



APPENDICES TO THE ARTICLES OF ASSOCIATION

Mission Statement

Christ is our teacher.

Here at St Bernard's we believe that all persons are created by God, unique and equal. We strive to create a caring Christian community in which we provide education based on Gospel values where all people reach their full potential. We aim to develop positive relationships with every individual and family, the parishes and the wider community.

"I have come that they may have life and have it to the full" John 10:10

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Reviewed by:	S Graham, A Senior and V Smith October 2016
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Approved at:	Full Governing Body Meeting, 24 th November 2016
Signed:	Austin Senior, Chair of Governors

GOVERNING BODY PROCEDURES

(Appendix 1, in conjunction with the Articles of Association)

1. Introduction

1.1 The Regulations on governing body procedures give governing bodies greater flexibility to determine their own working arrangements whilst maintaining some essential safeguards. This document provides a clear definition of the arrangements that have been agreed by the governing body of the school by identifying how the business of the governing body should be conducted. The agreed procedures aim to provide clarity, thereby avoiding confusion and delay for the Headteacher, all Governors and the Clerk to ensure that the governing body fulfils its legal obligations.

2. Context

2.1 These procedures should be used in conjunction with the relevant statutory documents, Articles of Association, Headteacher's Contract and Conditions of Employment, general advice issued by the DfE and instructions from the Secretary of State.

2.2 The procedures identify how the business of the governing body will be conducted, and these should be read in conjunction with the adopted Code of Conduct for School Governors and Articles of Association, which identify the principles by which individual members of the governing body will operate.

3. Composition of the Governing Body

3.1 The composition of the governing body will be decided in accordance with the Articles of Association.

4. Election of Chair and Vice Chair

4.1 The method for nominating any governor wishing to stand for election to the position of either Chair or Vice Chair will be self-nomination. Nominations will be invited at the meeting and in advance of that meeting.

4.2 Voting for either position will be secret ballot in contested elections only and by show of hands uncontested elections. In the event of a tie, the outcome will be determined by tossing a coin.

5. Clerk to the Governing Body

5.1 The governing body shall appoint a Clerk to the governing body, who must not be a governor at the school, an associate member of the governing body or the Headteacher of the school.

5.2 The process for appointing a Clerk to the governing body will be delegated to Headteacher for ratification at a full governing body meeting.

5.3 If the Clerk to the governing body fails to attend a meeting, the governing body reserve the right to appoint a governor to act as clerk for the purposes of that meeting.

6. Calendar of Meetings

6.1 The governing body will meet at least three times per school year, and as a minimum will meet at least once per term.

7. Timing of Meetings

7.1 Meetings will start at times that are acceptable to the full governing body and will be limited to three hours duration.

7.2 Where business has not been completed within the time stated in paragraph 7.1 above, those present at a meeting may resolve to extend the meeting for a given time in order to deal with specified business.

8. Agenda

8.1 The agenda will be organised by the Clerk in consultation with the Chair and the Headteacher together, and distributed with relevant paperwork 14 days prior to the Full Governing Body meeting.

8.2 Individual governors, or groups of governors, may place items on the agenda by writing to the Clerk prior to the meeting.

8.3 Papers that inform agenda items will be sent to governors with the agenda. Only in exceptional circumstances will the governing body accept for consideration papers tabled at the meeting.

9. Attendance

9.1 The time of departure of any member leaving before the end of a meeting will be recorded in the minutes.

10. Minutes and Papers of Meetings

10.1 A dissenting view will be recorded in the Minutes of the meeting, if that is the wish of one or more members present.

10.2 Copies of draft minutes will be checked for accuracy by the Chair and will be sent to all members of the governing body and the Secretary of State (in accordance with the funding agreement). A copy will be made available, as soon as reasonably practicable, to persons wishing to inspect them.

10.3 The Minutes of a meeting will be considered for approval or amendment at the next meeting. Action will be taken on the basis of decisions and need not await the approval of Minutes at the next meeting.

10.4 The agenda for every meeting, the approved minutes of every such meeting and any paper considered at any such meeting, except for those that have been deemed by the governing body to be confidential, will be made available for public

inspection at reasonable times by arrangement with the Clerk to governors and/or the Headteacher (in accordance with Article 121).

11. Correspondence

11.1 All incoming correspondence, excluding any concerning a complaint or which cannot be shared with other governing body members, is for the attention of the whole governing body. The Chair of Governors/Headteacher/Clerk to the governing body will ensure that significant items will be presented to each meeting of the governing body, including any upon which the Chair has already taken urgent action, so that the need for, and nature of, any action required by the governing body can be decided or confirmed.

