

# **HAZELWICK SCHOOL GOVERNING BODY – SCHEME OF DELEGATION**

## **Revision history recorded in a table at the end of this document**

This document is the Scheme of Delegation of the Governing Body of Hazelwick School, an Academy which came into being on 1<sup>st</sup> August 2011. The governance of this Governing Body is set out in the Articles of Association of Hazelwick School a Company without share capital [company number 07686578] which describes the constitution and membership of the Governing Body, the appointment of its members and terms of office.

The process covering Governor appointments is documented in the Hazelwick policy ‘Governor Recruitment and Induction’.

This Scheme sets out the terms of reference of powers and duties delegated to its committees and to the Headteacher, and its contents will be reviewed annually or in the event of significant restructuring.

## **Election of Chair and Vice Chair**

The election for the Chair and Vice-Chair is to take place at the end of the last governing body meeting of the Summer Term and will follow the procedures adopted and as set out in Appendix VIII.

## **Quorum**

The quorum for a governing body meeting and vote must be as specified in the Articles of Association of Hazelwick School [company number 07686578] and is described in Appendix I of this document.

## **Committees**

There are two principal sub-Committees (Curriculum & Standards Committee and Resources Committee) through which much of the business of the Governing Body will be conducted. The constitution of those committees together with terms of reference is attached as Appendices as follows:

Appendix I - Constitution of Committees

Appendix II – Curriculum & Standards Committee

Appendix III – School Admissions Group

Appendix IV – Resources Committee

Appendix V – Pay Review Committee

In addition, a panel of governors will be elected annually to conduct the Headteacher’s performance review. Terms of reference for this panel are attached as Appendix VI.

## **Delegation of Responsibilities to the Headteacher**

The respective roles and responsibilities of governing bodies and Headteacher are set out in the Education (School Government) (Terms of Reference) Regulations 2000: SI 2000/2122. The Headteacher has responsibility for the day to day management, internal organization, management and control of the school and for implementation of the strategic framework established by the Governing Body. Additionally, specific authorities are delegated to the Headteacher as set out in Appendix VII and the Hazelwick Financial Regulations Manual.

**Signed:** .....

**Date:** .....

**Chair of Governors**

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## Appendix I

<p style="text-align: center;"><b>Constitution for Committees</b> <b>[covers the sub-Committees and Full Governing Body (FGB) activity]</b></p>
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1. The terms of reference of the Committees, contained within this Scheme of Delegation document, shall be reviewed and confirmed, as a minimum annually, at one of the Committee/sub-Committee meetings. Confirmation requires a quorate of Governors to be present.
2. Each formal Committee shall consist of at least three members of the Governing Body.
3. The membership of the Committee may additionally include Associate Members provided that the majority of Committee members are Governors. The appointment of Associate Members requires the approval of the Governing Body. Voting rights for Associate Members shall be determined by the Governing Body at an FGB meeting held prior to the Associate member taking up their post. (*see note below*).
4. Following changes to The Academies Trust Handbook (2021) Staff Governors are no longer able to be Members; however they still remain Governors with full voting rights at all meetings, other than the AGM.
5. It should be noted that any Governor may elect not to become a Director of the Charity. Some Civil Service roles stipulate that their staff may not hold directorships for example.
6. At the last meeting of the school year the Committee shall elect the Chair and Vice-Chair from among their members for the full Governing Body. Staff Governors, apart from the Headteacher, are entitled to serve as Chairs and Vice-Chairs of sub-Committees, with the exception of the Pay Review Committee and the Headteacher's Performance Review Panel. Associate members may also serve as Chairs.
7. The quorum for any meeting shall be two-thirds (rounded down to the nearest whole number) of the membership of the Committee provided there is a minimum of three governors. The Chair or Vice-Chair of the Governing Body may attend any meeting of the Committee or sub-Committees and vote. The Headteacher is entitled to attend all Committee meetings and has a vote. Where the Governing Body operates with two main sub-Committees [Curriculum & Standards, and Resources sub-Committees] then all governors are accepted as members of both sub-Committees, as well as the full Governing Body, and therefore have voting rights at all forums. At the discretion of the Chair, advisors and/or observers may be invited to meetings although without any voting rights.
6. The Chair of the Committee has the casting vote.
7. The Committee shall meet at least once each term.
8. All members of the Committee, as well as all members of the Governing Body, are entitled to a minimum of seven days' notice of a meeting, and, no later than seven days prior to the meeting, to receive a copy of the agenda and accompanying papers. The agenda for each meeting will be set by the Chair in liaison with the appropriate member of the School Leadership Team [SLT] or their delegated staff member. A shorter timescale may be given if the Committee Chair decides an issue needs urgent attention.
9. Where there is a conflict of interest between an individual member of the Committee and the Governing Body, or where the principles of natural justice require a fair hearing and there is

