

# OPERATING STATEMENT FOR THE BOARD OF TRUSTEES OF CLEVES SCHOOL 2022-2023

Trustees shall exercise their powers and duties as set out in their Articles of Association and Funding Agreement.

**This document is not statutory but is intended as a framework for the effective operation of the Board of Trustees.**

## STRUCTURE

### 1. Composition of the Board of Trustees and appointment of trustees

The Articles of Association set out in full the composition of the Board of Trustees and how trustees are elected. In brief:

- The members may appoint up to 11 trustees
- The trustees may co-opt up to three trustees
- Under Article 53 two parent trustees are elected by parents
- The headteacher is an ex officio trustee
- Under Article 50A staff trustees may be elected through such process as the members determine. The Articles permit the first two staff trustees. The number of subsequent staff trustees is the choice of members, but the total may not exceed one third of the total number of trustees.

A trustee's term is 4 years subject to them remaining eligible to be a particular type of trustee. Any trustee may be re-appointed or re-elected.

Cleves trustees have decided to have a Board of trustees with 12 members unless there is a strong case for exceeding or this or for having fewer trustees.

**Parent Trustees.** The clerk will act as Returning Officer. The election will be by secret ballot of parents. When a vacancy occurs, a letter will be sent informing parents and ten school days will be allowed for the receipt of nominations. If an election is required, 10 school days will be allowed for votes to be made. The count will take place that day and the result will be made public. The ballot returns will be held in school for 10 school days in case of a disputed result.

**Staff Trustees.** The clerk will act as Returning Officer. The election will be by secret ballot of all staff. When a vacancy occurs a notice will be posted in the staff room or a written communication sent out to inform the staff. Nomination forms will be available from the school office and 10 school days will be allowed for their return. If an election is required 10 school days will be allowed for votes. The count will take place that day and the result displayed in the staff room and notified to the chair of trustees and clerk. The votes received will be held in school for 10 school days in case of a disputed result.

At the start of each year trustees will review the make up and total number of trustees on the Board, taking account of skills available and skills needed.

**Associate trustees.** The Articles of Association are silent on the subject of associate trustees. Cleves Board of trustees will, however appoint associate trustees as it sees fit to serve on Board of trustees committees. In general, and with the exception of staff

and parent trustees, people will first be invited to be an associate trustee on a committee before joining the Board of trustees so that they can familiarise themselves with the school and with governance. Associate trustees will be invited to join the Board of trustees when there is a vacancy that their skill set matches and if they have shown their suitability to be full trustees. As a general rule the Board of trustees will not appoint more than two associate trustees to any committee (and in any event no more than one fewer than the quorum). Associate trustees will not form part of the committee quorum but will have voting rights on their committee. Associate trustees cannot take on the role of committee chair or vice chair, but can take on certain roles for their committees, e.g. Responsible Officer, with the agreement of the Board of trustees. Associate trustees will be appointed for two years and may be reappointed at the end of this period. Associate trustees will have their own section on the trustees' area of the hub to ensure they have access to relevant information. Committee chairs will be responsible for considering their training and briefing needs. Associate trustees are not full trustees and they are not recorded in the annual accounts. All trustees and associate trustees will be required to have a DBS check.

A criterion for the suspension of trustees is set out in the Articles of association.

## **2. Chair and Vice Chair**

At the first meeting in the school year the board of trustees will elect from among its number a chair and vice chair. A trustee who is employed by the Academy Trust is not eligible for election as chair or vice-chair.

The process for the election of chair and vice chair is:

- The clerk will chair the meeting for the election of chair.
- Trustees may self nominate or may nominate a fellow trustee for chair and/or vice-chair. The permission of the nominee must be sought.
- Nomination must be made to the clerk by the date agreed at a full board of trustees meeting.
- The agenda for the next meeting will list the candidates for both chair and vice-chair.
- The second item will be the election of the chair by secret ballot/show of hands of all those trustees present.
- Nominees for the position of chair will be asked to leave the room whilst the board of trustees takes a vote.
- If there were a tie each candidate will be given the opportunity to speak to the trustees about their nomination and a further vote will be taken. If there is still a tie, trustees should discuss the strengths of the nominees further, and another vote will be taken. This process will repeat until a nominee polls a majority of the votes or, failing that the decision will be based on the toss of a coin.

If nobody is willing to stand for the office of chair, the meeting will be adjourned until a chair can be elected. The clerk will be expected to try to identify a suitable candidate.

The newly elected chair will then deal with the election of vice-chair:

- Nominees for the position of vice-chair must leave the room whilst the board of trustees takes a vote.

The chair and vice-chair terms of office are one year.

It is the role of the chair to ensure that trustee business is conducted in an effective and efficient manner.

If the chair resigns, or has to relinquish the office for any reason, the vice-chair will act as chair until a successor is appointed at the next meeting of the board of trustees. The election of chair will be a specific item of business on the agenda for that meeting.

If both the chair and vice-chair resign, or have to relinquish their offices for any reason, the board of trustees will elect their successor(s) at their next meeting.

The chair can be removed from office in accordance with Article 92 and 93. A motion to remove the chair or vice-chair must be an agenda item for a board of trustees meeting and must be confirmed by resolution at the follow up meeting held not less than 14 days after the first meeting. The trustee proposing the removal must state his/her reasons for doing so at the meeting. The chair or vice-chair must be given the opportunity to make a statement in response.

