

THE BURGATE SCHOOL AND SIXTH FORM GENERAL

Terms of Reference (Reviewed and Approved 19.09.24)

These terms of reference shall be determined by the Trust Board and reviewed annually.

- The trustees agreed that the number of four-year terms of office served should be capped at two.
- The overarching terms of the committees are to uphold and embed the vision of The Burgate School and Sixth Form in all its work to ensure our students receive the very best education and exceptional pastoral care.
- To act on matters delegated by the Board of Trustees (“the Board”).
- To liaise and consult with other committees where necessary.
- To analyse and evaluate progress against the School Improvement Plan.
- To consider recommendations from external reviews of the school (e.g., Ofsted or local school improvement advisers), approve actions as a result of reviews and evaluate regularly the implementation of the plan.
- To review policies identified within the school’s policy review programme and in accordance with its delegated powers to ensure policies are updated and implemented as required to provide a safe and secure school environment as well as supporting the vision of the school.
- To ensure all statutory requirements for reporting and publishing information are met and the school website content is fully compliant and presented in an accessible way.
- To take into account safeguarding when undertaking all committee functions.
- To take into account equalities implications when undertaking all committee functions.
- To consider staff workload and wellbeing when undertaking decisions relating to strategy and policy change.
- To have courageous conversations and ask challenging questions within a solid framework of support and mutual respect.
- The Board is free to determine how often committees meet and may delegate this to the committee.
- The committee meetings will not be open to the public, but minutes will be made available on request. Information relating to a named person or any other matter that the committee considers confidential does not have to be made available for inspection.
- In the absence of the chair, the committee shall choose an acting chair for that meeting from among their number (someone who is not the headteacher).
- In the absence of the clerk the committee shall choose a clerk for that meeting from among their number (someone who is not the headteacher).
- The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the committee and will be presented at that meeting by the chair (or in his/her absence another member of the committee).
- Any decisions taken must be determined by a majority of votes of trustees who are committee members.

Curriculum planning and delivery

- To approve, monitor and evaluate the curriculum offer in line with the strategic plan.
- To ensure the delivery of the curriculum meets the high expectations of the school vision as well as the strategic direction of the school.
- To ensure specifications and qualifications are appropriate for the strategic direction of the school and support the school vision.

Assessment and improvement

- To analyse and forensically evaluate rates of progress and standards of achievement by all students, including niche groups.
- To monitor and evaluate the impact of continuing professional development on improving staff performance and progress of all students.

Pastoral

- To ensure a safe and secure environment for all students and staff through rigorous audit and evaluation of safeguarding policy and procedures.
- To scrutinise and challenge attendance figures and their impacting factors across all phases of The Burgate School and Sixth Form.
- To ensure a positive culture of behaviour and conduct which enables every student to achieve their potential, effectively contribute to the school and wider community and manage themselves effectively.
- To ensure every student is prepared for life in a global community by understanding the fundamental British values and celebrating tolerance and regard for all faiths and cultures.
- To ensure all individuals understand how to keep themselves safe from relevant risks and have the knowledge to keep themselves healthy both emotionally and physically.
- To ensure the school provides essential opportunities, services and support to aid every student to transition successfully into adult life being economically independent, adaptable and employable.
- To ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive an annual report from the SEND Coordinator.
- To ensure the school has the framework to promote and safeguard the wellbeing of students.

Engagement

- To liaise appropriately with the school council and ensure that the board are informed of students' views and respond appropriately.
- To ensure communication with parents/carers is robust and effective with a view to its impact on student progress and wellbeing.
- To engage with parents/carers and the students to help guide strategic planning and the implementation of the school vision.
- To engage with staff and the school community through link trustee roles and school visits using information gained from these to inform strategic discussions and decisions.

Admissions

- To consider all matters relating to Admissions.
- To review admissions arrangements for the Main School and the Sixth Form each year and to advise the Board of any changes that need to be made to ensure that the school is compliant.

Other

- To review, adopt and monitor the implementation of policies, as delegated to this committee and listed in the school's policies matrix, as amended from time to time.
- To review risks on the school's risk register, aligned to Education Committee.