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reasonable doubt about the person's ability to act impartially, they should withdraw from the meeting and not vote.

10. Signed minutes of all meetings will be kept, including the names of those present. With the exception of confidential items the minutes shall be open to inspection to anyone who wants to see them.
11. The Committee will report all recommendations and decisions to the Governing Body at their next meeting.
12. At the first Committee meeting of the academic year, each Committee will review their Terms of Reference contained within to confirm the scope of Committee activity. Any changes required should be proposed to the Full Governing body at the next scheduled meeting and will become effective following approval by that body. This activity should be undertaken as a minimum annually.
13. The Governing Body are able to form fixed term working parties consisting of a small sub-group of Governors, school staff and specialists/advisors to work on generating proposals against a particular topic for presentation to the Full Governing Body. The working parties will only act within the authority/boundaries awarded to them by the Full Governing Body.
14. Complaints about any aspect of school activity and operations that are referred to the Governing Body under stage 4 of the complaints procedure will be received by the Chair of Governors and, where appropriate, forwarded to members to the relevant associated Committee for investigation and response.

**Note.** Associate Members may include students, staff or people in the community with specific areas of expertise useful to the school. They can have voting rights as defined by the Governing Body provided they are aged 18 or over, but they cannot vote on the following matters:

- Admission of students,
- Student discipline issues,
- Election and appointment of governors,
- The budget and financial commitments of the Governing Body.
- Salary review issues

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## Appendix II

### Curriculum and Standards Committee – Terms of Reference

School Leadership Team Advisor: Deputy / Assistant Head responsible for Curriculum  
and Deputy / Assistant Head responsible for Teaching & Learning

The Committee will adopt the terms of reference as set out and agreed by the Governing Body and scheduled within the constitution.

The Committee will be generally responsible for monitoring and advising the Governing Body on:

- all curriculum matters and student progress as well as for monitoring those aspects delegated to the Headteacher.
- all matters relating to the pastoral direction and management within the school, including at a strategic level, and the well-being and personal development of each student.

#### Specific delegated Authorities and Tasks.

1. To ensure that the school has developed a strategic plan for the provision of the most appropriate curriculum and pastoral support for the community in line with the school vision, government guidelines and policies; providing support and challenge as appropriate, approving the plan and monitoring and evaluating through appropriate measures the delivery of the school improvement plan [the SIP].
2. To approve those targets for student performance at public examinations in line with extant legal obligations.
3. To approve internal targets for student attendance and monitor progress against targets.
4. To set and agree with the school, where appropriate, other targets that reflect ambitions for students taking qualifications, covering both attainment and achievement.
5. To ensure that the school has robust and appropriate arrangements in place for individual student assessment, tracking and intervention as necessary.
6. To monitor the achievement and diminish the difference of key groups e.g. PPI, CLA students etc.
7. To ensure that plans are in place for the delivery of the curriculum and pastoral elements of the SIP, meet Ofsted requirements and any other whole school reference documents; and to monitor appropriately progress against those plans.
8. To ensure that the school has a strategic plan, delivered through the SIP, for the continual focus on, and improvement of, teaching and learning, in line with Ofsted expectations and current recognised best practice.
9. To receive regular updates from the SLT regarding the performance of subjects and curriculum areas, and the output of curriculum reviews and proposed curricula provision.
10. To approve off-site activities which last more than 24 hours, or involve a hazardous activity, or an overnight stay, or a journey abroad; this duty may be delegated to the Chair of Governors if approval is required in advance of the Committee sitting.