### **3. Chair's urgent action**

The chair, or in his or her absence the vice chair, has authority to take certain urgent actions between meetings if a delay in dealing with the matter would be seriously detrimental to the interests of the school, a pupil at the school or their parents, or to a member of staff at the school. Any actions taken in such circumstances must be notified to the full board of trustees at the next meeting.

The following actions cannot be taken (in emergency) without reference to the full board of trustees:

- Matters relating to the alteration or closure of schools
- Change of school category
- Approval of the budget
- Discipline and admissions policies

### **4. The Clerk to the Board of trustees**

The full board of trustees must approve the appointment of the clerk on terms and conditions that they deem fit. The clerk cannot be a trustee or the headteacher.

The clerk's role is to:

- Convene meetings in accordance with arrangements made by the Board of trustees, and subject to:
  - Any direction from the chair where the matter is urgent
  - Any requisition signed by three trustees
- With the chair and headteacher draw up meeting agendas which must be issued together with all papers 7 days before the meeting. The board of trustees will not normally include provisions for late items except with the prior agreement of the chair.
- Ensure that all meetings are minuted
- Issue minutes
- Maintain an up to date register of members of the board of trustees
- Record attendance of attendees at the board of trustees and its committees and record in the minutes the time of arrival/departure of any trustee not in attendance throughout the whole meeting

- Where a trustee sends an apology for absence with reason, the board of trustees will decide whether to “consent” to the absence and the clerk will record the decision in the minutes. If apologies are not submitted they will deem them not to have been accepted. (A copy of the approved draft minutes will be sent as soon as possible to the trustee concerned.) If a trustee were absent without the permission of the board of trustees from all their meetings held within a period of six months he would cease to hold office
- Provide information to the board of trustees
- Chair the meeting pending the election of the chair
- Be responsible for convening and minuting committee meetings as required e.g. exclusions, appeals and staffing
- Ensure that minutes are available for public inspection
- Receive relevant correspondence
- Send out notices about the election of parent trustees and count votes
- Amend and update board of trustees papers as necessary

If the clerk is unable to attend a meeting at short notice, then a trustee, but not the headteacher, can act as clerk for that meeting.

The clerk can be removed as clerk by a resolution of the Board of Trustees

## **5. Committees and Working Groups**

In order to ensure the most efficient use of time and resources, and in some cases to ensure absolute propriety, the board of trustees will, where it is proper and appropriate to do so:

- Set up working parties to gather information and/or make recommendations to the whole board of trustees or to a committee
- Delegate work to committees with the power to make decisions on behalf of the whole board of trustees
- Delegate work to individual members of the board of trustees.

### **Committees**

When establishing committees the board of trustees will ensure compliance with the Articles of Association. The board of trustees will set up all committees required by statute.

The Board of trustees will ensure that at least three trustees (not including the headteacher) are appointed to each committee and will:

- Establish and record terms of reference
- Determine the membership and the method of electing the chair of each committee
- Review the terms of reference for, and the membership of, committees annually, at its first meeting of the academic year
- Allow working parties and committees to determine their own timetables within given limits
- Determine procedures for reporting back

The membership of any committee of the board of trustees may include people who are not members of the board of trustees. The board of trustees shall determine whether such people are entitled to vote in any proceedings of the committee.

The headteacher has the right to attend any meeting of the board of trustees or any of its committees or working parties subject to the statutory rules laid down in respect of exclusions, and staff disciplinary matters and any meeting in which s/he has a personal interest.

A committee will provide minutes showing its decisions and actions to the next meeting of the full board of trustees.

The relevant committee chair will approve the minutes of a committee meeting and a copy will be presented to the next meeting of the board of trustees for information and filing.

All committee meetings will be clerked by someone who is not the headteacher.

Committees, with the agreement of the Board of trustees, can ask individuals to take on specific roles and report back the committee, e.g. trustee for pupil premium, looked after children, SEN, child protection, health and safety, reporting officer etc. Job descriptions are attached as an annex.

Where a meeting is necessary and delay would be detrimental either for the school, its staff/a staff member or its children/a child, and committee members are unable to meet, quorate committee meetings may be held by conference call, Skype or other electronic means.

In the rare event of an urgent decision being needed and where delay would be detrimental either to the school, its staff/a staff member or its children/a child, and no quorate meeting of any kind can be arranged in the time available, a decision may be taken by email provided a quorum of the committee is able to contribute to the decision. Decisions of this type, and reasons for the decision, must be recorded fully at the next committee meeting.

## **Working groups**

In establishing working groups the board of trustees will:

- Determine the membership, including that of non-members of the board of trustees, and the method of appointing the chair of each working party
- Establish and record terms of reference
- Allow working parties to determine their own timetables within given limits
- Determine procedures and timings for reporting back.

If the board of trustees establishes working parties to make recommendations or provide information they will be discontinued when their work has been completed.

All working groups will present either written recommendations or progress reports to the next meeting of the full board of trustees.

## **6 MEETINGS**

### **6.1 Conducting Meetings**

The Chair will conduct all meetings of the full board of trustees except where, in his or her absence, the chair will be taken by the vice chair.

If both the chair and vice chair are absent from a meeting or have resigned, the board of trustees will elect from its number a chair for that meeting.

If both the chair and the vice chair resign, the board of trustees will hold a special meeting as soon as possible to elect their successors.

The chair will ensure that meetings are run effectively, focusing on priorities and making the best use of time available and ensuring that all trustees enjoy equality of opportunity to express their views.