Health & Safety

- To review and recommend approval of the academy's Health & Safety Policy, incorporating relevant working guidance to the Full Board of Trustees and to monitor its implementation.
- To review and monitor the implementation of the Health & Safety Management System in the school to ensure that it is effective, reporting any significant performance issues to the Board.
- To ensure that all staff and Trustees are provided with Health & Safety training appropriate to their roles.
- To review, adopt and monitor the implementation of emergency plans including evacuation and lock-down scenarios.

Financial policy and planning

- To review, adopt and monitor a Finance Policy which includes the local scheme of delegation for spending and budgetary adjustments (virements) for the committee, headteacher and other nominated staff.
- To review, adopt and monitor all additional financial policies, including a charging and remissions policy.
- To establish and maintain a three-year financial plan, taking into the account priorities of the School Improvement Plan, roll projection and signals from central government regarding future years' budgets, within the constraints of available information.

- To review and propose to the Board for adoption an annual school budget taking into account the priorities of the School Improvement Plan.
- To make decisions in respect of service level agreements.
- To ensure that sufficient funds are set aside for
- increments as set out in the Pay Policy and as recommended by the headteacher.

Financial monitoring

- To monitor the income and expenditure throughout the year of all delegated and devolved funds against the annual budget plan.
- To receive at least termly budget monitoring reports from the headteacher.
- To alert the Board of potential problems or significant anomalies as soon as reasonably possible.
- Subject to the local scheme of delegation, to approve any budgetary adjustments that will from time to time be necessary in response to the evolving requirements of the school.
- To prepare the Trustees Report to form part of the Statutory Accounts of the Board, and to review and recommend to the Board for approval the completed draft Statutory Accounts for filing in accordance with Companies Act requirements.
- To receive auditors' reports and to recommend the Board action as appropriate in response to audit findings.
- To recommend to the Members at the AGM the appointment or reappointment of the auditors.
- To review and recommend to the Board (and to the Members at the AGM) the insurance arrangements for the Academy.
- To receive reports on local funding streams such as PTSA.

Buildings, Grounds and Environment

- To provide support and guidance for the Board and the headteacher with the Estate Vision, Strategy and Asset Management Plan and, once approved by the Board, to monitor progress with implementation of the above and to report to the Board any significant issues.
- To review the Estate Strategy and Asset Management Plan annually and update as appropriate in the light of changes in funding, curriculum priorities, health & safety requirements and sustainability etc. and to recommend changes to the Board for approval.
- In addition to the regular site inspections undertaken by academy staff, to ensure that a formal inspection of the premises and grounds takes place at least annually and a report is received identifying any issues for inclusion in the Asset Management Plan.
- To review the arrangements for professional surveys and emergency work as necessary.

The headteacher is authorised to commit expenditure without prior approval of the committee in any emergency where delay would result in further damage or present a risk to the health and safety of students or staff. In this event the headteacher would normally be expected to consult the committee chair at the earliest opportunity.

- To create and receive reports from a project committee where necessary to oversee any major developments.
- To establish and keep under review an Accessibility Plan.
- To review and approve the priorities and bids for funding applications, including the Condition Improvement Fund (CIF).
- To ensure that appropriate site and visitor security procedures are in place and effective.
- To provide support and guidance for the Board and the Headteacher with the ICT strategy; to monitor progress with implementation of the ICT strategy; to review the arrangements for ensuring the performance and integrity of the ICT system; and to report to the Board any significant issues.

Personnel

- To monitor and, when appropriate, to review the organisational structure, to ensure the school is able to deliver the school vision and objectives.
- To ensure that the school is staffed sufficiently for the fulfilment of the School's Improvement Plan and the effective operation of the school.
- To monitor staff development and staff management practices, and to ensure that these are in line with best current practices.
- To establish a Pay Policy for all categories of staff.

