



**Amotherby Community Primary School**

**Governing Board Standing Orders**

<b>Document Status</b>			
<b>Date of policy creation/review</b>	<b>Reasons for review</b>	<b>Date of adoption</b>	<b>Date of next review</b>
September 2018		September 2018	September 2022
June 2022	Review & update	July 2022	July 2025

<b>Amendments</b>	<b>Date</b>	<b>Details</b>
<b>1</b>	01/09/18	Initial document
<b>2</b>	27/06/22	Addition of appendices A, B, C, D & E
<b>3</b>		

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# INTRODUCTION

## Standing Orders

Current legislation gives to governing bodies the flexibility to decide their own procedures unless there is a specific legislative requirement to operate in a particular way.

Whilst most governing bodies conduct business in a relatively informal way there is much benefit in having a framework to formalise the business of the governing body.

Standing orders provide such a framework and can avoid disputes arising by procedures and conventions having been agreed previously by the governing body. Standing orders cannot replace regulations or statutory guidance but are additional and supplementary to them.

Set out on pages 2 to 8 inclusive of this booklet are example standing orders. Governing bodies should use the examples as a basis for discussion and take into account their own individual circumstances and adapt the standing orders as appropriate. Those points shown in ***bold italics*** are statutory requirements and cannot be adapted.

## Standing orders for procedural workings of the governing body of Amotherby School)

### 1. Meetings of the governing body

The governing body shall meet 6 times each school year.

**(Note: governing bodies are legally required to meet at least 3 times per school year)**

### 2. Chair and vice-chair – term of Office

The chair and vice-chair shall have a term of office of 1 year with a maximum of 4 years in post. The term shall begin at the first governing body meeting of the autumn term at which the chair and vice-chair are normally elected and shall end at the first meeting following the anniversary of their election. 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 body 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 body failing to elect a chair or a vice-chair the governing body shall elect a chair for the meeting. In the event of the governing body 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 21 days of the adjournment.

### 4. Election of chair and vice-chair – procedure

(Note: Unless the chair and/or vice-chair have been elected for a longer period the election of the chair and vice-chair takes place at the first meeting of the governing body held in the autumn term. Governing bodies are free to adapt the following procedure to suit their own needs.)

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 body;
- 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 body 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 21 days

## **5. Annual calendar of meetings and business**

At the first meeting of the autumn term the governing body shall approve a calendar of governing body 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 body.

## **6. Notice of meetings and agenda**

Every member of the governing body shall receive 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 body 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 agree, notice can be sent by email but this should be discussed in the FGB and a protocol agreed. Governors should have secure school email addresses for governing body business and all aspects of confidentiality should be discussed.

## **7. Agenda Items**

With the agreement of the chair of the governing body or of the relevant committee any member of the governing body shall be entitled to include, on the agenda for any governing body 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 body, or of the relevant committee and to the clerk at least 14 days prior to the meeting taking place.

## **8. Quorum**

- the quorum for a meeting of the governing body shall be not less than 50% of the number of governors in post at the time of the meeting (not including vacancies) or such other number as may be determined from time to time by regulations issued by the Department for Children, Schools and Families;
- *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.

## **10. Confidential Matters**

Prior to the consideration of or discussion on any matter on any agenda for a meeting of the governing body or of any committee, consideration shall be given as to whether the matter includes confidential information and the governing body or committee shall determine whether the public or any other person, not being a member of the governing body, 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 body 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 body minutes shall be circulated to all members of the governing body within 21 days of the meeting having taken place

***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 body or committee, as appropriate.***

## **12. Record of Attendance**

A record of attendance will be kept and updated annually on the school website

## **13. Apologies for non-attendance at meetings of the governing body**

All apologies together with the reason(s) for non-attendance at a meeting of the governing body shall be submitted to the clerk or to the chair not later than the commencement of the meeting. The governing body 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 meeting.

#### **14. Disqualification for non-attendance**

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

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

- the minutes of the meetings of the governing body
- the record of attendance;
- the register of business and other 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 body;
- Records of governor monitoring visits to school;
- The signed and approved code of conduct and standing orders.

The records of the governing body shall be kept in a secure place provided at the school and shall be available for inspection by the public, members of the governing body, 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 Data 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 all staff and volunteers.

#### **18. Conduct**

The Governing body shall annually adopt an up-to-date code of conduct.

All Members of the governing body shall abide 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.

#### **19. Declarations of interest**

If any member of the governing body 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.

#### **20. Urgent action by the chair/vice-chair of the governing body**

Where it is not reasonably practical to hold a meeting of the governing body 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 body or committee.

#### **21. Financial and other guidance**

The governing body 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 body shall also have regard to and take account of any advice or guidance that may be issued by the LA from time to time.

#### **22. 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 body. 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.