The board of trustees will receive, and may debate at the discretion of the chair, decisions on matters that it has delegated to a committee or individual. Decisions will be recorded in the minutes.

Recommendations received from working groups will be recorded in the minutes, together with any related board of trustees' resolution.

## **6.2 Calendar of meetings**

The whole board of trustees will meet at least once a term.

The board of trustees will plan the dates and times of its meetings a year in advance at the end of the summer term.

## **6.3 Timing of meetings**

The full board of trustees will agree meeting start times and the aim will be to limit each meeting to 2 hours maximum.

## **6.4 Quorum**

For meetings of the full board of trustees the quorum will be one half, rounded up to a whole number, of the membership of the board of trustees, excluding any vacancies.

The quorum for a committee/working party will be 3 full trustees who are members of the committee.

A meeting may be held if it is inquorate but no decisions can be taken. If, during the course of a meeting it becomes inquorate, no further decisions can be taken.

## **6.5 Agenda**

The agenda will be organised by the clerk in consultation with the chair and headteacher.

Individuals or groups of trustees may put forward items for the agenda by writing to the clerk at least 21 days before the meeting. Items that have not been included on the agenda can be discussed if the full board of trustees agrees to their discussion at the start of the meeting (usually after apologies).

Papers will be put on the hub with the agenda.

An item raised by an individual trustee, once dealt with to the board of trustees' satisfaction, should not normally be raised again within one calendar year.

## **6.6 Any other business (AOB)**

AOB will not appear on any agendas although "items for the next meeting's agenda" may feature at each meeting.

## **6.7 Attendance**

The clerk will keep a record of all persons attending a meeting of the board of trustees or any of its committees.

The minutes will also record the names of trustees who have sent apologies, which have been accepted, and the names of trustees who are absent (or whose apologies have not been accepted).

The point of arrival of any person attending the meeting late and departure of any person leaving before the end of a meeting will be recorded in the minutes.

If a trustee fails to attend meetings without the consent of the board of trustees for a period of six months they will be disqualified from holding office as a trustee. The six-month period commences from the date of the first meeting he/she fails to attend.

## **6.8 Trustee Discussions**

The chair will ensure that all trustees have equal opportunity to express their views and that debate is not dominated by a small minority of the trustees to the exclusion of others.

On any item that is likely to be controversial the trustees may decide how long an individual may speak. It is the role of the chair to ensure a smooth and efficient meeting and at times it will be necessary to draw discussions to a point that a decision can be made.

Recommendations received from working parties will be recorded in the written minutes.

The board of trustees will receive, and may debate at the discretion of the chair, decisions that it has delegated to a committee or to an individual. Decisions will be recorded in the minutes.

The full board of trustees will not debate or discuss any matter that is likely, subsequently, to be the subject of a parental complaint or staff grievance or disciplinary hearing or a pay appeal.

Details of all discussions or will remain confidential to those present at the meeting.

## **6.9 Decision making**

Members of the board of trustees accept that all decisions must be made by a full meeting of the board of trustees unless an individual or a committee has been given delegated authority to deal with a specific issue.

A simple majority through a show of hands will be made after full discussion and decision unless any one member, or more, requests a secret ballot. Every trustee has one vote. If there is a tied vote at the end of a discussion the chair has a second or casting vote.

The board of trustees has the right to overrule a committee decision on the basis of a board of trustees majority vote.

A decision of the board of trustees is binding upon all its members. Any trustee publicly dissociating himself or herself from a decision may be judged by fellow trustees to have:

- Acted in a way that is inconsistent with the school's ethos/character
- Brought the school, or may be likely to bring the school, into disrepute

And this could result in that trustee being suspended for a period of up to six months.

Decisions of the board of trustees may only be amended or rescinded at a subsequent meeting of the full board of trustees when the proposal to amend or rescind appears as a separate agenda item.

### **6.10 Minutes of meetings**

The minutes of meetings will be drawn up on consecutively numbered pages, each page initialled by the persons signing them as a true record.

Any dissenting views will be recorded in the minutes of the meeting, if that is the wish of one or more persons present.

Within ten days of the meeting the clerk will send the draft minutes first to the chair and then to the headteacher for checking.

The headteacher and the chair will check the draft minutes for accuracy and send them to all members of the board of trustees within 21 days of the meeting.

The minutes of a meeting will be considered for approval or amendment at the next meeting of the full board of trustees.

Actions will be taken on the basis of unapproved/draft minutes and need not await the approval of minutes at the next meeting.

Minutes of meetings will be available for public inspection once they have been approved by the full board of trustees and signed by the chair.

The approved minutes etc. will be available for public inspection at reasonable times by arrangement with the clerk.

Those matters that must by law remain confidential or which the board of trustees decides shall be confidential will not be published in the main minutes of any meeting but will be classified as Part II minutes and minuted and held separately and available to trustees only.

### **6.11 Access to meetings of the board of trustees**



The board of trustees will decide annually, who, other than trustees and the clerk, will be admitted to its meetings. For the period of 2022-23 trustees have decided that their meetings will be open to the public. Members of the public are therefore welcome to attend and observe but cannot take part in meetings. Members of the public who wish to attend are asked to give 14 days notice to the clerk. This information is published on the website. Prior to the start of the meeting the clerk will ensure that the undertaking set out in the Open Meetings Protocol (see Appendix 2) has been understood and signed.

When the headteacher is absent the headteacher's nominee may attend the meeting but will have no vote unless appointed as acting headteacher in the long-term absence of the substantive headteacher.