- To be responsible for the administration and review of the Pay Policy.
- To ensure that staffing procedures (including recruitment procedures) follow relevant legislation.
- To review and monitor procedures for dealing with staff discipline and grievances and ensure that staff are kept informed of these.
- To ensure staff selection procedures conform with safer recruitment practice, and to review these procedures as necessary.
- In consultation with staff, to oversee any process leading to staff reductions.
- To establish the annual and longer-term salary budgets and other costs relating to personnel, e.g. training.

Other

- To review, adopt and monitor the implementation of policies for GDPR, Freedom of Information and use of CCTV.
- To review, adopt and monitor the implementation of other policies, as delegated to this committee and listed in the school's policies matrix, as amended from time to time.
- To review risks on the school's risk register, aligned to Resources Committee.

THE BURGATE SCHOOL AND SIXTH FORM AUDIT & RISK COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and

1. Responsibilities

- To maintain an oversight of the Academy Trust's financial, governance, risk management and internal control systems
- To report findings termly and annually to the Trust Board and the Accounting Officer as a critical element of the trust's annual reporting requirements.

2. Authority

- The Audit and Risk Committee is a Committee of the Academy Trust Board and is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Board.
- The Audit and Risk Committee is authorised to:
 - request any information it requires from any employee, external audit, internal audit, or other assurance provider.
 - obtain outside legal or independent professional advice it considers necessary, normally in consultation with the Accounting Officer and/or the Trust Board.

3. Composition

- The membership of the committee will comprise a minimum of 3 trustees.
- Employees of the trust should not be audit and risk committee members, but the accounting officer and chief financial officer should attend to provide information and participate in discussions.
- The chair of trustees should not be chair of the audit and risk committee.
- Where the audit and risk committee is combined with another committee, employees should not participate as members when audit matters are discussed.
- Until otherwise determined by the board of trustees, a quorum shall consist of 3 members of the committee.
- At least one member of the audit and risk committee should have recent or relevant accountancy, or audit assurance, experience.
- Any trustee may attend a meeting of the audit and risk committee, including those who are not members of the audit and risk committee.

4. Reporting

The Audit and Risk Committee will:

- Report back to the Trust Board regularly every term.
- Provide an annual summary report provided by the internal scrutineer / auditor and areas reviewed by internal scrutiny / audit covering key findings, recommendations, and conclusions.

5. Coverage

The Audit and Risk Committee will:

- Advise the board on the effectiveness and resources of the external/internal auditors or scrutineers to provide a basis for their reappointment, dismissal, retendering, or remuneration. Considerations may include:
 - the auditor's/scrutineer's sector expertise
 - their understanding of the trust and its activities
 - whether the audit process allows issues to be raised on a timely basis at the appropriate level
 - the quality of auditor/scrutineer comments and recommendations in relation to key areas
 - where relevant the personal authority, knowledge and integrity of audit partners and their staff to interact effectively with, and robustly challenge, the trust's managers.
 - the auditor's/scrutineer's use of technology
- Ensure there is co-ordination between internal audit/scrutiny and external audit and any other review bodies that are relevant.
- Consider the reports of the auditors/scrutineers and, when appropriate, advise the trust board of material control issues.
- Encourage a culture within the trust whereby each individual feels that he or she has a part to play in guarding the probity of the trust and is able to take any concerns or worries to an appropriate member of the management team or in exceptional circumstances directly to the board of trustees.
- Provide minutes of all Audit and Risk Committee meetings for review at board meetings

External Audit

- Review the external auditor's plan each year.
- Review the annual report and accounts.
- Review the auditor's findings and actions taken by the trust's slt in response to those findings.
- Produce an annual report of the committee's conclusions to advise the board of trustees and members.

Internal Scrutiny

- Take delegated responsibility on behalf of the board of trustees for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the Trust is complying with the overall requirements for internal scrutiny, as specified in the Academies Financial Handbook.
- Conduct a regular review of the risk register.
- Agree an annual programme of internal scrutiny / audit, which is objective and independent, covering systems, controls, transactions, and risks.
- Advise the trustees on the adequacy and effectiveness of the trust's systems of internal control, governance, and risk management processes,
- Consider the appropriateness of executive action following internal audit/internal scrutiny reviews and to advise the board on any additional or alternative steps to be taken.
- Oversee the annual review of the trust's risk register.

