

Standing Orders for the Management Committee (MC) of West Berkshire icollege Alternative Education Provision Academic Year 2021/2022

Provision is called **icollege alternative education** and all MC members will be referred to as governors

These Standing Orders are established in accordance with the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013, the Education (Pupil Referral Units) (Management Committees etc) (England) Regulations 2007 and subsequent amendments and the Governance Handbook 2015.

Related Documents

- *Instrument of Government*
- *Membership list of current members*
- *Terms of Reference for all sub-committees*
- *Register of Business Interests*
- *The policy on members' expenses*
- *School Governance (Roles, Procedures and Allowances) (England) Regulations 2013*
- *Education (Pupil Referral Units) (Management Committees etc) (England) Regulations 2007 and subsequent amendments*
- *The latest version of the Governance Handbook*

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This information will be given to all governors on appointment and the clerk to the MC will retain a copy for their records.

1:	<p>Meetings of the Management Committee</p> <p>1.1: The full MC will meet at least 5 times a year.</p> <p>1.2: Dates for 2021-22: MC1 06.10.21, MC2 07.12.21, MC3 15.02.21, MC4 26.04.21, MC5 05.07.21</p>
2:	<p>Convening the Meetings</p> <p>2.1: All meetings should be convened by the clerk, in accordance with the arrangements made by the MC, but subject to (a) any direction from the Chair or Vice Chair where the matter is urgent and (b) any requisition signed by three members.</p>
3:	<p>Notice of Meetings</p> <p>3.1: Written notice of meetings, together with the agenda and all associated documents, will be sent so as to arrive seven clear days before the meeting – except where the chair calls an urgent meeting at short notice – to (a) each member of the committee and (b) the Headteacher (whether or not that person is a member). This can be done by email.</p> <p>3.2: If any person has not received the notice of the meeting, the meeting is not invalidated.</p>
4:	<p>Attendance</p> <p>4.1: The clerk will keep a record of those members and all other persons present at meetings of the MC and any of its sub-committees.</p> <p>4.2: The following persons have the right to attend any meeting of the management committee: the Headteacher; the clerk and such other persons as the MC may determine.</p> <p>4.3: If a governor fails to attend any meetings in a 6 month period the MC will decide whether they will be disqualified.</p>
5:	<p>Quorum</p> <p>5.1: Decisions cannot be taken at a full MC meeting unless a minimum number (quorum) of governors is present. In calculating the quorum vacant positions on the management committee are not included.</p> <p>5.2: The Regulations require one half (50%) of the governors in post to be present before decisions can be made, rounded up to the nearest whole number.</p> <p>5.3: If all posts are filled the MC can have 13 members so to be quorate the MC needs at least 6 members at a full MC. If all posts not filled half the current membership will be required. At the beginning of the 2021/22 Academic Year the MC has 3 vacancies and has 10 governors in post, so to be quorate needs 5 members which must include the Chair or Vice Chair and one other non-staff Governor.</p> <p>5.4: If Governors withdraw from a meeting due to a conflict of interest, then the quoracy will be 50% of the remaining Governors, rounded up to the nearest whole number.</p> <p>5.5: Committees need at least 3 governors to be quorate.</p>
6:	<p>Alternative arrangements for member participation at meetings</p> <p>The management committee, if it so wishes, may approve alternative arrangements for members to participate or vote at meetings:</p> <p>6.1: Virtual Meetings – In response to the Covid-19 pandemic, virtual meetings were introduced during 2019/20 and will continue for as long as is necessary. The icollege Virtual Meetings Policy is attached as Appendix A to these Standing Orders. The holding of some meetings virtually may</p>