The board of trustees may invite a teacher to attend meetings of the full board of trustees as part of his or her professional development.

With the board of trustees' agreement the headteacher may invite other members of the school staff (e.g. business manager) to attend meetings on an occasional or regular basis. All such people attend in an advisory role and have no voting rights.

Trustees and associate governors are expected to approach their role just as professionally as they would any paid employment. To assist those with dependents, in certain circumstances the Board's Trustees' Allowances Policy allows trustees/associate governors to claim back the financial cost of the care of dependents so that they can attend meetings; and trustees/associate governors also have the option of participating remotely in a meeting (for example via phone, Skype or videoconference) as set out in the Virtual Meetings Protocol (Appendix 2). In a one-off emergency situation, a trustee or associate governor may ask that meeting's Chair in advance of a meeting if they could bring a dependent to a meeting. If at all possible, the Chair should consult others who will attend that meeting.

The chair, on behalf of the board of trustees, may ask a visitor to leave the meeting. If the person refuses to leave when asked, that person is trespassing and the chair has the right to have him or her removed.

A protocol for virtual meetings can be found in Appendix 2

## **OTHER AREAS**

### **7 Correspondence**

All incoming correspondence, excluding any concerning a complaint or any situation that could give rise to a trustees' disciplinary, capability, grievance or appeal hearing, will, on request, be made available to the whole board of trustees. Significant items will be presented to each meeting of the board of trustees, including any upon which the chair has already taken urgent action, so that the need for, and the nature of any action may be decided or confirmed.

The board of trustees will determine by resolution who should write letters, emails, policy papers or discussion documents on behalf of the board of trustees.

No trustee should write a letter, email or policy paper without the delegated authority of a committee or the full board of trustees.

## **8 Information and advice**

The Headteacher has a statutory duty to keep the board of trustees fully informed, and will present a written report at least once a term to the board of trustees.

Where important information required by the board of trustees is given orally, it will be recorded in the minutes in appropriate detail.

Where information is required by the board of trustees but is not readily available, reasonable time will be given for its production.

Where expertise or contribution to discussion is needed but not available within the board of trustees, the board of trustees may consider appointing an associate member from amongst pupils, staff or the community.

All trustees should have a working knowledge of the latest version of Trustees' Handbook and the Academies Financial Handbook

## **9 Public statements**

Public statements will only be made by agreement by the full board of trustees, the chair or those delegated to make them by the full board of trustees.

## **10 Pecuniary and personal interests – declarations and handling conflicts**

On behalf of the board of trustees the clerk will maintain a register of the relevant pecuniary and other interests of its members and their family members, signed by the relevant member(s).

Trustees will each take responsibility for drawing attention as appropriate to any pecuniary or personal interest (actual or potential) in issues to be discussed, whether that interest has previously been registered or not, at the start of each meeting of the full board of trustees or committee.

The Charity Commission defines a conflict of interests as...."any situation in which a trustee's personal interests or loyalties could, or could be seen to, prevent the trustee from making a decision only in the best interests of the charity". And, "...a conflict of interest exists even where there is the possibility that a trustee's personal or wider interests could influence the trustee's decision making".

If a trustee is in doubt about whether or not they are conflicted they should raise this at the start of a meeting. If in the course of a discussion a trustee thinks that they might be perceived to be/are conflicted they should raise their concern at this point.

A trustee must withdraw from a meeting and not vote on an issue, if:

- She/he stands to gain financially from a matter under consideration
- There could be conflict between the interests of that person or a member of their family and the interests of the board of trustees
- She/he has a personal interest in a matter under consideration and his/her impartiality and ability to act solely in the best interests of Cleves might be questioned

Trustees who have declared a personal interest must, however, be allowed to attend a meeting of a committee or the board of trustees to give evidence if they have made relevant accusations or are witnesses in the case, when it is discussing:

- Disciplinary action against an employee or against a pupil
- Matters arising from an alleged incident involving a pupil
- A parental complaint.

Further guidance on registering interests and on conflicts of interest can be found in Cleves' Articles of Association (paragraph 98); the Academies Financial Handbook and Charity Commission guidance.

## **11 Complaints and Staff Discipline**

The board of trustees will establish procedures for dealing with general complaints and for dealing with staff disciplinary matters and staff grievances.

## **12 Delegation of Functions**

No individual trustee may take action unless authority to do so has been delegated formally by the full board of trustees.

The board of trustees will determine the extent to which it will delegate its functions to an individual or to a committee but will not delegate decision making on those matters which must be decided by the whole board of trustees to either an individual or to a committee. The levels of delegation will be recorded in the board of trustee's minutes and reflected in any committee's terms of reference.

The board of trustees may delegate discipline and grievance procedures to one or more trustees, to the headteacher or to one or more trustees and the headteacher together, but they must not allow any outside body or persons to take decisions for them.

In delegating functions to individuals the board of trustees will have regard to Articles 102 and 103

## **13 Annual Report and Annual Return**

The trustees shall prepare an annual report to be submitted to the Secretary of State by 31 December each year and a Companies House annual return by 31 May each year.