THE BURGATE SCHOOL AND SIXTH FORM COMMUNITY PARTNERSHIP COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- To act as a conduit for improving integration of the school within the local community, through close liaison with council and community representatives, for the benefit of the community and the school.
- To identify and initiate partnerships and support for projects and developments which benefit the school and the wider community.
- To approve and monitor the budget for community use of the facilities; monitor and oversee maintenance and use of 3G pitch; to provide a regular and healthy income stream maximising the specialist facilities for community use.
- To ensure annual reports of site development, business plans and ongoing monitoring are scrutinised and actioned (to FIFA standard).

THE BURGATE SCHOOL AND SIXTH FORM HEADTEACHER'S PERFORMANCE MANAGEMENT COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- The committee consists of Chair of Trustees, Vice-Chair and preferably the trustee with the link role of HR & Staff Development or a trustee with HR professional experience.
- To arrange to meet with the External Adviser to review the headteacher's performance targets.
- To decide, with the support of the External Adviser, whether the targets have been met and to set new targets annually.
- To monitor through the year the performance of the headteacher against the targets and the relevant standards.
- To make recommendations to the Pay Committee in respect of awards for the successful meeting of targets set.
- To assess the headteacher's professional development needs and actions needed to address them.
- To give the headteacher a written report of their appraisal including assessments and recommendation on headteacher's pay.
- To support the headteacher actively in relation to work-life balance issues.

THE BURGATE SCHOOL AND SIXTH FORM PAY & PERFORMANCE MANAGEMENT COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- The committee consists of Chair of Trustees, Vice-Chair and preferably the trustee with the link role of HR & Staff Development or a trustee with HR professional experience.
- Annually consider salary progression for all eligible staff, following recommendation by the Headteacher and/or line manager ensuring the performance management policy has been consistently and robustly implemented.
- Annually take decision on the salary progression for the Headteacher, where eligible, following recommendation by the Headteacher Performance Management Committee (HPMC).
- Where the Pay and Performance Management Committee has agreed to do so, and prior to making a pay determination, receive and/or hear evidence from an employee who does not agree with the recommendation of the Headteacher (or Chair of the HPMC).

- Ensure that pay decisions for each member of staff are communicated to them in writing.
- Monitor and make recommendations following any request from the Headteacher or Chair of Trustees to review leadership pay ranges.
- Report any recommendations back to the Resources Committee who in turn will make recommendations for any changes to the full board of trustees, where appropriate.
- Decide the school's approach towards the exercising of pay discretions.
- Keep the school's pay policy up-to-date and under review (the full board retains responsibility for endorsing any proposed changes to the school's pay policy).
- Monitor the effectiveness of performance management and pay decision making for all staff by:
 1. Receiving an annual report from the Headteacher on the operation of performance management within the school.
 2. Making determinations in respect of the light touch audit of performance management and pay decision making, nominating a member to undertake the annual audit if applicable.
 3. Making determinations in respect of a detailed audit of performance management and pay decision making at an appropriate point in the school's Ofsted cycle, agreeing a working group to undertake the audit. Consider any recommendations for change or action.
- All meetings of the Pay and Performance Management Committee will be minuted. As the minutes are confidential and will not normally be circulated beyond the committee. In the event of an individual pay appeal, the board of trustees will seek appropriate advice on the disclosure of minutes, recognising the rights to confidentiality and protection of data for all members of staff.

Any paid employees of the school who are also trustees are unable to be members of the Pay and Performance Management Committee.

Pay and Performance Management Committee members will be excluded from membership of the trustees' Appeal committee where convened to consider a pay appeal.