11.2 The governing body, or appropriate committee, will determine by resolution who should write letters on behalf of the governing body.

12. Information and Advice

12.1 The Headteacher has a statutory duty to keep the governing body fully informed, and will present a written report to each termly meeting of the governing body.

12.2 Where important information required by the governing body is given orally, it will be recorded in the Minutes in appropriate detail.

12.3 Where information is required by the governing body but is not readily available, reasonable time will be given for its production.

12.4 Where expertise is needed but not available within the governing body, the governing body may consider appointing an appropriate person in an advisory capacity.

13. Discussion and Debate

13.1 The Chair will consult the governing body on matters raised where they appear to be not relevant to the agenda or for which due notice has not been given.

13.2 The Chair will ensure that all governors enjoy equality of opportunity to express their views.

13.3 Recommendations received from committees with non-delegated powers will be recorded in the written Minutes.

13.4 The governing body will receive, but not debate save for exceptional circumstances, decisions which it has delegated to a committee or to an individual. Decisions will be recorded in the Minutes.

14. Decision Making

- 14.1 Members of the governing body recognise that all decisions must be made by a full meeting of the governing body unless a committee or an individual has been delegated to deal with a specific issue.
- 14.2 The Chair, or in his or her absence the Vice Chair, has authority to take urgent action between meetings **only** where a delay in exercising a particular function would be likely to be seriously detrimental to the interests of the school; any pupil at the school, or his or her parent; or a person who works at the school. In this situation, "a delay" means that a meeting of the governing body or an appropriate committee could not be called in sufficient time to deal with the matter without it being seriously detrimental to those listed above.
- 14.3 Where urgent action has been taken by the Chair or Vice Chair, the facts will be reported to the next meeting of the governing body.
- 14.4 Any decisions taken by the governing body will be made after full discussion and, where possible, by consensus of opinion. Disagreements will be resolved by a show of hands and the result determined by a simple majority of votes cast, except where Regulations determine that a secret ballot must be used. In certain circumstances the governing body may decide that a secret ballot will be required.
- 14.5 If there is a tied vote at the end of a discussion, the Chair may vote a second time to determine the issue.
- 14.6 A decision of the governing body or committee with delegated powers is binding upon all its members.
- 14.7 Decisions of a governing body may only be amended or rescinded at a subsequent meeting of the governing body when the proposal to amend or rescind appears as a separate agenda item.
- 14.8 Public statements will be made only by those delegated to make them.
- 14.9 The Chairs of the Committees have authority to meet between meetings to make decisions on any impending issues. Any decisions made will be recorded and reported at the next relevant Governors' meeting.

15. Access to Meetings of the Governing Body

- 15.1 Those persons entitled to attend a meeting are members of the governing body, the Headteacher (whether or not a member of the governing body), co-opted governors and the Clerk.
- 15.2 When the Headteacher is absent his or her place will be taken by a Deputy Headteacher.

- 15.3 The governing body will delegate to the Headteacher and the Chair of Governors who, other than those listed in 15.1 above, will be entitled to attend governing body meetings.
- 15.4 The Deputy Headteachers and Assistant Headteachers will be invited to attend appropriate meetings as part of his or her professional development.
- 15.5 The governing body will decide which of its meetings, if any, will be open to members of the public. If a meeting is to be opened to the public, reasonable notice will be given.

16. Pecuniary and Personal Interest

- 16.1 Any person employed to work at the school, other than the Headteacher and Clerk will withdraw from any meeting where the pay or performance appraisal of any person employed to work at the school is being considered. The Headteacher and Clerk will only withdraw where his or her own pay or performance appraisal is being considered.

17. Delegation of Functions

- 17.1 The governing body will determine the extent to which it will delegate its functions to a committee or an individual but will not delegate decision making on those matters listed in Appendix 4 (functions which cannot be delegated).

18. Committees

- 18.1 Committees with delegated powers will have authority to make decisions on behalf of the governing body. When establishing committees with or without delegated powers the governing body will:
 - 18.1.1 determine the constitution, membership and the method of appointing the Chair of each committee;
 - 18.1.2 for committees with delegated powers: appoint a clerk who is qualified, or undertaking training, to provide a professional clerking service;
 - 18.1.3 determine when committees will meet;
 - 18.1.4 determine procedures for reporting;
 - 18.1.5 review the need for, the constitution and membership of, and the written terms of reference for, all such committees on an annual basis, this is usually done during the summer term in preparation for the new academic year.