## **14 Policies**

To expedite the review, revision, approval and implementation of policies the trustees may approve policies via email outside of meetings on the following basis: Many of our policies are delegated to committees. In accordance with our agreed delegation of policies:

- The draft policy will be circulated to the relevant committee/the Board with an invitation for comments or responses to be directed to a nominated member of staff or trustees within a period of seven calendar days

- The policy then to be sent to the relevant committee/the Board with a resolution for approval with a deadline for e mail votes of seven calendar days

Approval to be determined by a majority of trustees (meeting the quorum for committees) voting via email. Where there is an equal division of votes on a committee, the matter will be referred to a Board meeting of trustees.

## **15 Review**

Only the board of trustees at its first full meeting of any academic year may make amendments to this document.

## **16 Distribution**

One copy of this document will be presented to each member of the board of trustees, new trustees when they join, and the clerk. One copy will be filed as part of the record of the meeting at which they are agreed or amended. Once agreed the chair should sign and date the last page and initial those preceding.

## **17 Safeguarding Pupils**

The Academy will comply with the requirements of the Education (Independent School Standards) (England) Regulations 2010 (or such other regulations as may for the time being be applicable) in relation to carrying out enhanced criminal records checks, obtaining enhanced criminal records certificates and making any further checks, as required and appropriate for individual trustees and the chair of the board of trustees.

**In the event of any perceived or actual conflict between this Operating Statement and the Articles of Association, the Articles of Association have priority over this document.**

### **The role of nominated trustees at Cleves School**

In order to improve its effectiveness, the board of trustees has set up committees to look in detail at different aspects of its work. It has also nominated some individual trustees to take on a particular responsibility, which in the main relates to ensuring that the most vulnerable pupils receive the best possible support. There are terms of reference setting out the responsibilities delegated by the board of trustees to committees. Arrangements for nominated trustees create the opportunity for individual trustees to build up expertise in certain areas and to use trustees' time to best effect. The role of nominated trustees, and evidence of their work and interaction with key staff, is therefore important in fulfilling the board of trustees' role.

The board of trustees will ensure that there are:

- Clear written remits/job descriptions which are available to each nominated trustee records of visits/activity
- Arrangements for reporting back to a committee or the full board of trustees
- Mechanisms in place to support the nominated trustee as required (usually a committee chair but could be the chair or vice chair of the board of trustees)
- If needed, role specific training

The Board of trustees will also ask the headteacher to ensure that staff understand nominated trustees' roles.

We currently have the following individual roles:

Trustee responsible for liaison with LA in the event of allegation (child protection)  
against Headteacher  
Child protection/Safeguarding  
Mental Health and Wellbeing  
Responsible Officer  
Looked after Children  
Health and Safety  
Special Educational Needs  
Data

Training  
Pupil Premium  
E-Safety  
Pupil Associate Members (PAMS)

Job descriptions for these roles follow.

### **Trustee responsible for liaison with LA in the event of allegation (child protection) against Headteacher**

To liaise with Surrey County Council and any partner agencies, as appropriate, in the event of any child protection allegations being made against the headteacher.

Where there is an allegation of abuse against the head teacher, the nominated trustee will take the lead in liaising with the LA and/or partner agencies unless a member of the board of trustees has relevant expertise which would mean that person was better fitted to take this role, including:

- Notifying the Local Authority Designated Officer (LADO) immediately
- Ensuring with LA support that appropriate action is to be taken in accordance with agreed procedures
- Attending initial any subsequent strategy meetings as required if other agencies are involved.
- Taking the lead in an investigation under employment procedures in conjunction with the nominated governor when the other agencies' involvement is at an end.

### **Nominated Safeguarding and Child Protection Trustee**

The purpose of the role is to be a champion all aspects of safeguarding in the school on behalf of the board of trustees.

The role includes to:

- Be familiar with legislation and guidance relating to safeguarding and Child protection and associated issues, and undertake appropriate training;
- Ensure that the board of trustees puts in place a suitable Safeguarding and Child Protection Policy and associated procedures;
- Champion safeguarding and child protection issues within the school;
- Encourage other members of the board of trustees to develop their understanding of the board of trustees' responsibilities with regard to child protection and assist them to perform their functions in respect of safeguarding children and young people;
- Ensure trustees remedy any deficiencies in the school's safeguarding practices which may be brought to trustees' attention by a member of school staff, a parent, an officer of the Authority or from any other source;
- Meet regularly with the senior member of the school's leadership team who has lead responsibility for child protection issues (CPLT), in order to monitor the effectiveness of the safeguarding and child protection policy, recommended at least termly;

- Ensure that the board of trustees receives an annual report on the implementation of the school's safeguarding and child protection policy and procedures;
- Report to the children's achievement and well-being committee on issues relating to safeguarding and child protection, including providing a written report of each visit to the school made in the capacity of the nominated trustee;

The nominated trustee will liaise with the head teacher and the Authority over matters regarding confidential child protection issues involving allegations against staff.

### **Pupil Mental Health and Wellbeing Trustee**

The purpose of the role is to review the existing school vision, goals, strategies for maintenance [i.e. we want them to continue doing things that are supporting good MH] and improvement plans to ensure that child mental health and wellbeing is an integral part of strategic and operational practice.

The remit for this includes to:

- Understand the relevant data, for example the PASS survey, and assist the children's achievement and well-being committee to monitor and evaluate this;
- Ensure the committee is reviewing the wellbeing risk factors and school's response, including the effects of buildings and environment;
- Ensure that the committee are updated on relevant national and in-school trends and review the school's response;
- Meet with the member of staff responsible for pupil mental health and wellbeing and attend the working party;
- Engage with curriculum developments to ensure there is a coherent plan for embedding MH&WB learning
- Report back to the children's achievement and well-being committee on issues relating to pupil health and wellbeing, including providing a written report of each visit to the school;
- Ensure that the children's achievement and well-being committee regularly receives and critically reviews the school's strategy for pupil health and wellbeing;
- Review the findings from, and success of, specific interventions and examine how these shape future changes;
- Take an active part in any board of trustees or committee discussions when the monitoring of the pupil health and wellbeing is discussed;
- Undertake appropriate training.