**23. 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 body, shall be final and shall not be challenged at any meeting of the governing body or committee.

**24. Associate members**

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

If you have any queries about information in this booklet please contact:  
Governor Support Services  
Tel: 01609 798864 email: [Governor.Support@northyorks.gov.uk](mailto:Governor.Support@northyorks.gov.uk)

# Annex A – Governors school visit protocol

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### 1. Aims

This policy aims to set and maintain standards of conduct that we expect all governors to follow when making visits to the school. Governors do not have an automatic right to enter Amotherby School. When they do so, they are invited guests.

This policy sets out the procedure which all governors are expected to follow when visiting Amotherby School and how they are expected to report back on that visit to the governing board.

By creating this policy, we aim to ensure that all governors understand their role and purpose so school visits are a productive and enjoyable event for all involved.

### 2. Guidance and scope

This policy takes account of best practice and guidance from the [Governance Handbook](#) (section 3.4.2).

#### 2.1 Governors are observers

Boards must know their schools in order to maintain robust accountability. Through pre-arranged visits that have a clear focus, governors will:

- Observe whether the school is properly implementing school policies, and actions from the school improvement plan
- Observe how those procedures are working in practice
- Have the opportunity to gather the views of pupils and staff

#### 2.2 Governors are not inspectors

Governors:

- Will not assess the quality of teaching and learning in the classroom
- Will not manage the school or interfere in the day-to-day operations of the school

For those governors who wish to spend time in a classroom, they will make it clear about their purpose in doing so.

### **3. Visits programme**

Governors will carry out regular school visits in order to meet the board's statutory obligation to monitor the school's effectiveness.

There are 2 types of visits:

- **Formal monitoring visits**, where governors discuss the progress of the school in a particular area with the relevant staff member
- **Learning walks**, where governors will go around the school with the relevant staff member to get a feel for a particular area and are likely to talk to a range of staff members and pupils

Governors will carry out school visits according to the priorities set out in the school and governors development plan

#### **3.1 Governors for health and safety, special educational needs, and safeguarding**

These governors will attend:

- A termly 1:1 monitoring visits with corresponding staff leads
- Ad hoc meetings as required or requested on issues specific to their areas of responsibility

#### **3.2 All governors**

All governors will:

- Participate in 1 learning walk each term

### **4. Before a visit**

Governors will:

- Notify the headteacher and the chair before scheduling a visit, even if the headteacher will not be involved in the visit. They should be made aware just as a matter of courtesy
- Schedule an appointment with relevant members of staff in order to avoid friction and ensure visits are scheduled for times that are mutually convenient. Generally, governor visits are more productive when conducted during a school day
- Be sensitive to the numerous demands staff have on their time
- Clarify the purpose of the visit in advance with the chair, the headteacher and/or relevant member of staff ahead of the visit
- Send questions in advance to the staff member so everyone can feel properly prepared
- Be familiar with the school's safeguarding policies and procedures

### **5. During a visit**

Governors should know how to conduct themselves appropriately during visits in order to minimise disruption for staff and pupils and to receive the maximum benefit from the time spent.

**Governors will:**

- Always wear a visitor's badge
- Use the agreed recording method for the visit. Photographs and videos are to be avoided unless specifically agreed with the headteacher for a specific purpose
- Remain as observers; they are not there to pass judgement on staff or inspect them

- Ensure all parties are clear about why a governor wishes to spend time in the classroom, if they wish to do so
- Check with teachers before speaking to pupils
- Pass on any concerns the staff raise with the relevant people
- Be friendly but professional and dress appropriately, bearing in mind the standards of dress set for teachers and pupils

**Governors will not:**

- Pass comment on classroom practice or any specific incidents that happen, judge teaching methods, assess the quality of teaching, or comment on the extent of learning
- Interfere with the day-to-day running of the school
- Behave in a manner than would make staff feel that they are there to inspect, e.g. sit at the back of the classroom with a clipboard
- Raise concerns in the moment. Governors should note down any concerns they may have and raise them with the chair of governors or headteacher after the visit

**6. After a visit**

Governors will complete a written report as soon as reasonably practicable [using the form attached as Appendix A (monitoring visit) or Appendix B (learning walk)], as appropriate. In completing the report, governors will ensure to:

- Use neutral language at all times
- Remain observational, and describe only what they see
- Focus closely on the agreed reasons for the visit, and its strategic role

Once complete, governors will submit their reports to the following people, in the following order:

- A more experienced governor for feedback - if they've been in place for less than [1 year]
- The relevant staff member, both as a courtesy and to check for accuracy
- The headteacher, as a courtesy
- The chair of the governing board or the relevant committee, as agreed

## Annex B – Report on school visits template

Formal monitoring visits are where you discuss the progress of the school in a particular area with the relevant staff member. Use this form as a reminder of what to look for and what to ask.