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- 18.2 In order to provide the Headteacher with an appropriate work/life balance, the Headteacher may nominate a suitable member of the school leadership team to attend one or more meetings of appropriate committees on his or her behalf.
- 18.3 A committee will provide a written report of its decisions and actions, in the form of Minutes, to the next meeting of the governing body.

19. Review

- 19.1 The governing body will review the content of these Procedures every four years.

20. Distribution

- 20.1 A copy of the Articles of Association will be available on the governors' portal (electronic device) and presented to each member of the Governing Body, new governors, the Headteacher, if not a governor and the Clerk. One copy will be filed as part of the record of the meeting at which they are agreed or amended.

CODE OF CONDUCT FOR SCHOOL GOVERNORS (Appendix 2, in conjunction with the Articles of Association)

Introduction

It is now generally accepted that being a school governor is a demanding task that requires significant commitment from individuals. The governing body is accountable to parents and the wider local community for the way it carries out its responsibilities therefore all members of the governing body should at all times act fairly, without prejudice, and in accordance with the seven principles laid down by the committee on Standards in Public Life (attached at Appendix 2a). The following is not a statement of governing body responsibilities but is concerned with the common understanding of broad principles by which members of the governing body will operate.

The governors of St Bernard's Catholic High School accept the following principles:-

General

- The governing body has a duty to act fairly, with integrity, objectivity and honesty and without prejudice at all times.
- The governing body has responsibility for determining, monitoring and keeping under review the broad policies, plans and procedures within which the school operates. The head teacher is responsible for the implementation of policy, day-to-day management of the school and implementation of the curriculum.
- The governing body will discharge its responsibilities in the best interests of the school. It will co-operatively aim to reach decisions by consensus. Where there is a disagreement a vote will take place to reach a decision
- The governing body is a corporate body and acts accordingly. Individual governors have no power or authority unless this has been delegated for a specific purpose by the governing body. All responsibilities belong to the governing body working together. All governors will work within this framework, however in exceptional circumstances, the Chair (or Vice Chair in the Chair's absence) has the power to take urgent action. The Chair (or Vice Chair) will report any such actions to the next governing body meeting.
- All governors have equal status and although different groups appoint governors, their central concern should be the welfare of the school as a whole. Each governor makes up his or her own mind about issues that are considered by the governing body. Once the governing body has made a decision, individual governors are bound by it and will stay loyal to it.
- In so far as the governing body has responsibility for the employment of staff, it will fulfil all reasonable expectations as a good employer.

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- The governing body will consider carefully how any decision might affect other schools.
- The governing body will be open about, and be prepared to explain, decisions and actions, subject to issues that are considered confidential. All reports to the governing body, or its committees, are public papers after the meeting has considered them and must be made available at the school to anyone wishing to inspect them, unless the governing body decides they should be confidential. Reports that name individuals, including teachers, students or candidates for admission, are treated as confidential.

Commitment

- Being a governor involves the commitment of significant amounts of time and energy; careful regard will be had to this when agreed to serve, or continuing to serve, on the governing body of the school.
- All governors will involve themselves actively in the work of the governing body and accept a fair share of responsibilities, including service on committees and working groups.
- Regular and punctual attendance at meetings of both the full governing body and committees is essential. If a governor cannot attend any meeting notification, including a reason for absence, should be forwarded in advance.
- Governors will attempt to get to know the school well and take all possible opportunities for involvement in school activities. All governors will make every attempt to visit the school regularly, not as inspectors or advisers, but to gain a better understanding of how children learn.
- The governing body, and individual governors, will take or seek opportunities to enhance their effectiveness through participation in training and development programmes.

Relationships

- The governing body will strive to operate as a team in which constructive working relationships are actively promoted.
- The governing body will develop effective working relationships with the Headteacher, staff, parents, the LA and other relevant agencies where appropriate.

Confidentiality

- All governors will observe complete confidentiality when either required or asked to do so by the governing body, especially in relation to matters concerning individual staff or students.
- Decisions reached at a governing body meeting are made public through the minutes of the meeting or via alternative arrangements, however contributions made by individual members and the discussions on which the decisions were based will be regarded as confidential.
- Governors will exercise the highest degree of prudence when discussion of potentially contentious issues arises outside of the governing body.