### **Responsible Officer**

The purpose of the Responsible Officer (RO) is to provide an independent review of the internal financial controls of the trust to ensure that sound systems of financial control are being maintained.

The RO should be a non-employed trustee with the appropriate level of qualification and/or experience to check the trusts internal controls reporting to the Resources committee. The RO should have sufficient understanding to recognise any irregularities that may arise.

The remit includes:

- Develop an understanding of the financial systems in place
- Draw up a schedule of termly checks working with the school Business Manager
- Report termly to the Resources Committee

Suggested checks to include the following:

- Payroll: authorisations and documentation back to personnel records
- Purchases: payments and invoices authorised and tracked back to purchase order
- Bank: reconciliations performed and authorised
- Expenses: types of expenses and authorisation
- Petty cash: authorised and reconciled
- Accounting system: amendments correctly authorised

### **Children in Care (CiC) Trustee**

The purpose of this role is to be a champion for CiC in the school on behalf of the board of trustees and to ensure that the board of trustees, through the Children's Achievement and Well-being (CAWB) committee, holds the school to account for ensuring that achievement and well-being of CiC is maximised.

The remit for this includes to:

- Ensure the school appoints a designated teacher for CiC and that they receive appropriate training and development;
- Be familiar with the school's safeguarding policy with regard to CiC;
- Understand relevant school pupil performance data for CiC
- Know basic CiC facts for the school; how this figure compares with other local and similar schools;
- Meet occasionally with the designated teacher for CiC to discuss issues relating to the performance and well-being of CiC pupils and report back in writing to the CAWB committee after each visit;
- Take an active part in any board of trustees or committee discussions of the allocation and monitoring of CiC funding;
- Undertake appropriate training.

The CiC trustee should ensure the CAWB committee:

- Monitors CiCs' progress and attainment;
- Holds the school to account for ensuring that all available funding is used effectively to close any attainment or progress gap between CiC and their peers;



- Asks the designated teacher for an annual report. (*To protect a child's need for confidentiality, it is important to ensure that the report does not mention individual children by name.*)
- Discusses issues arising from the Designated Teachers' annual report and deals with them satisfactorily, whether these relate to the Designated Teacher's role, resourcing, school policies or other matters.

### **Health and Safety Trustee**

The purpose and role of Health and Safety trustee sits within the responsibilities of the Resources Committee. It is advisable to consider one or two trustees to undertake this role, working alongside the named health and safety representative in the school. A single trustee may undertake this role on behalf of the committee if he/she is deemed appropriately qualified.

Generally, the head teacher is responsible for the day-to-day management of the school's health and safety policy, and the communication of its requirements.

The board of trustees has the responsibility to monitor the policy and, if necessary, to require additional actions.

The remit of the Health and Safety trustee includes:

- Work with the schools health and safety representative to make regular termly health and safety inspections of premises
- Keep board of trustees informed of health and safety issues
- Assist in monitoring and review of health and safety policy, and ensure this is completed annually
- Ensure suitable risk assessments are carried out as set out in health and safety policy, and that these are reviewed annually and that suitable procedures are put in place to manage risks
- Ensure procedures such as fire drills are carried out
- Review accident records
- Ensure regular reports on health and safety matters are received by board of trustees such as accident statistics, results of health and safety checks
- Be aware of health and safety implications of matters under consideration by board of trustees and ensure these are understood before a decision is taken
- Attend appropriate training as required
- Keep up to date with current legislation relating to health and safety matters received in school or other publications

### **Special Educational Needs and Disability/Inclusion Trustee**

The purpose of the role is to have an understanding of all aspects of special educational needs and inclusion in the school on behalf of the board of trustees.

The remit for this includes:

- Developing an understanding of SEND and provision in the school;
- Understanding the responsibilities of the board of trustees in relation to the SEND Code of Practice;

- Developing and maintaining a relationship with the SEND Co-ordinator (SENDCo);
- Developing an understanding of SEND and Inclusion issues across the Authority;
- Reporting to the children's achievement and well-being committee on issues relating to SEND and Inclusion, including providing a written report of each visit to the school made in the capacity of SEND nominated trustee;

In order to do this the SEND trustee will need to:

- Keep in touch with the SENDCo;
- Question board of trustees decisions which have implications for SEN;
- Develop an understanding of relevant documents and legislation (including the SEND Code of Practice).

It should also be part of the SEND trustee's role to:

- Attend trustee training events on SEND and Inclusion where appropriate
- Be involved with SEND review process;
- Seek training for the whole board of trustees or with other local schools;
- Join SEND policy working party on behalf of trustees;
- Visit classrooms by arrangement with the SEND Co-ordinator and Headteacher;

### **Data Trustee**

The purpose of the role is to be the data expert on the board of trustees and to use that expertise to lead trustees in the interrogation of the school's data.