	<p>also be considered longer term.</p> <p>6.2: Full MC - Proxy voting, appointing a proxy and voting by email for is possible, in the event of an emergency, if agreed by full MC.</p> <p>6.3: Committees – Voting by email in the event of an emergency, telephone and video conferencing voting is allowed but all decisions must be noted at the next Full MC.</p>
7:	<p>Decision-making</p> <p>7.1: Governors recognise that all decisions must be noted at the next Full MC, but they can delegate certain functions to a committee or individual. See committee Terms of Reference (TORs) for delegated functions.</p> <p>7.2: Every MC decision that requires a vote will be determined by a majority of votes of the members who are eligible present. If necessary this can be by a secret ballot.</p> <p>7.3: The MC will decide if proxy, email (in emergencies), by telephone, by video conferencing voting is allowed.</p> <p>7.4: Where there is an equal division of votes the Chair (or the person acting as chair for the meeting) has a second or casting vote.</p>
8:	<p>Withdrawal from meetings</p> <p>8.1: Governors will be required to withdraw from a meeting under the circumstances set out in Regulation 16 of the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.</p> <p>8.2: If there is a dispute about a person attending an MC meeting being required to withdraw, the matter of withdrawal shall be determined by the governors present at the meeting.</p>
9:	<p>Minutes of meetings</p> <p>9.1: The clerk must ensure that MC minutes are drawn up and signed (subject to the approval of the MC) by the Chair or Vice Chair at the next meeting. During the Covid-19 pandemic, minutes will be signed as soon as circumstances permit.</p> <p>9.2: Copies of MC minutes and other governance documents are available from the Clerk.</p>
10:	<p>Clerk to the Management Committee</p> <p>10.1: The MC must appoint a clerk and must have regard to advice from the clerk as to the nature of the MC's functions and compliance with current Regulations.</p> <p>10.2: The clerk may not be a governor, an associate member of the MC or the Headteacher of the college.</p> <p>10.3: Governors and associate members can clerk committee meetings if the clerk cannot attend an MC meeting (but not the Headteacher) but every effort should be made for the clerk to minute all MC meetings.</p> <p>10.4: The Chair or Vice Chair will line manage the clerk.</p> <p>10.5: Working with the Chair or Vice Chair of the MC the clerk should convene meetings and offer procedural guidance.</p>
11:	<p>Election and terms of office of the Chair and Vice-Chair</p> <p>11.1: The MC must elect a Chair and a Vice-Chair. When the position of Chair falls vacant the MC must elect a new Chair as soon as possible. In the interim the Vice Chair will chair the MC meetings.</p> <p>11.2: The term of office as Chair or Vice-Chair will be one year.</p> <p>11.3: The term of office as Chair or Vice-Chair cannot be longer than the remainder of the term of</p>

	<p>office of the governor in question.</p> <p>11.4: The clerk will take the chair when the Chair is being elected. The Chair takes over the meeting, once elected, including the item to elect the Vice-Chair.</p> <p>11.5: Members who work for the icollege alternative education service cannot stand for election as Chair or Vice - Chair.</p>
12:	<p>Process for election of Chair and Vice-Chair</p> <p>12.1: Governors will be able to submit written nominations prior to the full management committee and verbal nominations at the meeting. A Governor can nominate themselves for office and does not need to be present at the meeting to be considered.</p> <p>12.2: Nominee(s) can be asked to leave the room whilst the election process takes place. This can be managed virtually by placing nominees in the virtual waiting room whilst the election takes place.</p> <p>12.3: If there is more than one nominee, the remaining governors will take a vote by a show of hands or a secret ballot. Please note that if a secret ballot is agreed, the clerk will tally the votes.</p> <p>12.4: The nominee(s) will return to the meeting.</p> <p>12.5: The clerk will announce the result, with the nominee polling the majority of votes being duly elected.</p> <p>12.6: If there is a tie, each candidate will be given the opportunity to speak to the governors about their nomination and a further vote would be taken.</p> <p>12.7: If there is still a tie, governors 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.</p>
13:	<p>Term of office for each category of Governor</p> <p>13.1: The term of office of all governors is shown in the MC Instrument of Government.</p> <p>13.2: The MC can also agree to allow other persons to attend their meetings. Any agreement in relation to these matters should be clearly minuted at the committee meeting they are attending and reported at the next Full MC meeting. They can offer advice but may not vote.</p>
14:	<p>Declaration of Interest and Pecuniary Interests</p> <p>14.1: Governors will declare any pecuniary interest or conflict of interest with any agenda item at the beginning of the meeting.</p> <p>14.2: The MC will maintain a register of business interests of its members. Hard copies will be kept at Richmond House.</p>
15:	<p>Code of Conduct for West Berkshire governors</p> <p>Every member of the MC is expected to read and agree to follow the approved Code of Conduct for Governors</p>
16:	<p>Governors' Expenses</p> <p>The MC may pay expenses in accordance with Part 6 of the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.</p> <p>Scheme for paying Governors Allowances to be reviewed by October 2022.</p>
17:	<p>Sub Committee Membership and Terms of Reference (TOR)</p> <p>17.1: Definition: Sub Committees of the MC can be set up with delegated powers. The MC will decide their membership, procedures, protocols and delegated powers which will be laid out in each committee's TORs. All committee officers (Chair/Vice Chair/Clerk) and associate members (if</p>

