

NEW COLLEGE LEICESTER
COMMITTEE STRUCTURE
AND
SCHEME OF DELEGATION

October 2023

Definition of a Trust School

A Trust School is a Foundation School with a Trust. The Trust is a charitable organisation that supports the school. The Trust takes ownership of the school's land and assets. New College formally became a Trust school on 1st June 2010.

Responsibilities of the governing body

The governing body of the school remains responsible and accountable for all major decisions about the school and its future. Governors have a legal responsibility to conduct the school with a view to promoting high standards of educational achievement.

The Governors will:

- Set the school's vision and strategic aims as directed by the Trust Board
- Monitor and evaluate performance
- Approve the school's budget
- Ensure the school is accountable to those it serves
- Appoint the headteacher
- Act as a critical friend by providing support and challenge

In a Trust school the governing body remains responsible for all aspects of the conduct of the school. It is a separate entity from the Trust.

As a Trust school, this leads to a change in governance of the school such that the governing body:

- Becomes the employer of the school staff
- Becomes the admissions authority for the school within the requirements of the School Admissions Code

The Trustees of New College Leicester:

- Take on ownership of the school's land and assets

Foundation/Trust schools remain local authority maintained schools.

Committees of Governing Bodies

Lead role governors are in the following positions:

- Hearings Committee – Mrs Sue Billington
- Appeals Committee – Mrs Sue Thistlethwaite
- Principal's Performance Review Group – Mrs Sue Billington
- Pupil Discipline Committee – Mrs Sue Thistlethwaite
- Pay Committee – Mrs Sue Billington
- Pay Appeals Committee – Mrs Sue Thistlethwaite

Staffing Functions

These Regulations do not apply to committees established by the governing body to deal with staffing functions that affect individual members of staff, rather than the school staff as a whole. The delegation of a governing body's functions relating to the appointment and dismissal of staff and staff grievance, capability, conduct, discipline and suspension matters are covered by the School Staffing Regulations 2003 that came into force on 1st September 2003.

Establishment of Committees

The governing body must agree the membership and proceedings of any committee. It must also review the establishment, terms of reference, constitution and membership of any committee annually.

Associate Members

The membership of any committee may include associate members who are non-governors, provided that a majority of the members of the committee are governors. Associate members can be appointed to serve on one or more committee and attend full governing body meetings. The definition of associate member is wide and pupils (over 18 years of age), school staff and people who want to contribute specifically in issues related to their area of expertise can be appointed as associate members.

Associate members are appointed as members of any committee established by the governing body. They are appointed for a period between one and four years and can be reappointed at the end of their term of office. They are not governors and are not recorded in the Instrument of Government.

The governing body can give limited voting rights to associate members at the time of appointment. Associate members may NOT vote on any decision concerning admissions, pupil discipline, election or appointment of governors or the budget and financial commitments of the governing body.

Clerk to a Committee

The governing body must appoint a Clerk to each committee. "Committee" in the Procedures Regulations means one with delegated functions. It does not include other groups, such as working groups set up for a specific purpose.

The Headteacher cannot be appointed as Clerk to a committee. The governing body can appoint a governor to clerk one or more committees but it is recommended that the governing body appoint an experienced Clerk.

If the Clerk is unable to attend a committee meeting, the governors present can appoint a member of the committee (but not the Headteacher) to act as clerk for that meeting.

The governing body can remove a clerk to a committee from office at any time.

Functions of the Clerk to a Committee

It is the responsibility of the Clerk to a committee to:-

- Convene meetings of the committee;
- Attend meetings of the committee and ensure minutes are taken
- Perform other duties in respect of the committee as determined by the governing body.

Chair of the Committee

Each committee must have a Chair to the committee who is either appointed by the governing body or elected by the committee.

There are no restrictions on who can chair a committee and this includes the headteacher and governors who work at the school. It is not recommended that an associate member chair a committee that deals with issues where an associate member is not eligible to vote, nor one where they might be asked to leave the meeting due to the issue under discussion.

Issues of direct and indirect pecuniary interest should also be taken into account when appointing a Chair of a committee. The frequency and nature of such issues may mean that it would not be practical nor prudent to have certain committees, for example the Finance Committee, chaired by members of staff.

Meetings of Committees

Committee meetings are convened by the clerk to the committee who takes instructions from the governing body and the chair of the committee.

The Clerk must give each governor and associate member who is a member of the committee and the Headteacher written notice of a meeting, a copy of an agenda and any papers to be considered that the meeting at least seven days before the meeting.

Minutes must be drawn up by the clerk and signed by the chair, after approval at the next meeting of the committee. All relevant papers must be made available for inspection in the same way as minutes of full governing body meetings. Confidential information does not have to be made available.