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11. To ensure that the school has robust and appropriate arrangements in place to provide appropriate pastoral support and, where necessary, intervention strategies.
12. To monitor student exclusions and the exclusion process to ensure that all relevant policies and procedures are being observed, that all relevant legal requirements are met and that adequate numbers of governors are suitably trained to sit on exclusion hearings as and when required.
13. To monitor links between the school, support agencies and the wider community in the context of pastoral care.
14. To track progress of Children - Looked After [CLA] and other identified vulnerable groups and review the report provided by the Designated Teacher for Looked After Children.
15. To monitor the generation and submission of external statutory reports e.g Annual Safeguarding report.
16. To approve and periodically review policies as delegated by the Governing Body and the measures in place to ensure that such policies are observed and implemented.

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## Appendix III

### School Admissions Group – Terms of Reference

School Leadership Team Advisor: Deputy / Assistant Head responsible for school admissions.

The School Admissions group is a sub-committee of the Curriculum & Standards committee who are custodians of the school Admissions policy. This sub-group will be formed, when requested by the Headteacher, to support activity associated with over-subscription for school places.

1. The School Admissions Group will convene when required to review appeals and/or requests for school placement for in-year admissions and new in-take admissions in line with the current 'Admissions to Hazelwick School' policy.
2. The school admissions group consists of the Headteacher, the Chair of Governors and the Chair of the Curriculum & Standards Committee and is supported by the Deputy Head with responsibility for the Admissions process.
3. If required, the Schools Admissions group will evaluate applications according to the Hazelwick School Admissions criteria.
4. Note: The management of Admissions is currently managed by WSCC as part of the contracted services. The Hazelwick School Admissions Group will work in conjunction with an Admission process service provider as required.

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## Appendix IV

### Resources Committee – Terms of Reference

School Leadership Team Advisor: Headteacher, Finance Director & HR Manager

The Committee will adopt the terms of reference as set out and agreed by the Governing Body and scheduled within the constitution.

The Committee will be generally responsible for monitoring and advising the Governing Body on all matters relating to the strategic organisation, utilisation of resource and staffing organisation in support of the delivery of the curriculum, student education, pastoral care and student development; and for monitoring those aspects delegated to the Headteacher.

#### **Specific delegated Authorities and Tasks.**

1. To ensure that the school has developed a strategic plan for the creative, effective and efficient use and organisation of all resources and staffing to meet the future needs of the school and students in the delivery of the curriculum and provision of pastoral care, challenging as appropriate and approving the plan.
2. To monitor and evaluate through appropriate measures the delivery of the strategic plan.
3. To ensure that plans are in place for the delivery of the premises, finance, personnel and training elements of the SIP, meet Ofsted requirements and any other whole school reference documents and to monitor appropriately progress against those plans.
4. To approve and periodically review policies as delegated by the Governing Body and the measures in place to ensure that such policies are observed and implemented.
5. To ensure that processes are in place to meet and manage effectively the short term requirements of the school in respect of premises, infrastructure and information technology, which will include prioritisation of major capital works and routine maintenance of the schools existing services and infrastructure. As part of the monitoring process, to undertake an annual inspection of the school site.
6. To recommend the final budget for approval to the Governing Body and to ensure the appropriate management of the school's finances by agreeing the level of delegation to the Headteacher; monitoring expenditure against the Annual Budget; authorising expenditure on any exceptional items, outside those agreed within the approved budget and subject to a limit of £25,000.00 in any one case; approving business cases submitted for expenditure that require full governing body approval.
7. To ensure the annual accounts are produced in accordance with the requirements of the Companies Act 1985 and the DfE guidance issued to academies.
8. To ensure that the governing body's responsibilities under the Environmental Protection Act 1990 [amended 2008] are appropriately discharged and that the school has a robust Business Continuity & Emergency Incident policy.
9. To approve, and periodically review, the school's risk register.
10. To approve, and periodically review, the school's financial regulations manual.