	<p>any) must be appointed annually. All protocols, procedures and membership of committees must be approved annually at a full MC.</p> <p>17.2: The MC remains responsible for any decisions taken by sub-committees and the sub-committee's decisions must be reported back to the full MC at their next meeting.</p> <p>17.3: Working Party: This can be set up by the MC if necessary the MC will decide its membership and focus of discussions. A working party cannot make any decisions or have any delegated powers it can only bring recommendations to the full MC or a relevant committee if responsibility has been delegated to a committee.</p> <p>17.4: Membership and TORs: See TORs for all icollege committees listed below. MC membership – Total of 13 governors; 1 parent, 3 staff, 2 LA, 7 community, in accordance with the Instrument of Government.</p> <p>Committees: Finance Committee (FC) Personnel Committee (inc Pay Committee) (PERS)</p> <p>17.5: Committee Management:</p> <p>17.5.1: The agenda should be circulated to all committee members at least seven clear days in advance of the meeting.</p> <p>17.5.2: Committee papers should be available to all governors (not just those on the committee). Except the Pay Committee papers. Committee deciding on HT's pay and any PERS Committee papers which may contain confidential items that may require governors to set up an appeal panel.</p> <p>17.5.3: Minutes should be circulated to all governors within seven working days of the date of the meeting. Minutes can be distributed to all governors not just those on the sub committee except the Pay Committee when deciding on HT's pay and minutes and any PERS Committee minutes which may contain confidential items and items that may require governors to set up an appeal panel, or where a Governor has withdrawn from a meeting due to a conflict of interests.</p> <p>17.5.4: Minutes should be signed by the Committee Chair or acting Chair at the next committee meeting to verify that the minutes are a true record. They can be e signed as long as permission is recorded by email.</p> <p>17.5.5: Any governor may attend a committee meeting, but only those who are members of the committee can vote, unless agreed at the meeting.</p> <p>17.5.6: Committee members should report back to the full MC on the work of the committee and any decisions taken.</p> <p>17.5.7: The Headteacher has the right to attend any committee meeting, except the PERS Committee when it is discussing HT's pay, subject to the statutory rules on withdrawal. However the Headteacher can delegate attendance to a member of staff where appropriate. The Headteacher should not chair committee meetings.</p>
18:	<p>Delegation of functions <i>The following functions cannot be delegated:</i></p> <p>18.1: The constitution of the MC</p> <p>18.2: The appointment or removal of the Chair or Vice-Chair</p> <p>18.3: The appointment of the MC clerk</p> <p>18.4: The suspension of governors</p> <p>18.5: The establishment of committees and delegation of functions</p>

	<p>The following functions can be delegated to a committee but cannot be delegated to an individual, even in urgent cases:</p> <p>18.6: The approval of the first formal budget plan of the financial year</p> <p>18.7: School discipline policies</p> <p>Any individual or committee to whom a decision has been delegated must report to the MC in respect of any action or decision made.</p> <p>18.9: General Functions This MC resolves that the following functions will be delegated to the committees as stated in their Terms of Reference.</p> <p>18.10: Staffing & Dismissal Functions This MC agrees that the Headteacher will be responsible for staff appointments outside of the leadership group and initial staff dismissals, subject to the adoption of the appropriate HR policies.</p> <p>In exceptional circumstances, outlined below, the following arrangements will apply:</p> <p>18.11: In exceptional circumstances an individual committee member or group of members, with or without the Headteacher, will deal with staff appointments outside of the leadership group and initial staff decisions.</p> <p>The exceptional circumstances are as follows:</p> <p>a: A Headteacher who is unwilling to perform these functions and whose previous history of service at the school did not include any such responsibilities. This gives an existing Headteacher the option of preserving their current working arrangements, but when the MC considers a new appointment for the Headteacher post the normal expectation for the Headteacher to undertake these responsibilities should apply.</p> <p>b: Where the Headteacher has been directly involved in disciplinary procedures leading to dismissal has instigated a proposal to dismiss, or is witness of particular conduct giving grounds for the dismissal in question. The arrangements for delegating initial dismissal decisions will therefore need to be considered on a case by case basis in the light of circumstances.</p> <p>c: A Headteacher subject to suspension, disciplinary procedures (including capability), or disciplinary sanction.</p> <p>d: Where the LA has made representations to the Chair of the MC on grounds of serious concerns about the performance of the Headteacher.</p> <p>e: Where the Headteacher has failed to abide by financial limits agreed by the MC for any school purpose.</p> <p>f: Appointment of Headteacher and Deputy Headteacher The MC will be responsible for selecting an appointments panel for the Headteacher and Deputy Headteacher (if appropriate).</p> <p>g: Appointment of Assistant Headteachers The MC will be responsible for deciding how such posts are filled, which may include delegation to the Headteacher, an individual governor or a group of governors. In the latter case this may include the Headteacher, but where not involved in determining the appointment the Headteacher has a right to attend to offer advice.</p> <p>h: Emergency Decisions The Chair (or Vice Chair if the Chair cannot exercise this function for some reason) can act in cases which are deemed urgent ie: where a delay in exercising the function would be seriously detrimental to the interests of the service, a registered pupil, their parent or a person employed to work for the service.</p>
19:	<p>Appeal panels Under certain circumstances, the MC will be required to establish a panel of members to hear an</p>