Quorum

With the exception of the Principal's Performance Review Group where two governors carry out the duties; the quorum for any committee meeting and for any vote must be a minimum of three governors who are members of the committee, or more, as determined by the Committee. An exception is for the Dismissal for Capability is where the Principal plus 1 governor reside.

Attendance at Meetings

Members of the committee, the Headteacher (if not a governor) and the Clerk to the committee have a right to attend committee meetings. In addition the governing body or the committee can allow any other person to attend their meetings. Associate members may be excluded from any part of a committee meeting when the item of business concerns an individual member of staff or pupil.

Decision making/Voting

Every question to be decided at a committee meeting must be determined by a majority of votes of the governors and associate members present and voting. If the vote is tied, the Chair – provided that they are a governor – has a second (or casting) vote. The committee can only vote if the majority of the committee members present are governors.

Reporting Back

Any individual or committee to whom a decision has been delegated must report back to the governing body in respect of any action taken or decision made.

Hearings Committee

Terms of reference:

- To make any determination to dismiss any member of staff (*unless delegated to the headteacher*)*
- To make any decisions under the Governing Body's personnel procedures e.g. disciplinary, grievance, capability where the Principal is the subject of the action**
- To make any decisions in relation to the operation of the College's Pay Policy
- To make any decisions relating to any member of staff other than the Principal, under the Governing Body's personnel procedures (*unless delegated to the Principal*)
- To make any determination or decision under the Governing Body's Complaints Procedure

* Dismissal for Capability Procedure can be delegated to and the meeting held with the Principal and one governor.

**cannot be delegated to an individual

Membership – not less than 3 members of the Governing Body
(NB. The number appointed to this committee directly affects the number required for the Appeals Committee)

Disqualification – The Principal

These terms of reference agreed by the Governing Body	28/01/16
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Name of Governor	Date Appointed to the Committee
Sue Billington	22/09/10
Ian Chakravorty	
AN Other governor	

Chair of the Committee	Sue Billington
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Clerk to the Committee *	The Clerk
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Quorum (minimum of 3, committee can determine higher number)	3
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Date Committee established	3/11/10	Date of review:	Date of review:	Date of Review
		28/01/17	30/01/20	10/11/22

Appeals Committee

Terms of reference:

- To consider any appeal against a decision to dismiss a member of staff made by the Hearings Committee*
- To consider any appeal against a decision short of dismissal under the Governing Body’s personnel procedures e.g. disciplinary, grievance, capability*
- To consider any appeal against selection for redundancy*

*cannot be delegated to an individual

Membership – no fewer members than the Hearings Committee

Disqualification – The Principal
Any members of the Hearings Committee

These terms of reference agreed by the Governing Body	3/11/10
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Name of Governor	Date Appointed to the Committee
Sue Thistlethwaite	30/01/2020
Use of Collaboration Regulations	
(Governors not part of the Hearing Committee)	
(reserve)	

Chair of the Committee	Sue Thistlethwaite
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Clerk to the Committee *	The Clerk
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Quorum (minimum of 3, committee can determine higher number)	3
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Date Committee established	3/11/10
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Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 10/11/22
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Principal's Performance Review Group

Terms of reference:

- To arrange to meet with the School Improvement Partner/NCA to discuss the Principal's performance targets
- To decide, with the support of the School Improvement Partner/NCA, whether the targets have been met and to set new targets annually
- To monitor through the year the performance of the Principal against the targets
- To make recommendations to the Pay Policy Committee in respect of awards for the successful meeting of targets set

Membership – 2 Governors – 2 to carry out the duties, reserve any other governor, plus one External member (expert)

Disqualification –

The Principal and Staff Governors

These terms of reference agreed by the Governing Body	3/11/10
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Name of Governor	Date Appointed to the Group
Sue Billington	22/09/10
Ian Chakravorty	
External member	

Chair of the Group	Sue Billington
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Quorum (minimum of 2 suggested)	3
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Date Group established	3/11/10
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Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 101/11/22
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Pupil Discipline Committee

Terms of reference:

- To consider representations from parents in the case of exclusions of 5 days or less (*Committee may not re-instate*)
- To consider representations from parents in the case of exclusions totalling more than 5 but not more than 15 school days in one term (*meeting to be held between 6th and 50th school days after receiving notice of the exclusion*)
- To consider the appropriateness of any permanent exclusion or any exclusion where one or more fixed period exclusions total more than 15 school days in one term or where a pupil is denied the chance to take a public examination (*meeting to be held between 6th and 15th school days after receiving notice of the exclusion*)
- To ensure that the guidance contained in the 2008 DCSF Guidance on 'Improving Behaviour and Attendance' document is practised in the College, with specific reference to the role assigned to the Governing Body.
- To review the Behaviour Policy, and make recommendations on changes to the Governing Body or relevant committee

Membership – 3

NB. The Governing Body may nominate a pool of governors from which three will serve as the Discipline Committee to consider particular exclusions. If a governor has a connection with the pupil or the incident that could affect their ability to act impartially, they should not serve at the hearing.

