	55	Buildings insurance and personal liability– MC to seek advice from LA, diocese or trustees where appropriate (it is suggested that the GB as a whole should be involved in this decision)	√			
	56	Developing school buildings strategy or master plan and contributing as required to LA Asset Management Planning arrangements (it is suggested that the MC as a whole should undertake this decision)		√		
	57	Procuring and maintaining buildings, including developing properly funded maintenance plan		√		
Health and Safety	58	To institute a health and safety policy	√			
	59	To ensure that health and safety regulations are followed				√
School Organisation	60	To publish proposals to change category of school	√			
	61	Proposal to alter or discontinue voluntary foundation or foundation special school	√			
	62	To set the times of school sessions and the dates of school terms and holidays except in community and VC schools where it is the LA	√			
	63	To ensure that the school meets for 380 sessions in a school year	√			
Information For Parents	65	To ensure provision of free school meals to those pupils meeting the criteria				√
	66	Adoption and review of home-school agreements		√		

			Decision Level			
Key Function	No	Tasks	1	2	3	4
MC Procedures	67	To draw up instrument of government and any amendments thereafter	√			
	68	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body	√			
	69	To appoint and dismiss the clerk to the governors	√			

	70	To hold a Management Committee meeting at least three times in a school year	√			
	71	To appoint and remove community governors.	√			
	72	To set up a Register of Governors' Business Interests	√			
	73	To approve and set up a Governors Expenses Scheme		√		
	74	To discharge duties in respect of pupils with special needs by appointing a "responsible person"		√		
	75	To consider whether or not to exercise delegation of functions to individuals or committees	√			
	76	To regulate the MC procedures (where not set out in law)	√			

*Although these tasks are open to delegation under the Education (School Government) (Terms of Reference) (England) Regulations 2003, the expectation would be that these decisions would be undertaken by the MC.

16 Expectations of Governors

Mutual understanding and cooperation leads to a more successful Management Committee.

The Management Committee expects the school to:

1. understand and respect its statutory role and purpose
2. recognise the shared commitment to school improvement and securing the best outcomes for every child
3. respect governors as volunteers who bring other skills, experiences and perspectives, and value their contribution
4. work openly with the Management Committee and provide clear, concise and relevant information on which to base decisions
5. enable all governors to become involved in the life of the school
6. contribute to the induction, training and development of governors
7. ensure that where educational jargon is unavoidable it is at least explained

The school expects the Management Committee to:

1. respect the professional expertise of the Head Teacher and staff
2. work openly in partnership with the Head Teacher and staff for the benefit of the school and its pupils
3. demonstrate its commitment, collectively and individually
4. act and take decisions that are in the best interests of the school and not those of self, individuals or groups
5. support the school with parents and in the community
6. recognise the need for both governor induction and ongoing training and development

The expectation of individual governors is that they will:

1. support the decisions of the Management Committee and other Committees
2. enhance the work of the Management Committee to enable a strong focus on raising standards, so that every child achieves their potential
3. demonstrate their commitment by getting to know the school and becoming involved in school life and activities
4. take personal responsibility for their ongoing training and development
5. prepare for meetings so they are well informed, having at minimum read all of the papers sent out with the agenda
6. attend meetings (management committee/committees/working group) and play an active part
7. support the school with parents and in the community
8. recognise the corporate status of the governing body and the concept of collective responsibility
9. respect confidentiality and the need to act with circumspection