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11. To ensure that; processes are in place to meet and manage short term staffing and strategic staffing requirements of the school; all staff are actively managed in accordance with current performance policies including active encouragement and support to pursue continuous professional development as relevant; and staff welfare is appropriately considered and provided for.
12. To ensure that all procedures relating to the recruitment, selection, appointment and retention of staff comply with the law and take account of equal opportunities.
13. To ensure that relevant policies, procedures and relevant legal requirements are in place for dealing with staff discipline, grievance, capability, redundancy, pay and absence. Also ensure that adequate numbers of governors are suitably trained to sit on disciplinary and appeal hearings as and when required.
14. To ensure processes are in place to maintain an accurate and current Single Central Record [SCR].
15. To identify and provide suitable Governor training for all duties to be adequately discharged.



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## Appendix V

### Pay Review Committee – Terms of Reference

**Membership.** The membership should comprise of the Chair of Governors, the Vice-Chair of Governors, the Chair of the Curriculum & Standards Committee, the Chair of the Resources Committee, an annually elected governor<sup>1</sup> and the Headteacher

**Quorum.** A quorum will be a minimum of three governors.

**Chair.** The Chair of the Committee will be the Chair of the Governors or Vice-Chair of Governors.

**Meetings.** The Committee will convene no earlier than the second half term of the Summer term and will have concluded all activity no later than the end of the Autumn term. Members should be given at least seven days notice of a meeting, Minutes of all meetings should be recorded, elements of the minutes may be deemed confidential and reporting restricted accordingly.

*<sup>1</sup> The elected governor will be appointed at either the FGB AGM or at the FGB at the start of the academic year, following a self-nomination of governor candidates and ballot/election undertaken by the Full Governing Body. The appointment lasts until the process is concluded for the academic year. This post needs to be appointed annually by this process.*

#### **Specific delegated Authorities and Tasks**

1. To receive the report and decision of the Headteacher's Performance Review Panel for the academic year now ending, and subsequently decide on any remuneration award, to be effective from 1<sup>st</sup> September.
2. To receive and accept the Headteacher's Report on the Performance review of members of the Schools Leadership Team [SLT] – with any salary increase awarded to be effective from 1st September.
3. To ensure pay review decisions relating to the Headteacher and SLT positions are provided to the Finance Director for inclusion in the school budget.

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## Appendix VI

### The Headteacher's Performance Management Panel – Terms of Reference

**Membership.** The membership should comprise four governors who are to be appointed by the Governing Body in the summer term of each year; the membership should include the Chair of the Resources Committee. Members of staff who are also governors may not be elected as members of the panel.

**Quorum.** A quorum will be a minimum of three governors.

**Chair.** At the first meeting of the panel, a chair will be elected who will be the nominated contact point for the Headteachers review for the year. Ideally the role of chair will be fulfilled by the Chair of one of the sub-committees or the FGB Vice Chair..

**Meetings.** The Panel should meet as often as deemed necessary to discharge its responsibilities within stipulated timescales. Members should be given at least seven days notice of a meeting although shorter notice may be given at the discretion of the Chair in the event of urgent matters. No formal minutes of review meetings are required, however any changes made to the objectives or target delivery dates should be documented.

**Responsibilities delegated to the Panel by the Governing Body.** The Panel is delegated the responsibility for conducting the Headteachers annual performance review in accordance with extant rules and regulations. Specifically the panel should:

1. Establish and agree with the Headteacher specific objectives and area(s) of overall performance to be assessed. The panel should liaise with and take advice from an appointed External Advisor as appropriate, and, with the consent of the Headteacher, other governors or advisors as deemed relevant. Such objectives to be agreed no later than 31<sup>st</sup> December.
2. The Chair of the Full Governing Body will be heavily involved in the objective setting exercise with the panel and Headteacher but need not be a full member of the ongoing review panel.
3. Agree with the Headteacher inputs, evidence and reference material that will be used to support the panel in undertaking the performance review, and the mechanism for scoring/judging performance against the objectives/criteria.
4. Conduct an interim review as deemed appropriate.
5. Conduct a final review, reaching a judgment about the overall performance of the Headteacher during the year, including achievement against previously agreed objectives, identifying professional development needs and activities as necessary.
6. Produce a performance review statement, summarising the discussion at the review meeting, and provide a sound basis for setting future objectives. A copy to be given to the Headteacher within 10 days of the review meeting. The Headteacher then has a further 10 days to add written comments. Copies of the final document go to the Headteacher and the Chair of Governors.
7. The Headteacher's training and development needs and the ways of meeting such needs will be identified at the review meeting. These should be recorded in a separate appendix to the

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review statement to go to the Chair of the Governing body for discussion with the Headteacher and inclusion in separate development objectives as appropriate.