Conduct

- Governors may express their views openly within meetings but accept collective responsibility for all decisions.
- Governors will only speak to act on behalf of the governing body when they have been specifically authorised to do so.
- All visits to the school should be undertaken within the framework established by the governing body and agreed with the Headteacher.
- In responding to criticism or complaints relating to the school, procedures established by the governing body will be utilised. Governors will not raise issues at meetings relating to individual students or personal complaints against the school or any member of staff.
- Any pecuniary interest that a governor may have in conjunction with the governing body's business must be recorded in the Register of Pecuniary Interests. Where an interest is declared, the governor must leave the meeting while the item is under discussion.
- Governors will not seek to use their position to gain unfair advantage, financially or otherwise, for any other person or ourselves.
- All governors have a responsibility to maintain and develop the ethos and reputation of the school; our actions within the school community should reflect this.

Suspension

- The governing body reserves the right to suspend a governor, but only as a last resort.
- The governing body recognises that any appointed governor may be removed by their appointing body. Elected governors cannot be removed from office.
- In suspending or removing a governor, the governing body will do so by following the Procedures and Constitution Regulations, as appropriate, and the principles within this Code of Conduct to ensure a fair and objective process.

Reviewing the Code

The Code of Conduct (Appendix will be reviewed every four years (as part of the Appendices of the Articles of Association).

Appendix 2a

The Seven Principles of Public Life from the Committee on Standards in Public Life (The Nolan Committee)

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests in relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Roles of the Governing Body and Head Teacher (Appendix 3 - in conjunction with the Articles of Association)

Mission statement

The governing body of St Bernard's Catholic High School aims to promote high standards of educational achievement at the school. In all our deliberations the governing body will:

- Have the quality of children's learning at the heart of all our business;
- Be united around a common vision shared with the head and staff, and expressed in the School Improvement Plan;
- Have clear and achievable goals.

To underpin the above objectives the governing body will, in conducting all of its business, act as a corporate body, with integrity, objectivity and honesty and in the best interests of the school. Governors will be open about, and be prepared to explain decisions and actions, subject to issues that are considered confidential. The governing body will adopt an agreed "Code of Conduct for School Governors" and all governors will be expected to adhere to the principles outlined in this Code of Conduct.

The Role of the Governing Body

The governing body will carry out its duties by taking a mainly **strategic** role in the running of the school. This will include

- To be a director of St Bernard's Catholic High School Voluntary Academy;
- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its students;
- Overseeing the financial performance of the school and making sure its money is well spent

The governing body will act as a "**critical friend**" to the Headteacher. This will include

- Providing the Headteacher and staff with support, constructive advice and information drawing on its members' knowledge and experience;
- Monitoring and evaluating the school's effectiveness;
- Asking challenging questions; and
- Pressing for improvement.

The governing body will discuss, question and, where appropriate, refine proposals from the Headteacher, whilst always respecting the professional roles of the Headteacher and other staff, and their responsibilities for the management of the school. In fulfilling these duties the governing body will seek to reduce the administrative burden on the Headteacher.

The Role of the Headteacher

The Headteacher is responsible for the internal organisation, management and control of the school and for advising on and implementing the governing body's strategic framework. This will include

- Formulating the vision, aims and objectives for the school;
- Formulating policies and targets to achieve the aims and objectives; and
- Reporting to the governing body on progress at least once every school year.

Fulfilling The Roles

The governing body and the Headteacher will work together in partnership to develop key policies. The governing body will seek the advice of the Headteacher before taking decisions on any of these matters.

The Governing Body

The governing body has many statutory functions to perform. To ensure focus is made on adding most value, in consultation with the Headteacher, some functions are delegated to committees, individual governors and the Headteacher. These functions are recorded in Appendix 4, in conjunction with the Articles of Association and relevant terms of reference.

The governing body, in partnership with the Headteacher and staff, will help to decide what is required to achieve and set the framework for getting there. The School Improvement Plan and agreed policies will provide the main focus for achieving this goal.

The governing body will monitor progress within the school, over time and in comparison with similar schools, but is not responsible for collecting monitoring data; this is the responsibility of the Headteacher. The governing body will agree with the Headteacher what information is required to fulfil this responsibility. The governing body will use the agreed monitoring data to review and evaluate progress against previously set targets to see whether a policy is working or needs changing.