Part 1: plan the visit	
<b>Name and role of governor(s)</b>	
<b>Name and role of staff member(s)</b>	
<b>Date and time of visit</b>	
<b>Agreed focus</b> Make sure you focus on this agreed reason for the visit. Avoid getting distracted by other issues that have not been agreed with the member of staff.	To discuss the school's new strategy to improve attainment of Key Stage (KS) 2 boys.
<b>Relevant school objective or priority</b> This might be taken from the school improvement plan (SIP) objectives or the school's overarching vision.	Percentage of pupils achieving 'greater depth' in writing improves at KS2.
<b>Questions to ask</b> Note specific questions you want to ask based on the SIP, or points to follow up on from a previous visit. Share these questions with the staff member you are visiting in advance, so they can prepare.	What is the process for supporting pupils who need extra help? Have teachers had any training to help them put this into practice?  Search <a href="#">The Key for School Governors</a> for questions specific to the purpose of your visit. For example, you can search for ' <a href="#">safeguarding questions</a> .'

Part 2: in the meeting
<b>What is the school doing within this area of focus?</b>  <i>Tips:</i> <ul style="list-style-type: none"> <li>• Ask open questions beginning with 'what', 'how', 'when', 'how often', 'why', 'who' and 'where'</li> <li>• Do not be afraid to clarify any terms or acronyms you're not familiar with</li> <li>• Remember you are <b>not</b> there to pass judgement on staff or inspect them – you remain an observer</li> <li>• When writing the report, use neutral language and do not name individual teachers and pupils</li> </ul>

**How do you know the school's actions are having an impact?**

*Remember:*

- *Include specific evidence that demonstrates the positive impact the school is having in this area*
- *Where a positive impact has not been made yet, note down why that is and what steps are being taken to make progress*
- *Add any further evidence you would like to see to help you make a better assessment of the impact*

**What successes stood out and why?**

**Questions and clarifications to follow up with the headteacher or chair of governors**

## **Appendix 2: Template report for a learning walk**

Learning walks are where you will go around the school with the relevant staff member to get a feel for a particular area. You are likely to talk to a range of staff members and pupils. Use this as a reminder of what to look for and what to ask.

Part 1: plan the walk	
<b>Name and role of governor(s)</b>	
<b>Name and role of staff member(s)</b>	
<b>Date and time of visit</b>	
<b>Agreed focus</b> <i>Make sure you focus on this agreed reason for the visit. Avoid getting distracted by other issues that have not been agreed with the member of staff.</i>	To see the implementation of the new strategy to improve attainment of Key Stage (KS) 2 boys.
<b>Relevant school objective or priority</b> <i>This might be taken from the school improvement plan (SIP) objectives or the school's overarching vision.</i>	Percentage of pupils achieving 'greater depth' in writing improves at KS2.
<b>Questions to ask</b> <i>Note specific questions you want to ask based on the SIP, or points to follow up on from a previous visit. Share these questions with the staff member you are visiting in advance, so they can prepare.</i>	Ask staff: what do you do if you think a student needs further support? Ask pupils: if you need help with something, what do you do?  Visit our <a href="#">governors' question bank</a> for questions specific to the purpose of your visit.

Part 2: on the walk	
<b>General notes from discussions with staff</b> <i>Tips:</i> <ul style="list-style-type: none"> <li>• Ask open questions beginning with 'what', 'how', 'when', 'how often', 'why', 'who', 'where' and 'can you show me...'</li> <li>• Do not be afraid to clarify any terms or acronyms you're not familiar with</li> <li>• Remember you are not there to pass judgement on staff or inspect them</li> <li>• When writing the report, use neutral language and don't name individual teachers</li> </ul>	

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<b>General notes from discussions with pupils</b> <i>Remember:</i> <ul style="list-style-type: none"><li>• Do not ask them for pupils' views on a specific teacher</li><li>• Do not record pupils' names</li></ul>

<b>General notes on the school environment and overall atmosphere</b> <i>Note:</i> <ul style="list-style-type: none"><li>• Whether the governors' vision of the school is replicated on the ground</li><li>• Any issues with the school site you see e.g. broken equipment or lack of resources</li></ul>

<b>What successes stood out on the learning walk and why?</b>

<b>Questions and clarifications to follow up with the headteacher or chair of governors</b>

# Annex C – Virtual Meeting Protocol

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## 1. Aims

The aims of this virtual meetings policy are to:

- Enable the governing board to continue its work and maintain strategic oversight where face-to-face meetings aren’t possible or are the preferred option
- Provide a framework in which to run meetings virtually and include those attending virtually
- Provide flexibility so governors can attend meetings virtually where they would otherwise have had to miss them

## 2. Legislation and guidance

This policy is based on:

- The Department for Education’s (DfE’s) [school governance update – March 2020](#)
- The DfE’s guidance on [actions for schools during the coronavirus outbreak](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

This policy complies with the following legislation:

- [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#) (regulations 13 and 14)
- [The School Governance \(Roles, Procedures and Allowances\) \(England\) \(Amendment\) Regulations 2013](#) (regulation 3)

## 3. The board’s ability to make alternative arrangements for meetings

Under [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#), the governing board can approve alternative arrangements for governors to participate or vote at meetings of the governing board, including, but not limited to, by telephone or video conference. This includes at full governing board meetings and committee meetings.

