

This edition of the Clerks' Newsletter is given over to a bullet point summary of the new Procedures and the new Constitution Regulations for Governing Bodies. We hope you will find this 'snapshot' useful. The Procedures and Constitution Regulations are available on the DfES website [www.governor.net.uk](http://www.governor.net.uk). Please do contact the Governor Support Service if you need help, advice, or just wish to have a chat about the changes.

### **New Procedures – come into force on 1 September 2003**

#### **Officers:**

- No regulations for election of Chair and Vice-Chair. Governing Body to decide procedure. Candidates must leave the room when the vote is taken.
- Governors to decide term of office of Chair and Vice-Chair - between one and 4 years. (The Governor Support Service advise one year)
- People working at school and pupils cannot be Chair or Vice-Chair
- Governing Body must appoint a clerk

#### **Meetings:**

- If clerk cannot attend – a governor can act as clerk for that meeting
- Clerk must maintain register of members of governing body and register of attendance
- Associate members may be excluded when confidential items are discussed.
- Three meetings per school year must be held.
- Three members of governing body can request a meeting in writing to the clerk.
- Agenda and supporting papers must be with governors seven days before the meeting.
- Chair can determine a shorter period of notice if there are urgent matters.
- Quorum – now one-half (rounded up) of number of governor places on governing body (i.e. irrespective of vacancies).
- Copy of the agenda, signed minutes and supporting reports or papers must be available for people to see.
- If a dispute arises about a governor withdrawing from discussion of agenda item, then the governing body will decide.

#### **Suspension of Governors**

The governing body can suspend a governor for up to six months if he/she:

- works at the school and is facing disciplinary proceedings.
- Is the subject of court or tribunal proceedings the outcome of which may disqualify him/her from being a Governor.
- Has acted in a way that is inconsistent with the school's ethos and may bring the school into disrepute.
- Breaches his/her duty of confidentiality.
- Suspended Governor must receive all governor papers during suspension.

#### **Committees**

- Establishment, terms of reference, constitution and member of committees must be reviewed annually.
- Membership may include associate members, however, majority must be Governors. Associate Members can have limited voting rights.
- Decisions and actions must be reported to the Governing Body.
- Governing Body or Committee members must elect a chair. No restrictions apply.
- The governing body must appoint a clerk to committees with delegated functions. A governor (not Headteacher) can be appointed as clerk to a committee but the DfES recommends a qualified clerk.
- Minutes of committee meetings must be agreed and signed at next committee meeting.
- The governors or committee members can allow anyone to attend committee meetings.
- Agenda and supporting papers for committee meetings to be with members seven days before the meeting. The chair of the committee can decide shorter notice for urgent matters.
- Quorum for committee meetings – at least three governors who are members of the committee.
- The following can be delegated to a committee:
  - a) alteration, closure or change of category of maintained schools;
  - b) approval of the first formal budget plan of the financial year;

- c) functions relating to school discipline policies;
  - d) functions relating to exclusion of pupils;
  - e) functions relating to admissions.
- Regulations no longer require statutory committees to be set up. Governors wanting advice on dealing with sensitive issues i.e. exclusions, staffing, admissions please contact the Governor Support Service.

## Constitution of Governing Bodies

- 1 September 2003 – earliest date for new constitution
- 31 August 2006 – latest date for new constitution
- Changes in categories of Governors under the new Regulations:
  - a) staff governors (new election pack available)
    - one place to be reserved for Headteacher
    - second place to be reserved for Teacher
    - if three places the third place to be reserved for support staff;
  - b) community governors (previously co-opted) – cannot be pupil, member of staff, or County Councillor;
  - c) parent governors – cannot be County Councillor or member of staff working more than 500 hours in a school year;
  - d) LEA governors – cannot be member of school staff;
  - e) Sponsor governors – persons who provide substantial assistance or services to the school.
- Associate Members – are not Governors. Governing Body appoints them. Governors can ask them to attend full governing body meetings and committee meetings. Can be pupils, school staff, and people who can contribute specifically in an area of expertise.
- No restriction on number of governing bodies a governor can serve on.
- The guiding principles for composition of governing body alter for the category of school.
- Term of Office is four years unless the governing body agree a shorter term of office for one or more category of governor.
- Governors appointed or elected on or before 1 September 2003 either see out their term of office of four years or reach 31 August 2006 (whichever is the soonest).
- Governors appointed or elected after 1 September 2003 serve a term of office which finishes when the Governing Body reconstitutes.

## A Request from The Governor Support Service

It is important that Clerks let us know, as soon as possible, if the Governors will be choosing a new composition for the reconstituted Governing Body which has fewer LEA Governor places than at present. For schools in the south-east and central areas please contact Donna Riches by e-mail: donna.riches@norfolk.gov.uk or by writing to her at the Governor Support Service address at the end of this newsletter. For schools in the northern and western areas please contact Ben Gardner by e-mail: ben.gardner@norfolk.gov.uk or write to him at the address at the end of this newsletter.

## A Reminder of the LEA's proposed timetable for the reconstitution of Governing Bodies:

Nursery Schools	by 1 September 2003
High Schools	by 1 April 2004
Infant/Junior/Primary Schools	by 1 September 2004
Special Schools	by 1 April 2005
Middle Schools	by 1 September 2005
First Schools	by 1 September 2005

## A Request from Norfolk Governors Network

To ensure Norfolk Governors' Network can communicate effectively with, and collect the views of, Norfolk Governors, the Network would like to have a named contact for each governing body and an email address would be particularly helpful. If you have not already informed the Network of your contact governor, please will you send details to the Clerk of the Network: Susan Rose, e-mail clerk@ngn.org.uk telephone 01603 788163 or at 2 Blackthorn Close, Norwich NR6 6DR.

## Western Area Clerks Association

The 13th AGM will be held at Greyfriars Primary School, off London Road, King's Lynn at 3.45 p.m. on Thursday 16 October 2003. Light refreshments will be available and the AGM will be followed by a training quiz (prize for the winner!)

If you have not heard of WACA why not come along to the AGM. Michael Fillenham (01553 764924) will be pleased to hear from anyone interested.

In June members enjoyed a presentation from Sue Platt, Development Officer, Governor Support Service, concerning the implications of the 2002 Education Act, particularly with regard to changes in the composition of governing bodies.

If you would like this document in large print, audio, Braille, alternative format or in a different language please contact Margaret Coard on 01603 433276, and we will do our best to help.



To contact the Governor Support Service you can telephone 01603 433276. Ask for the Governor Support Service and/or the name of the person you wish to speak to (if you know it). Or you can:  
 Fax: 01603 700236 e-mail: governorsupport.edu@norfolk.gov.uk Website: www.norfolkesinet.org.uk  
 Post: Governor Support Service, Professional Development Centre, Woodside Road, Norwich, NR7 9QL