All governors are encouraged to visit the school, following prior agreement with the Headteacher, to support staff and to gain a better understanding of the school. This will enable more effective decisions to be made on behalf of all students. The governing body will adopt an agreed policy for "Governor Visits to School" and all governors will be expected to adhere to the principles outlined in this policy.

The governing body will be prepared to explain its decisions and actions to anyone who has a legitimate interest. This may include staff, students, parents and the press as well as the Diocese or the Secretary of State.

The Headteacher

The Headteacher will formulate policies and suggest appropriate targets to achieve the school's vision, aims and objectives, for consideration by the governing body. The Headteacher may, where appropriate, involve the governing body at an early stage when formulating such policies.

Following their adoption by the governing body, the Headteacher will implement the policies and lead the school towards the agreed targets.

The Headteacher and professional staff are accountable to the governing body for the school's performance. The Headteacher will advise the governing body upon the most appropriate arrangements for monitoring and evaluating particular requirements and policies and will provide the governing body with sufficient information, as agreed, to enable the governing body to carry out its functions effectively.

Reviewing The Arrangements

These arrangements will be reviewed regularly every four years with other Appendices relevant to the Articles of Association.

FUNCTIONS WHICH CANNOT BE DELEGATED
(Appendix 4, in conjunction with the Articles of Association)

The governing body can decide to delegate certain responsibilities to individual governors, the Headteacher or a committee. However the governing body functions listed below may only be carried out by the full governing body and not by a committee or individual.

A The following functions regarding the responsibility of the governing body and cannot be delegated to a committee or an individual:-

- (1) deciding the content, preparation or variation of the instrument of government;
- (2) holding a meeting at least once a term;
- (3) electing the Chair and Vice Chair of the governing body, and removing the Chair;
- (4) appointing, co-opting or removing governors;
- (5) deciding arrangements for full governing body meetings;
- (6) regulating governing body proceedings or proceedings of committees;
- (7) making decisions about delegation to or the establishment, constitution, proceedings, and review of committees, including selection panels;
- (8) ratifying the appointment of the Headteacher and Deputy Headteacher (a selection panel MUST be appointed to short-list and interview candidates and make a recommendation to the governing body);
- (9) deciding school session times;
- (10) approving the first formal school budget plan submitted to the EFA for each financial year (a committee can still propose a provisional budget plan and agree subsequent revisions);
- (11) deciding arrangements for collective worship;
- (12) deciding on an application to the standing advisory council on religious education (SACRE) concerning the requirements for Christian collective worship;
- (13) deciding school discipline policies;
- (14) determining and reviewing policies on charges and remissions (though a committee may submit proposals for consideration);
- (15) adopting and reviewing the home-school agreement;
- (16) ensuring that sex education is given in a way that encourages students to have due regard to moral considerations and the value of family life;
- (17) making arrangements for staff dismissal appeals (see statutory committees);
- (18) prohibiting political indoctrination and securing balanced treatment of political issues;
- (19) publishing proposals for the alteration or discontinuance of the school;
- (20) publishing proposals for a change of category of the school;
- (21) deciding upon the dates of school terms and holidays;
- (22) determining admission arrangements;
- (23) objecting to admission arrangements of another admission authority;
- (24) fixing admission numbers and agreeing any variation to the standard number;
- (25) making admission appeal arrangements.

B. Restrictions on delegation to an individual (statutory committees)

A governing body may delegate any other functions to an individual member or to the Headteacher with the exception of the following matters, which MUST be delegated to a committee (statutory committees):-

- (1) Staff dismissal - the governing body must appoint two committees:
 - (a) a staff dismissal committee, to consider a dismissal; and
 - (b) a dismissal appeal committee to consider any appeal. The appeal committee cannot have fewer governors than the first committee.

- (2) Student discipline committee, to consider the reinstatement of an excluded pupil

In voluntary aided schools, the following committee MAY be established:-

- (3) admissions committee, to determine whether any child should be admitted to the school.

C. Further restrictions on delegation to an individual

The following functions of a governing body MAY NOT be delegated to an individual but MAY be delegated to a committee:

- (1) setting annual targets for reducing the level of unauthorised absence (where the Secretary of State has imposed such a requirement on the governing body);
- (2) consideration of a school attendance order (where the Local Authority have served such a notice on the school);
- (3) consider whether to appeal against a decision of the Local Authority to admit a child to the school who has been previously excluded from two or more schools;
- (4) the appointment or dismissal of the clerk to the governing body.