## COVID-19

Due to the COVID-19 lockdown, we can agree to hold meetings via telephone or video conferencing without having to meet first.

The chair or clerk can contact governors directly to agree these alternative arrangements.

The board has determined that the following arrangements will apply.

## **4. Roles and responsibilities**

### **4.1 The chair**

The chair will chair virtual meetings, and meetings in which some participants are attending virtually, in the same way as face-to-face meetings.

The chair will make sure all governors

Are set up on Microsoft Teams

- Have tested their connection and access to the platform
- Are aware of the expectations on attendees set out in section 4.3

### **4.2 The clerk**

The clerk will give written notice of the meeting and a copy of the agenda at least 7 clear days in advance to:

- Governors
- The headteacher
- Associate members
- The local authority (LA) where an agenda item involves a change of school category

Where there are matters demanding urgent consideration, written notice and a copy of the agenda can be given within a shorter period as the chair directs.

The clerk will minute virtual meetings, and meetings in which some participants are attending virtually, in the same way as face-to-face meetings.

The clerk will make sure the minutes reflect that the meeting is virtual, or if a governor is attending virtually.

The clerk will minute all decisions, and whether anything needs to be ratified at a later date, for example due to loss of connection.

### **4.3 All governors**

To ensure confidentiality and the smooth running of the meeting, governors attending virtually will:

- Attend the whole meeting
- Attend with the webcam/video switched on where possible
- Focus on the business of the meeting in the same way as if they were attending in person
- Remain on mute unless they are speaking
- Prevent unauthorised individuals overhearing conversations (for example, by using headphones)

- Be mindful of their surroundings – they will consider the privacy of the room, including, but not limited to, who or what is visible or audible in the background
- Ask questions during the meeting by adding them to the video conferencing platform’s messaging board or waiting until the chair invites questions at the end of each agenda item, or raising their hand via the platforms system or in person.

#### **4.4 IT specialist**

A member of NYCC IT staff will review the security of Microsoft Teams

### **5. Virtual meetings**

Fully virtual meetings will only be held if face-to-face meetings are not possible or as agreed with the full governing board.

#### **5.1 Difficulty joining the meeting**

If after all reasonable efforts it does not prove possible for a governor to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate.

The clerk will record in the minutes that the governor in question attempted to participate but was unable to do so.

#### **5.2 Recording the meeting**

The clerk may wish to record the meeting to aid them when writing the minutes.

At the start of the meeting the clerk will make sure all governors agree to the meeting being recorded.

Where approval is granted, it is the clerk alone who has permission to record the meeting. No one else has authority to record the meeting unless they have explicit authority from governors to do so.

The recording will be handled in line with the General Data Protection Regulation (GDPR), and once it is no longer needed the recording will be deleted.

#### **5.3 Quorum**

All governors attending virtually count towards the quorum.

If individual governors lose connection to the meeting, they will no longer count towards the quorum. The meeting can continue undisrupted if it is otherwise quorate.

If the meeting becomes inquorate then discussions may continue, but no votes can be held unless the meeting is quorate

If all governors lose connection to the meeting then the clerk will postpone the meeting and reschedule. Where this is not possible, the clerk will send the matters for consideration via email, and will expect comments from governors within 7 days.

#### **5.4 Voting**

Governors may vote on any agenda item for which they’ve been fully present.

Secret ballots will be allowed where possible. Governors can share their vote privately with the chair/clerk via email or in a private phone call.

Where a virtual secret ballot cannot be arranged, then each governor can decide to vote publicly or abstain.

## **5.5 Conflicts of interest**

Where a governor declares a conflict of interest, they will withdraw from the meeting by leaving the call.

Once the governing board is ready for the governor to re-join, the clerk will notify them by Teams invite/message

## **6. COVID-19: holding exclusion panels virtually**

The timeframes set out in [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#) remain in force.

However, it is possible that these deadlines cannot be met due to the coronavirus pandemic. It is for the governing board to determine if these deadlines can be met by meeting virtually or if the meeting should be delayed.