The remit for this includes to:

- Understand relevant school pupil performance data, both internal and external (including RAISEonline, FFT) that show progress of different groups over time and assist the children's achievement and well-being committee to monitor and evaluate performance and the impact of the quality of education provided;
- Meet with the member of staff responsible for data analysis to look at data in detail and discuss issues relating to the performance of pupils;
- Report back to the children's achievement and well-being committee on issues relating to data analysis, including providing a written report of each visit to the school made in the capacity of data trustee;
- Ensure that the children's achievement and well-being committee regularly receives and critically reviews school performance data with specific reference to significant groups;
- Take an active part in any board of trustees or committee discussions the monitoring of the pupil performance is discussed;
- Periodically review the process by which the school produces its internal monitoring data and the action planning process;
- Undertake appropriate training.

### **Training Trustee**

The purpose of the training trustee is to provide support to the board of trustees to ensure that trustees have the appropriate training to undertake their roles.

The remit for this includes:

- The recommendation of a training provider for the board of trustees.
- The production of initial training plans for new trustees.
- Monitoring and approving training requests from the board of trustees.
- Suggesting training needs that the board of trustees should undertake to maintain appropriate skills.
- Ensuring that the trustee commitment to annual training is achieved.

### **Pupil Premium Trustee**

The purpose of this role is to be a champion for pupil premium pupils in the school on behalf of the board of trustees and to ensure that the board of trustees, through the children's achievement and well-being committee, holds the school to account for ensuring that all available funding is used effectively to close the attainment gap between children who are in receipt of pupil premium funding and those who are not.

The remit for this includes to:

- Be familiar with the concept of the pupil premium; what it is, why it has been set in place, how it is allocated, how it is calculated, which groups of pupils attract the premium;
- Be familiar with the school's pupil premium policy;
- Understand relevant school pupil performance data that shows progress of different groups over time and ensure the children's achievement and well-being committee holds the school to account for ensuring that all available funding is used effectively to close the attainment between pupil premium pupils and their peers;
- Know basic pupil premium facts for the school; how many pupils attract the premium, how this figure compares with other local and similar schools, how the money is spent;
- Meet occasionally with the member of staff responsible for pupil premium to discuss issues relating to the performance of pupil premium pupils;
- Take an active part in any board of trustees or committee discussions when the allocation and monitoring of the pupil premium is discussed and decided;
- Report back to the children's achievement and well-being committee on issues relating pupil premium, including providing a written report of each visit to the school made in the capacity of pupil premium trustee;
- Undertake appropriate training.

The pupil premium trustee should ensure that the children's achievement and well-being committee:

- Monitors spending of the pupil premium, ensuring the money is spent in identifiable ways to support target groups of pupils;
- Monitors the impact of pupil premium spending on target groups using an evidence-based approach;
- Monitors the attainment of different groups of pupils over time to provide evidence of how pupil premium pupils are progressing compared with others;

- Challenges the allocation of the pupil premium grant if there is no clear audit trail evidencing appropriate use of the resources;
- Ensures that all the necessary information relating to pupil premium allocation and impact is published as required.

### **E-Safety Trustee**

The purpose of the E-Safety trustee is to have an understanding of all E-Safety and related issues on behalf of the trustees.

The remit for this includes liaising with the Computing lead to:

- Ensure that the E-safety policy and practices are embedded and monitored.
- Keep up to date with current issues and guidance.
- Ensure E-safety is embedded within the curriculum, as well as the continual pursuit of new opportunities to promote E-safety.
- Ensure that the interests and safety of the whole school community are protected through the E-Safety policy and acceptable usage agreement.

The E-Safety trustee will report back to BOT meetings (annually re above and ensure all trustees have an understanding of the issues and strategies at Cleves in relation to local and national guidelines and advice.

### **PAMS Trustee**

#### Key Tasks:

- To meet and talk about strategic issues that affect the school in the long term (helping children to learn and develop; finance; building plans).
- To report back to adult trustees at their meetings or to prepare reports for adult trustees.
- To carry out research with other pupils.

#### Rights and Responsibilities:

- You have the right to have lots of ideas and to express your opinions.
- You have the responsibility to come to the meetings on time.
- You have the responsibility to listen to other people.
- You have the right to talk on behalf of other children in the school.
- You have the responsibility to tell other children what is going on.
- You have the responsibility to carry out the actions that are agreed at meetings.

#### Things to Remember:

- Think before you speak
- Speak confidently
- Express your ideas clearly
- Listen carefully to other people's ideas
- Wait for your turn to speak
- Let Mr Hodges know if you can't come – "send apologies"



## A Board of Trustees Open Meetings Protocol

The Board of Trustees of Cleves School has agreed that Full Board of Trustees meetings will be “open.” Open meetings are meetings of the Full Board of trustees to which members of the public, including school staff and parents can request, in writing, to attend, as observers. This protocol constitutes the code of conduct required by the board of trustees of those requesting attendance in return for granting access to observe their meetings.

### Protocol

- Board of trustees meetings are publicised on the school website and through parental newsletters.
- Members of the public must make a request in writing to the Clerk of the Board of Trustees to attend the “open” part of any meeting.
- Requests to attend must be sent to the Clerk to the Board of Trustees no less than 14 days before the date of the meeting.
- If there is sufficient capacity/space an invitation to attend the meeting will be issued by the Clerk to the Board of trustees, together with an agenda and an undertaking to sign (see below). These will be sent by e-mail seven days before the meeting.
- Anyone attending will be shown on the meeting as “In attendance”
- Persons attending meetings are there at the invitation of the board of trustees and must agree to:
  - Be present as observers only;
  - Not speak or in any other way interrupt the meeting;
  - At the request of the chair, leave the meeting if any part of it is deemed by the board of trustees to be confidential;
  - Not record any part of the meeting electronically or in writing
  - Sign the attached non disclosure agreement and give this to the Clerk before the meeting begins

Failure to abide by these expectations may result in an individual being asked to withdraw from the meeting and potentially be refused an invitation to future meetings.