THE BURGATE SCHOOL AND SIXTH FORM STUDENT DISCIPLINE COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- To deal with individual students referred to trustees by the headteacher for problems concerning discipline and attendance not necessarily warranting exclusion.
- This 'first response' committee will be convened by the Clerk to the Trustees at the request of the Headteacher as and when required.
- To review cases of students' violation of any rules and regulations of the school and/or commitment of any misconduct.
- To assess the case presented and agree an action plan with all those involved.
- The headteacher may delegate responsibility for presenting the school's case to the trustees to another member of the Leadership Team in their absence.
- An appropriate member of the pastoral team may be invited to attend meetings of this committee to answer questions and advise the trustees about the case in question.
- Minutes of all meetings will be taken and retained by the clerk or the person acting as clerk. Any records or minutes should be carefully safeguarded and kept confidential.

THE BURGATE SCHOOL AND SIXTH FORM STUDENT EXCLUSION COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- To consider representations made by parents in the case of fixed-period exclusions of 5 days or less in a term [Committee is not required to arrange a meeting with parents and cannot direct reinstatement but may place a note of findings on student's file].
- If requested to do so by the parents, to consider the reinstatement of an excluded student if a student would be excluded from school for more than five school days, but not more than 15, in a single term. (*meeting to be held within 50 school days of receiving notice of the exclusion*).
- To consider the reinstatement of an excluded student where the exclusion is permanent; where a fixed period exclusion would bring the student's total number of school days of exclusion to more than 15 in a term or; it would result in a student missing a public examination. (*meeting to be held within 15 school days of receiving notice of the exclusion*). This may be delegated to the Chair/Vice Chair in cases of urgency.
- To ensure suitable full-time education is arranged for any student of compulsory school age who has been excluded for a fixed period of more than 5 school days – this provision must begin no later than the sixth day of the exclusion.
- To reconvene if directed or recommended by an Independent Review Panel to reconsider a permanent exclusion decision (meeting to be held within 10 school days of being given notice on the panel's decision).
- To ensure that the guidance contained in the DfE document 'Exclusion from maintained schools, academies and pupil referral units in England – a guide for those with legal responsibilities in relation to exclusion' [or subsequent guidance] is practised in the school, with specific reference to the role assigned to the Board of Trustees.
- The chair of each meeting will be appointed from the trustees attending.
- Minutes of all meetings will be taken and retained by the clerk or the person acting as clerk. Any records or minutes should be carefully safeguarded and kept confidential.

Membership – the Board will ask three trustees to serve on the Exclusion Committee as and when required. Staff trustees and any trustee with prior knowledge of the student or the incident will not be asked to sit on this committee. If the Headteacher is part of this committee it will be as a member of the Leadership Team rather than as a member of the Board.

THE BURGATE SCHOOL AND SIXTH FORM STAFF DISCIPLINE COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- To deal with individual members of staff referred to the Board by the Headteacher.
- Meetings will be convened by the Clerk to the Trustees at the request of the Headteacher as and when required.
- To consider cases of staff grievance that have not been resolved by the member of staff's line manager and/or the Leadership Team, following the school's policy and procedures in this respect, and to make recommendations for the satisfactory resolution of the issue[s] in question.
- To hear cases referred to the Board by the Headteacher concerning matters of staff discipline, in accordance with the school's policy and procedures in this respect, and to make decisions about the course of action to be followed in each case.

- The chair of each meeting will be appointed from the trustees attending.
- Minutes of all meetings will be taken and retained by the clerk or the person acting as clerk. Any records or minutes should be carefully safeguarded and kept confidential.

THE BURGATE SCHOOL AND SIXTH FORM STAFF DISCIPLINE APPEALS COMMITTEE

Terms of Reference

These terms of reference shall be determined by the Trust Board and reviewed annually.

- To consider any appeal short of dismissal under the school's policy and procedures on staff capability, grievance or discipline.
- To consider any appeal against dismissal under the school's policy and procedures on staff discipline.
- To consider any appeal against selection for redundancy.
- Meetings will be convened by the Clerk to the Trustees as and when required.
- The chair of each meeting will be appointed from the trustees attending.
- Minutes of all meetings will be taken and retained by the clerk or the person acting as clerk. Any records or minutes should be carefully safeguarded and kept confidential.