### **6.1 Holding the meeting virtually**

We will conduct an exclusion panel virtually via Microsoft Teams, if all parties have:

- Appropriate devices
- Access to a reliable, affordable internet service – if some parties access the internet through their mobile phone and do not have unlimited data, we will not require them to appear via video conference

### **6.2 Delaying the meeting**

Where virtual meetings are not possible, we will delay the meeting and hold the exclusion panel as soon as is practicable.

## **7. Virtual attendance at face-to-face meetings**

Governors may attend meetings virtually if they are unable to attend in person.

Any governor wishing to attend a meeting virtually should give 7 days notice to the chair/clerk where possible.

The governor will explain why they're unable to attend physically, and their virtual attendance at the meeting will be subject to the governing board's approval at the start of the meeting.

Where the board does not grant approval, the clerk/chair will notify the governor immediately and the clerk will minute this decision.

The meeting will be chaired by a governor present in person.

### **7.1 Difficulty joining the meeting**

If after all reasonable efforts it does not prove possible for a governor to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate.

The clerk will record in the minutes that the governor in question attempted to participate but was unable to do so.

### **7.2 Quorum**

Any governor attending virtually counts towards the quorum.

If the governor loses connection to the meeting, they will no longer count towards the quorum. The meeting can continue uninterrupted if it's otherwise quorate.

If the meeting becomes inquorate then discussions may continue, but no votes can be held unless the meeting is quorate.

### **7.3 Voting**

Any governor attending virtually may vote on any agenda item for which they've been fully present.

Secret ballots will be allowed where possible. The governor can share their vote privately with the chair/clerk via email or in a private phone call.

Where a virtual secret ballot cannot be arranged, then the governor can decide to vote publicly or abstain.

### **7.4 Conflicts of interest**

Where a governor attending virtually declares a conflict of interest, they will withdraw from the meeting by leaving the call.

Once the governing board is ready for the governor to re-join, the clerk will notify them by Teams invite or message

## **8. Links with other policies**

This policy will be used in conjunction with the following policies:

- Data protection policy and privacy notices
- Exclusion policy
- Admissions policy
- Conflicts of interest policy
- Governor code of conduct
- ICT and internet acceptable use policy

# Annex D – Code of conduct

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## 1. Aims, scope and principles

This policy aims to set and maintain standards of conduct that we expect all governors to follow.

By creating this policy, we aim to ensure that governors carry out their role with honesty and integrity, and help us to ensure our school is an environment where everyone is safe, happy and treated with respect.

The code is based on [the Governance Handbook](#) and the Department for Education’s [guidance on the school governance regulations 2013](#). It should be read alongside our constitutional documents (e.g. our instrument of government, standing orders and any scheme of delegation).

Failure to follow the code of conduct may result in disciplinary action being taken, as set out in the appendix.

Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, governors will use their judgement and act in the best interests of the school and its pupils.

## 2. The 7 Nolan principles of public life

As governors, we will follow these [principles](#) set out by the government at all times. They apply to anyone who holds a public office:

**Selflessness** – we will act in the public interest

**Integrity** – we will not act or take decisions to gain financial or other material benefits for ourselves, our family, or our friends. We will declare any conflict of interests

**Objectivity** – we will act and take decisions impartially, fairly, and on merit. We will use the best evidence and avoid discrimination or bias

**Accountability** – we understand that we are accountable to the public for our decisions and actions. To make sure of this, we will be scrutinised where necessary

**Openness** – we will act and take decisions openly and transparently. We will not withhold information from the public unless there are clear and lawful reasons for doing so

**Honesty** – we will be truthful

**Leadership** – we will actively promote and support the above principles and will challenge poor behaviour wherever it happens

### 3. Governors' responsibilities

The 3 functions of our governing board are to:

Ensure clarity of vision, ethos and strategic direction of the school

Hold executive leaders to account for the educational and financial performance of the school, and the performance management of staff

Oversee the financial performance of the school and make sure money is well spent

In order to do this effectively, as individuals we will:

Understand and respect the distinction between the [role and responsibilities of the board](#) and those of the school leaders

Set and maintain an ethos of high expectations for everyone in the school community, including in the conduct and the professionalism of the board itself

Preserve and develop the character of the school

Not undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs

Operate and make decisions in the best interests of pupils, informed by the views and needs of our key stakeholders (pupils, parents, staff, the local community and the local authority)

Follow the school's policies and procedures, and the procedures of the board as set out in relevant legislation, statutory guidance, and the school's constitutional documents

Take responsibility for our [self-evaluation](#), regularly reviewing our board's performance, constitution and skillset

Take part in any [training or development](#) required to fill any gaps in the skills we need for effective governance

Understand that where responsibility has been delegated, the board as a whole remains accountable and that important decisions relating to core functions will be made by the full board