**MESSAGE TO BE SENT TO ANYONE WISHING TO ATTEND A BOARD OF TRUSTEES MEETING AT CLEVES SCHOOL**

Dear X

Thank you for asking to observe a meeting of the Board of trustees on [date].

I am writing to explain to you that we have high expectations of ourselves and our discussions and as part of this all trustees are bound by a confidentiality agreement that we sign annually not to reveal what is said or by whom in our meetings. This is so that we can, if necessary, have frank and open exchanges. Our agreed minutes are available on request, but as I am sure you will be aware is normal practice; whilst these must faithfully reflect key points in discussion they are not a verbatim record.

We are also very aware that how we communicate with our children, parents and the wider community around Cleves is extremely important for our relationships with each of these and for our reputation. We therefore like to consider carefully how and when we communicate our decisions.

With these points in mind I would like to ask you to respect the standards we set ourselves and to sign the attached non-disclosure agreement and send/hand it to our Clerk before the meeting starts. I do hope that in this age of instant communication you will understand and respect our reasons for this stipulation.

We look forward to seeing you and thank you in advance for your understanding.

Yours

SUSAN FOSTER (Chair)

On behalf of the Board of trustees

**TO BE SIGNED BY OBSERVERS:**

**ATTENDANCE AS AN OBSERVER AT CLEVES BOARD OF TRUSTEES: NON-DISCLOSURE UNDERTAKING**

I understand that I am invited to observe Cleves' Board of trustees on [date] for the open part of its meeting. I also understand that Cleves Board of trustees needs to be able to carry out its business in a transparent, professional manner and to be able to communicate its decisions in the way and at the time that it considers best for the school and its wider community.

To help the Board of Trustees, I therefore undertake:

- Not to speak or in any other way to interrupt the meeting
- To step out of the room if a confidential issue unexpectedly arises
- Not to record any part of the meeting in any way
- Not to disclose what has been said or what has happened at the meeting in any way whatsoever (whether by spoken word, phone, in writing, via twitter, Facebook/other social media or any other means) either whilst I am at the meeting or once I leave the room. I will be permitted to disclose information about the meeting where: (i) the disclosure constitutes 'whistleblowing' to a governmental, supervisory or regulatory authority; or (ii) the disclosure is required by court, by a governmental, supervisory or regulatory authority or otherwise by law or regulation.

SIGNED:

NAME AND DATE:

## B Cleves' School Virtual Meetings

It was agreed at the Full Governing Body meeting on 18<sup>th</sup> October 2016 that members of the Board of Trustees of Cleves School are able to participate and vote virtually, at full board of trustees and committee meetings. This accords with Article 123 of Cleves' Articles of Association. Virtual participation includes, but is not limited to, telephone, Zoom, Skype and videoconference. At Board meetings in 2022, following two years of virtual meetings because of the Covid pandemic, Cleves' trustees reviewed whether to hold meetings virtually going forward. Virtual meetings had proved to work well for many meetings. It was therefore agreed that Board meetings would as a rule be in person for 50% of meetings and virtual for 50%. Committee chairs were given discretion to decide whether meetings would be sufficiently effective virtually or whether in person meetings were needed.

If a trustee wished to attend an in-person meeting virtually, then:

- Notice must be given, to the clerk, by the trustee who wishes to participate no later than 48 hours prior to the meeting and the reason for non-attendance in person.
- Virtual participation at a scheduled in-person meeting should only be requested through necessity, not convenience.

### Virtual Participation Protocol

- Rules of quorum for board meetings remain in place for all virtual meetings. Ensuring quorate meetings is the responsibility of the clerk, who will monitor this throughout any virtual meeting and advise the board if a meeting becomes inquorate.
- It is the responsibility of individual trustees, the clerk and members of staff, participating in virtual meetings, to ensure they can do so through a secure method in an environment conducive to confidential and private communication. **All attendees participating in a virtual meeting using technology should declare that they are in an environment which is secure, and which protects confidentiality.**
- Virtual participation must be for the entire meeting and not just for specific agenda items or solely for voting purposes.
- It is the responsibility of those participating virtually to ensure they have a reliable internet connection.



- If an individual's internet connection fails and reasonable attempts to reconnect are unsuccessful, virtual participation will no longer be possible. The meeting will continue, and the clerk will note the time that the governor left the meeting.
- If there is to be a vote, trustees should have relevant documents seven days prior to the meeting. The chair will decide how to ensure that all eligible votes are sought.
- If there is to be a vote, by secret ballot, this should be considered in advance of the meeting by the chair and clerk. An appropriate secure and confidential method of conducting a secret ballot must be in place enabling all governors to vote.
- All meeting participants should mute their microphone, unless invited to speak by the chair. Instructions will be outlined at the beginning of each meeting indicating what those attending should do if they wish to speak.
- If there is no visual connection, virtual meeting participants will always start their comments by stating their name.

For any formal proceedings, such as staff grievance and discipline, a consideration of exclusion, admission or complaints and for any appeal hearings physical attendance by all parties is strongly preferred unless all parties agree to a virtual hearing.