Disqualification – The Principal

Any Governor with prior knowledge of the pupil or the incident.

These terms of reference agreed by the Governing Body	3/11/10
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Name of Governor	Date Appointed to the Committee
Any 3 available governors	

Chair of the Committee	Sue Thistlethwaite
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Clerk to the Committee *	The Clerk
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Quorum:	3
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Date Committee established	3/11/10
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Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 10/11/22
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Pay Committee

Terms of reference:

To adopt and take full responsibility for maintaining, updating and implementing a robust and considered pay policy that:

- sets out clearly the basis on which all decisions that determine pay will be made and communicated to all teachers;
- sets out the extent to which specific functions relating to pay determination will be delegated to others, such as the headteacher;
- explains the role that the relevant body will play in determining decisions relating to individual teachers;
- fully complies with all relevant aspects of equalities legislation;
- sets the date by which it will determine teachers' annual pay review; and
- establishes procedures for addressing teachers' grievances, in relation to their pay, in accordance with the ACAS Code of Practice.

Membership – 2 Governors – 2 to carry out the duties, reserve any other governor

Disqualification – The Principal and Staff Governors

These terms of reference agreed by the Governing Body	3/11/10
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Name of Governor	Date Appointed to the Group
Sue Billington	
Ian Chakravorty	
AN Other governor	

Chair of the Group	Sue Billington
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Quorum (minimum of 2 suggested)	3
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Date Group established	3/11/10
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Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 10/11/22
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Pay Appeals Committee

Terms of reference:

- To consider any appeals against a decision of a teachers grievance in relation to their pay, in accordance with the ACAS Code of Practice;
- To consider any appeals against pay equality;
- sets the date by which it will determine teachers' annual pay review; and
- establishes procedures for addressing teachers' grievances, in relation to their pay, in accordance with the ACAS Code of Practice.

Membership – 3 Governors – 3 to carry out the duties, reserve any other governor

Disqualification – The Principal and Staff Governors

These terms of reference agreed by the Governing Body	3/11/10
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Name of Governor	Date Appointed to the Group
Sue Thistlethwaite	
AN Other x 2 governors	

Chair of the Group	Sue Thistlethwaite
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Quorum (minimum of 2 suggested)	2
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Date Group established	3/11/10
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Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 10/11/22
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Delegation of Responsibility to Individuals

Any individual to whom responsibility has been delegated is expected to work within the following terms of reference.

Terms of reference:

- To liaise with the appropriate member(s) of staff
- To visit the school with the purpose of gathering information concerning their area of responsibility and to increase their knowledge of the College
- To regularly report to the Governing Body on developments and progress within their area of responsibility
- To raise the profile of the area of responsibility when related matters are considered by the Governing Body
- To attend training as appropriate

Disqualification – The following functions **CANNOT** be delegated to an **individual**:

Functions relating to:

- ❖ The alteration, closure or change of category of maintained schools
- ❖ The approval of the first formal budget plan of the financial year
- ❖ School discipline policies
- ❖ Exclusions of pupils (except in an emergency when the Chair has the power to exercise these functions)
- ❖ Admissions

Area Of Responsibility	Name of Governor	Liaising with	Reporting to
Child Protection/Safeguarding	Sue Thistlethwaite	Child Protection Co-ordinator	Governing Body
SEN	Sue Thistlethwaite/ Deborah Rose	SENCO/Principal	Governing Body
Children in public care	Sue Thistlethwaite	SENCO/Principal	Governing Body
Finance	Vacant	Principal	Governing Body
Home School Agreements	Sue Thistlethwaite	Principal	Governing Body
Teaching and Learning/ Curriculum	Paul Wilson	Associate Principal	Governing Body
Staffing	Sue Billington	Principal	Governing Body
Building and Estates	Sue Billington/ Dipak Patel	Principal	Governing Body
Admissions	Sue Thistlethwaite	Principal	Governing Body
Health & Safety	Sue Billington	Principal/Estate Manager	Governing Body
Careers/Pupil Premium	Kate Walewska	Principal	Governing Body

Date of review: 28/01/17	Date of review: 30/01/20	Date of review: 10/11/22
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The Role of the Chair of a Committee

- ❖ To ensure the business of the Committee is conducted properly, in accordance with legal requirements
- ❖ To ensure meetings are run effectively, focusing on priorities and making the best use of time available, and to ensure that all members have an equal opportunity to participate in discussion and decision-making

The Role of the Clerk to Committees

- ❖ To advise the Committee on procedural and legal matters
- ❖ To convene meetings of the Committee
- ❖ To attend meetings of the Committee and ensure minutes are taken
- ❖ To perform such other functions with respect to the Committee as may be determined by the Governing Body from time to time

Disqualification – the Principal