Comply with relevant guidance and legislation that sets out how we must manage our school's money, and procure goods and services

Act with integrity and transparency when making financial decisions, and understand that our financial management and decision-making will be scrutinised and audited

Declare all gifts and record them on the gifts and hospitality register. We will not accept bribes

We will work to actively identify and manage risks to the school

#### **4. Working with others**

We will:

Support and strengthen school leadership by providing constructive challenge to leaders, and holding them to account

Respect the role of the school leaders and avoid [routine involvement in operational matters](#)

Respect each other's views

Work together as a board to develop effective relationships with stakeholders

[Engage meaningfully with the communities we serve](#) and understand that we are answerable to these stakeholders

Follow the [Equality Act 2010](#), and apply the principles of fairness and equality in everything we do

#### **5. Commitment to governance**

We:

Will attend all meetings where possible. Where we cannot attend, we will explain our valid reason and give suitable notice

Understand and accept the time and workload commitments of the role

Understand that work should be shared among members and that all governors are expected to take an active role

Will [prepare ahead of meetings](#) to ensure we make informed contributions

Will participate in regular [pre-arranged school visits](#) in accordance with school policy

Will attend any training or development activity needed to ensure the board has a wide range of skills and expertise

#### **6. Openness and transparency**

##### **Conflicts of interest**

To make sure our board takes impartial decisions without bias, we will:

Publish an up-to-date register of business and pecuniary interests of all governors including associate members

Declare any potential conflicts of interest at the beginning of each meeting, and withdraw from the meeting for the relevant item of business and not vote on the matter

##### **Publishing information**

To ensure our board is transparent and open to the community we serve, we will make certain information publicly available.

Maintained schools insert:

We accept that the following [information will be published on the school's website](#) to ensure transparency:

- The structure and remit of the board and any committees, and the full name of the chair of each one
- For each governor who has served at any point over the past 12 months:
  - Their full name
  - Their date of appointment
  - Their term of office
  - The body which appointed them
  - Their relevant business and pecuniary interests

We accept that the information relating to governors will be published on [Get information about schools](#)

We accept that the approved board and committee minutes and any agenda and papers considered at a meeting will be made [available to any interested person](#)

## 7. Confidentiality

In the course of our role, we are sometimes privy to sensitive information. We will [observe confidentiality](#) when discussing this information, and will not publicly disclose:

Information about sensitive matters

Information about named individuals (such as staff, pupils and their parents)

Details of individual governors contributions in meetings or how they may have voted

Confidential information will never be:

Disclosed to anyone without the relevant authority

Used to humiliate, embarrass or blackmail others

Used for a purpose other than what it was collected and intended for

Our commitment to confidentiality does not overrule our duty to report child protection concerns to the appropriate channel where we believe a child is at risk of harm.

We will continue to observe confidentiality after we have left office.

### Breaches of confidentiality

In the event of a breach of confidentiality, we will inform the chair as soon as possible who will investigate the matter further.

Governors understand that if they breach confidentiality, they may be suspended.

## 8. Data protection

We will follow the school's information security processes and measures and data protection policy when [using, storing, sharing and disposing of personal data](#).

Our commitment to data protection does not overrule our duty to report child protection concerns to the appropriate channel where we believe a child is at risk of harm.

### Personal data breaches

We will inform the school's data protection officer immediately if we believe that there has been a [personal data breach](#).

## **9. Social media**

We will:

Uphold the reputation of the school at all times

Maintain a professional presence online and carefully consider how we interact with the school community

Review privacy settings regularly to make sure we are happy with the information about us that is publicly available

Report any incidents of harassment we experience, or see towards governors to the chair of governors and the headteacher

We will **not**:

Accept friend requests from pupils and not join any private parent groups associated with the school

Disclose any information which is confidential or would breach data protection principles

Make comments online about any members of the governing board or school community

Post [any inappropriate/offensive language, images or comments on social media](#) that may bring us or the school into disrepute

## **10. Monitoring arrangements**

This code of conduct will be reviewed and agreed annually, upon significant changes to the law, or as needed. It will be ratified by the full governing board.