INSPIRATIONKS1& 2
Foxglove Way . Thatcham
Berks . RG18 4DH
01635 877114

INTEGRATIONKS3&4
22 Highview . Calcot
Reading . Berks . RG31 4XD
01189 416636

INTERVENTIONY9&10
88 Newtown Road . Newbury
Berks . RG14 7BT
01635 49397

INDEPENDENCEY11&KS5
Richmond House . Bath Road
Newbury . Berks . RG14 1QY
01635 48872

	<p>appeal, this should be heard by a panel of three governors not previously involved in the matter. The relevant policy the MC has adopted will detail how the appeal panel is made up and how it functions.</p>
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<p>Approved by: Management Committee 05.10.21</p>	<p>Review date: September 2022</p>
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 01635 48872

Appendix A**Governors Virtual Meetings Policy****Alternative Participation in Management Committee Meetings**

The Management Committee (MC) Icollege West Berkshire Alternative Provision expects governors to be present at all meetings. Where this is not possible, members of the MC are able to participate and vote virtually at full MC and committee meetings. Virtual participation includes, but is not limited to, telephone, Skype and video conference.

The School Governance (England) (Roles, Procedures and Allowances) Regulations 2013 and the *Education (Pupil Referral Units) (Management Committees etc) (England) Regulations 2007* make provision for governing bodies/management committees of maintained schools in England to: “approve alternative arrangements for governors to participate or vote at meetings of the governing bodies/management committees including but not limited to by telephone or video conference”. This policy will therefore form part of the Management Committee Standing Orders.

2: Meeting Arrangements - These arrangements apply to meetings of the full MC and to committee meetings.

- a. Notice of virtual participation must be given to the Clerk by the governor who wishes to participate, no later than 48 hours prior to the meeting, and the reason for non-attendance in person. (exception to this is when the entire meeting is to be held virtually.)
- b. Virtual participation must only be requested through absolute necessity. It must not be utilised for convenience.
- c. It is the responsibility of individual governors, wishing to participate virtually, to ensure they are able to do so through a secure method in an environment conducive to confidential and private communication. Anyone participating in a meeting using technology must declare that they are in an environment which is a secure and which protects confidentiality.
- d. Virtual participation must be for the entire meeting and not just for specific agenda items or solely for voting purposes.
- e. It is the responsibility of those participating virtually to ensure they have a reliable connection.
- f. If the communication connection fails and reasonable attempts to reconnect are unsuccessful virtual participation will no longer be possible and the agenda will not be delayed. The clerk will note the time that the connection was lost.
- g. Ensuring quorate meetings is the responsibility of the clerk who will monitor this throughout any meeting involving virtual participation and advise the board if a meeting becomes inquorate.
- h. If there is to be a vote, governors must have relevant documents seven days prior to the meeting.
- i. Governors attending the meeting either by telephone or video conference will be entitled to vote on any issue providing they have been ‘present’ for the whole agenda item which the vote relates to. Where a secret ballot is required this will be facilitated where possible (e.g. by taking a telephone call off speaker phone and the governor sharing their vote verbally with the clerk). Where this is not possible the governor will be required either to vote publicly or abstain.
- j. Where there is no visual connection all meeting participants will always start their comments by stating their name.

2.2 - Governors attending the meeting virtually will contribute to the quorum for the meeting. If the technological link is lost, they will cease to contribute to the quorum, but this will not prevent the meeting continuing in their absence unless for decision making purposes; in this case, discussions could continue without decision making/voting taking place; it would be rescheduled on a future agenda.

INSPIRATIONKS1& 2
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01635 48872

2.3 - 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.

3: Virtual Meetings

3.1 - Where a meeting is taking place virtually every effort will be made to enable all governors to access the meeting.

3.2 - Where a meeting is taking place virtually the usual statutory notice arrangements will apply and all papers to be considered will be circulated at least seven days in advance of the meeting, except where the chair has exercised his/her right to waive the usual notice in an emergency situation.

3.3 - Virtual meetings will be minuted in the same way as other meetings, either by the clerk being present virtually or by a governor who is present, other than the headteacher, taking the minutes, and these will be presented to the next meeting of the full governing body.

3.4 - Virtual meetings, should not be recorded by the clerk or any governor or without the approval of the governing board and for a specified purpose.

4: Review of this policy

The policy will be reviewed every 3 years, but any governor with any concerns about its operation can request that it is reviewed at any time.

Approved by: Signed:	Management Committee
Print name: Position: Date: Review date:	September 2022

Source Document	Model Policy	Date:	March 2020
Written By:	Clerk to Governors		
Version:	1.0	Review:	September 2022