8. Based upon the judgment of the Headteacher's performance The Panel should also agree whether or not to award a pay award on the available leadership scale or any other additional remuneration or benefit available in accordance with the Pay Policy. The recommendation relating to Headteacher's pay should be taken to the Pay Review Committee – see Appendix V.

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## Appendix VII

### Delegation of authorities to the Headteacher

In addition to any delegation in the various policies, the Governing Body delegates to the Headteacher, or their approved representative, the authority to:

- a. Authorise expenditure in line with the previous year's budget until such time as the current year's budget is adopted.
- b. Authorise expenditure in the adopted budget without referral to the Governing Body.
- c. Nominate authorized signatories for cheque payments. <sup>1</sup>
- d. Authorise the overspending of budgets wherever they arise, (unless budget heading is subject to a prior restriction by the Resources committee)<sup>2</sup>
- e. Delegate to their staff the daily administration of finances.

*<sup>1</sup> The Headteacher may sign cheques up to £2,000; above that figure the signatures of 2 of the nominated authorized signatories are required. For cheques above £50,000 prior approval must be obtained from the Chair of the Resources Committee and noted at the next committee meeting. Where the total contract/lease/service cost exceeds £50,000 over the full committed time period of the contract/service/lease prior approval must be obtained from the Chair of the Resources Committee and noted at the next committee meeting.*

In addition, the Governing Body specifically delegates to the Headteacher the day-to-day management of the staff the school including:

1. Advertising vacancies, recruiting and appointing staff, within the adopted budget, and convening an Appointments Panel where merited by the responsibility level of the post.
2. Determining levels of pay on appointment of all teaching and non-teaching staff, within the adopted budget, taking into account staffing structures already in place, the School Teachers' Pay and Conditions Document and LA\* guidelines in its Personnel Policies and Procedures Manual. Proposal for salary review for members of the SLT will be taken to the Pay Review Committee for endorsement.
3. Make the initial decision on any staff discipline, including dismissal, taking into account LA\* guidelines in its Personnel Policies and Procedures Manual.

\* Note: LA documentation may be used for guidance. Academy documentation approved by the Governing Body would supercede LA information as appropriate.

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### **Appendix VIII**

<b>Hazelwick procedures for electing a Chair and Vice-Chair of the full Governing body</b>
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- 1 The election for the Chair and Vice-Chair is to take place at the end of the last governing body meeting of the Summer Term.
- 2 Before setting the agenda for that meeting the Clerk invites eligible members of the governing body to self-nominate for election as Chair or Vice-Chair; no seconder is necessary. The timetable is to be set by the Clerk to ensure that all governors have the opportunity to self-nominate.
- 3 Clerk lists nominations on the agenda, for consideration at the meeting. If no names have been listed, governors may put themselves forward at the meeting.
- 4 Clerk to act as Chair during that part of the meeting at which the Chair is elected (although the Clerk does not have a vote).
- 5 Clerk establishes that the meeting is quorate. At least one half (rounded up to a whole number) of the current membership of the governing body (excluding vacancies).
- 6 Clerk confirms that the term of office for the Chair and Vice-Chair is approximately one year and expires at the end of the last governing body meeting of the next Summer Term.
- 7 The election for Chair and Vice-Chair will be by secret ballot of those governors present and voting. The candidates must withdraw in either case and are not permitted to vote. When there are more than two candidates, if no candidate has more than 50% of the votes, the candidate with the least number of votes drops out and further ballots are held until only two candidates remain. When there are two candidates, the election is to be resolved by a simple majority. If there is an equal number of votes cast candidates should draw lots to decide.
- 8 If there is only one nomination for a post, the governing body should still discuss and agree formally that they want the nominee for that post. The nominee should withdraw during the discussion.
- 9 If the governing body rejects the only candidate, the election for that post to be held over until the first meeting of the Autumn Term.
- 10 The Chair and Vice-Chair remain in their post until the election of their successor, unless they choose to resign, cease to be a governor or take up employment at the school.
- 11 In the absence of the Chair, the Vice-Chair will act as Chair (except in relation to the election of the Chair).
- 12 If both the Chair and Vice-Chair are absent, the governing body must elect a Chair for their particular meeting after having due regard to the rules on quorum.