## **11. Links with other policies**

This policy links with our policies on:

Safeguarding

E-safety

Data protection

## Appendix D1: breaches of the code of conduct

If we suspect a governor has breached the code of conduct, we will follow this procedure:

The chair will investigate

The chair will hold a meeting with the governor to discuss the issue. The governor can bring a friend to the meeting. Another governor will attend to corroborate any decisions

If the situation doesn't improve, or there is another suspected breach, we will take action to improve the issue. This may involve:

- Further meetings with the chair to reset expectations, based on this code of conduct
- Support, mentoring or training for the governor
- Making sure the governor withdraws from votes connected to any disputes they have been involved in

If there is no improvement in the governors' behaviour, the board will vote on a motion to suspend them for up to 6 months. This is a last resort and will not be used without the above steps being taken, except in exceptional circumstances

Governors may be suspended if they:

Are a staff governor undergoing disciplinary proceedings at the school

Are undergoing court or tribunal proceedings that would result in the governor being disqualified from holding office

Have acted in a way that is inconsistent with the ethos [of the school and has brought, or is likely to bring the school into disrepute

Breach confidentiality

'Bringing the board into disrepute' may include, but is not limited to:

Speaking out publicly against the school

Being disrespectful to members of the school community

Behaving inappropriately in a public forum, such as a PTA meeting or on social media

The section below is taken from [government guidance for maintained schools](#).

We may remove a governor from office where:

There have been repeated grounds for suspension

There has been serious misconduct. We will determine what counts as serious misconduct based on the facts of the case, but it will include any actions that compromise the 7 principles of public life, if sufficiently serious

They display repeated and serious incompetence

They have engaged in conduct aimed at undermining fundamental British values

Their actions are significantly detrimental to the effective operation of the board, or their actions interfere with the operational efficiency of the school

# Annex E – Governors Disciplinary

## Introduction

For many years there has been an inconsistency in the governing body constitution regulations that allowed for all categories of governors to be removed for inappropriate behavior – with the exception of elected parent and staff governors. Following lobbying by, amongst others, the National Governors Association, this has now been rectified by the DofE.

For consistent and fair practice, all of the guidance about removal of governors has been brought into one policy document. However, both the Department for Education and North Yorkshire County Council are very clear that removal of a governor is a drastic step and a last resort. We strongly recommend that all effort is made to resolve problems through discussion and training before resorting to the formal steps in this policy. We also remind governing boards that suspension is also an option to consider before removal, and that it is always helpful to discuss options with the Governance Support Team.

Our final advice is that effective and well-informed recruitment and induction of new governors is the best way to prevent problems.

**“The Constitution of governing bodies of maintained schools” Statutory guidance DFE. August 2017**  
Pages 24 and 25.

### Background.

The new statutory guidance document pages 24 and 25 has outlined a procedure for the removal of all categories of governors. From 1<sup>st</sup> September 2017 all categories of governors can be removed from office if found to be in breach of the code of conduct. This includes elected governors, both staff and parent.

Regulations 20-24A outline the appropriate bodies that have the power to remove particular categories of governors. This power is not one to be exercised lightly, and only by following due process.

Local authority governors may be removed from office by the local authority that nominated them.\*

Co-opted governors may be removed by the governing body. Parent and staff governors, either appointed or elected, may be removed by the governing body using procedures outlined in this policy.

### Grounds for disqualification

Examples which could give rise to removal are where:

a. **there have been repeated grounds for suspension** (see The School Governance (roles, Procedures and Allowances) 2013.) This includes any action inconsistent with the ethos, or has brought or is likely to bring the school or governing body into disrepute.

b. **there has been serious misconduct.** Governing bodies should decide what constitutes serious misconduct based on the facts of the case. Any actions which compromise the Nolan principles, if sufficiently serious, would be considered in scope of this reason for removal.

c. **a governor displays repeated and serious incompetence**; for example where an governor is unwilling or unable, despite all appropriate support, to develop the skills to contribute to effective governance; or where attendance is so irregular that the governor is unable to make any meaningful contribution to the work of the board.

d. **the governor has engaged in conduct aimed at undermining fundamental British values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs;**

e. the actions of the governor **are significantly detrimental to the effective operation of the governing body, distracting it from its core strategic functions;** and/or the **actions of a governor interferes with the operational efficiency of the school** thereby wasting a significant amount of headteacher and/or senior leadership time.

#### Procedure for removal

##### **Informal stage**

**This stage is applicable to all categories of governor.**

It is advised that every effort be made to avoid potential difficulties later by informing prospective election candidates, or appointees, of the nature of the role.

It is advised that their agreement is secured to a clear set of expectations for behaviour and conduct – as set out in a code of conduct. A code of conduct is expected to detail the circumstances in which the governing body may suspend or remove a governor. Good training, a thorough induction and effective chairing are also vital in helping to prevent situations occurring in the first place. It is advised that induction includes a clear setting out of the expectations of the governor role.

Governing bodies are expected only to exercise the power to remove a in exceptional circumstances where the actions or behaviour of the governor warrants removal rather than suspension. The power should not be used simply to remove dissenting or challenging voices. Good governance involves asking courageous questions and offering appropriate professional challenge. A diverse range of viewpoints contributes to healthy debate and good decision making; and avoids governing boards becoming inappropriately dominated by a single narrow perspective.

The five year disqualification term for removal reflects the expectation that the power to remove a governor will only be used in exceptional and serious circumstances (and such seriousness will depend on the facts of the case).

In view of the above comments it is expected that the chair of the governing body will make every effort to resolve any misunderstandings or difficulties informally in the initial stages. This will involve meeting with the governor and discussing with them the code of conduct and how they can improve their behaviour or contributions to the governing body. In the case where these meetings have no effect it is recommended that the Chair meet with the governor and a written warning is given to the governor, outlining the issues and stating how the governing body will expect the governor to change their behaviour in light of the code of conduct. It is recommended that the chair will give clear timescales for improvement.

In the case of the chair's behaviour being regarded as unacceptable the vice-chair or another appropriate governor should appointed to this role.

## Formal stage

Stage one – this applies to all categories of governor

### Procedure for removal of governors by the governing body (regulation 25)

Removal by a governing body of a co-opted governor, appointed parent governor or elected parent or staff governor is effected by resolution of the governing body but only if:

- the removal is confirmed by a resolution passed at a second meeting of the governing body not less than 14 days after the first meeting;
- the removal of the governor has been specified as an item on the agenda of both meetings; and
- the following additional conditions are satisfied:
  - Where the governor concerned whose removal has been requested by the nominating body, the additional condition is that the governing body considers the reasons for removal and gives the governor concerned the chance to make a statement in response.
  - Where the governor concerned is a co-opted governor, elected parent or staff governor, the governor proposing the removal must at the meeting give reasons for the proposal and the governor concerned must have the chance to make a statement in response.

For LA Governors:

The chair asks the LA to remove the governor from office, explaining the reasons for the request and demonstrating that due process has so far been followed.

Co-opted governors

The chair formally writes to the governor explaining that they have been removed from the board and explaining the reasons. They must also explain that the governor is now disqualified from being a governor at any other school for a period of 5 years.

Elected Governors

Appeal Stage – this only applies to elected governors

Governing bodies are expected to provide an appeals procedure to enable any removed governor to test the reasonableness of the governing body's decision to remove them. It is advised that an independent panel conducts the appeal, which could include a governor from another school, and/or a suitable official from the local authority.

The governing body should appoint a panel with 2 independent governors from another school, and one LA officer. The panel should meet within a reasonable period of time, the suggestion is twenty working days. The panel will review the procedure and ensure that the governor subject to removal has had an opportunity to improve their conduct through the process. They should also ensure the governing body has provided clear evidence that the governor has not altered their conduct throughout the process. The panel should invite

the governor and a representative of the governing body to attend the meeting and give each person the opportunity to make a statement or answer any questions from the panel. The panel should then ask both parties to leave and agree a decision. The decision should then be written and sent to both the governor and the representative of the governing body within 5 working days.

### **Conduct of all meetings.**

All meetings should be minuted by a clerk.

The initial meeting should be notified to all governors, including the governor subject to removal proceedings at least 7 days in advance of the meeting. The removal of the governor should be a clear agenda item. The reasons for the proposed removal of the governor should be sent to the governor concerned with the agenda of the meeting. This written statement should NOT be sent to all of the governing body to enable the governing body to consider the matter at the meeting.

At the meeting, the Chair (or other nominated governor) should outline the reasons for the removal of the governor.

The governor should then be given the opportunity to reply to the case against them.

The governing body should then vote on the proposal. This vote can be a secret ballot and the decision is made under the usual rules of governing bodies so that a simple majority is acceptable.

If the governing body vote to remove the governor they should be informed at the meeting and then in writing within 5 working days.

A second meeting of the governing body must now be held. This cannot be held within 14 days of the first meeting i.e. the meeting must be dated at least 14 days after the initial meeting.

This second meeting must have the confirmation of the removal the governor as an agenda item. This confirmation must be approved by simple majority at the meeting. The governor must then be informed in writing and informed that they can now go to an appeal panel and have their case reviewed. If they wish to do this they must inform the clerk to the governing body within 20 working days.

The Chair (or representative governor) will arrange for a panel hearing at the request of the removed governor. This will be made up of 2 independent governors and one LA senior officer.

This panel should meet within 20 working days of the request being received.

The clerk will send out any enclosures to the panel members and invite all parties in writing. The clerk will also take notes in the meeting and send out to all parties a copy of the decision made by the panel.

The panel will listen to the representative of the governing body and then the removed governor. They will ask any questions to both parties and then ask both parties to leave whilst they make a decision. The decision must be sent to both parties within 5 working days.

The panel's role is to ensure the following:

1. The process has been followed correctly, including the informal process.
2. The removed governor has had every opportunity to change their behaviour but has failed to do so.
3. The removed governor has been given the opportunity to defend their position at the informal stage and in the first meeting.

4. The decision taken by the governing body is reasonable and in the interests of improving governance in the school.