The Chair and Vice-Chair can be removed from office at any time between elections but only if strict procedures are followed. These are detailed in the Governors Guide to the Law [DfE publication].

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### Revision History

VERSION REF	DATE	REVISION HISTORY
1.0	Aug 2011	<p><b>New Document</b> Created to support conversion to Academy August 2011 To be used in conjunction with the Articles of Association for the academy</p>
2.0	Mar 2012	<p>Addition of the Pay Review Committee appendix and the School Admissions Group [sub-group of the Pastoral &amp; Community committee] Pastoral &amp; Community Committee – addition of point 9 relating to Looked After Children Premises &amp; Finance – addition of points 7, 8, 14 and 15 – relating to annual accounts, Responsible Officer, Business Continuity Planning and the schools Risk Register. Point 13 – interim trip approval by Chair of Governors added. Minor changes to Headteacher Performance Review Panel, including linkage to Pay Review Committee. Minor changes to Headteachers delegated authority including linkage to Pay Review Committee and notes <sup>1</sup> and <sup>2</sup></p>
3.0	Sept 2012	<p>Page 1 - Addition of the reference to the Governor Recruitment and Induction policy Constitution for Committees – amendment to point 3 to allow for approval of Associate member appointments at any FGB meeting Addition of point 12 relating to annual review of the Terms of Reference [to meet a Governor mark standard requirement]</p>
4.0	Nov 2013	<p>Appendix II – Terms of Reference for Curriculum &amp; Quality Committee Item 6 – change SEF to SIP. Removal of item 11 regarding the curriculum policy being updated which is not required. Addition of point 11 relating to trip approval. Appendix V – Terms of Reference for Personnel &amp; Training Committee Addition of HR Manager to Senior Leadership Team Advisor. Addition of HR Manager to item 8.</p>
5.0	Jun 2014	<p>Appendix III – Terms of Reference for Pastoral &amp; Community Committee Item 3 – change words to ‘to approve internal targets for student attendance for monitoring progress’. Appendix IV – Terms of Reference for Premises &amp; Finance Committee Change Senior Leadership Team Advisor to ‘Finance Manager’ Remove item 3b ‘Specialist schools targets and Plans’</p>
6.0	Mar 2015	<p>Removal of the approval date – page 2 – Document will be deemed approved from the date of signature on page 2 Addition of reference to the Hazelwick Financial Regulations Manual on page 2 in the Headteacher’s delegated responsibilities section Page 3 – clarity on Governor committee voting rights</p>

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		<p>Page 4 – Additional points included on use of working parties and management of complaints</p> <p>Page 6 – Including a point associated with monitoring performance of key identified groups.</p> <p>Page 9 – Clarity on when the School Admissions Group should be invoked</p> <p>Page 10 &amp; 11 – Revision of responsibilities associated with the P&amp;F committee activity</p> <p>Page 14 -Additional of bullet point associated with Governor training and maintenance of the single central record</p> <p>Page 15 – Minor adjustments to associated meeting dates for appointments to be made</p>
7.0	Dec 2017	<p>Document restructured to reflect the change in Committee arrangement – content aligned to Resources and Curriculum &amp; Standards committees structure.</p> <p>Appendices renumbered to reflect document alterations</p>
7.1	Oct 2018	<p>Change of wording in item 6 of delegated tasks in Appendix II Curriculum &amp; Standards Committee – Terms of Reference following annual committee review.</p>
8.0	Dec 2019	<p>Reviewed at Full Governing Body meeting 5 December 2019 by governors and no changes required.</p>
9.0	Mar 2022	<p>Changed review dates to annually from every two years throughout the document.</p> <p>Added two additional points in Appendix 1 Constitution for Committees (points 4 and 5) regarding staff no longer being members and governors electing not to become a Director of the Charity.</p>