



Christ the King Sixth Form College

Governors' Handbook

Section 2 – Operation of the Governing Body and its Committees

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**Archdiocese of Southwark
Christ the King Sixth Form College
INSTRUMENT OF GOVERNMENT**

(Issued September 2014, Approved by the Governing Body May 2015, Adapted March 2019)

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1.1 Preamble

Catholic Voluntary Colleges were formerly Catholic Voluntary Aided schools, and became part of the Further Education sector in 1993 when they were designated as Further Education Institutions under section 28 of the Further and Higher Education Act 1992 (“FHE 1992”), by virtue of the Education (Designated Institutions in Further Education) Order 1993. As designated institutions in the FE sector, the Colleges remained unincorporated associations and did not become FE Corporations.

The Education (Designation of Sixth Form Colleges) (Incorporation) (England) Order 2001 provided for the governing bodies of the Catholic Sixth Form Colleges to become corporate bodies on 1st April 2001, setting out their powers and that they were, and remain, exempt charities. They also remained designated institutions within the FE sector and not FE Corporations.

The Apprenticeships, Skills, Children and Learning Act 2009 (“ASCL 2009”) provided for the Secretary of State to designate, by order, specified existing designated institutions as Sixth Form College Corporations. The Initial Sixth Form Colleges Corporation Designation (England) Order 2010 designated the Catholic Voluntary Sixth Form Colleges as Sixth Form College Corporations.

The Sixth Form College Corporations (Modification of Instrument and Articles of Government) (No.2) Order 2012 modified the Instrument & Articles of the Catholic Sixth Form Colleges after agreement by each College’s Trustees and the Catholic Education

Service (“the CES”). Similar provisions were subsequently inserted into the FHE 1992 by the Education Act 2011 (“EA 2011”).

The EA 2011 also provided for greater freedoms for Sixth Form College Corporations, many of which had already been available to the Voluntary Catholic Colleges.

1. Name and Objects

- (1) (a) The name of the College is Christ the King Sixth Form College (“the College”),
- (b) the Governing Body shall be known as “The Governing Body of Christ the King Sixth Form College”.

The College is a voluntary Sixth Form College in the trusteeship of the Archdiocese of Southwark and is an exempt charity for the establishing, maintaining or advancing of the Catholic religion in the Diocese.

2. Interpretation

- (1) In this Instrument —
- (a) “the Articles” or “these Articles” mean the Articles of Government of the College;
- (b) “Bishop” means the Archbishop of Southwark or any person exercising Ordinary jurisdiction on his behalf (including the person or persons on whom the governance of the See has devolved in the case of the See being vacant or impeded);
- (c) “Catholic” means in full communion with the See of Rome;
- (d) “the Clerk” means the Clerk to the Governing Body;
- (e) “further education institution” means an institution within the further education sector as defined in section 91(3) of the Further and Higher Education Act 1992;
- (f) “the Governing Body” means the sixth form college corporation;
- (g) “this Instrument” or “the Instrument” means this Instrument of Government;
- (h) “meeting” includes a meeting at which the governors attending are present in more than one room, The Governing Body may approve alternative arrangements for governors to participate or vote at meetings of the Governing Body including, but not limited to, by telephone or video conference;
- (i) “Post of Principal” means the post of principal of the College, either to be held by one person or by two people acting jointly as co-principals;
- (j) any reference to “the Principal” means either (A) where one person is appointed to

act as sole principal of the College, that person; or (B) where two people are appointed to act jointly as co-principals of the College, to both those people, unless stated otherwise in the Instrument or in the Articles;

- (k) “the students’ union” means any association of students formed to further the educational purposes of the College and the interests of students, as students;
 - (l) “the Trustees” means the Trustees of the College.
- (2)
- (a) Where the Governing Body or the Trustees or the Bishop consider that there is an ambiguity or doubt concerning the interpretation or application of any provision of this Instrument or of the Articles, it (or he or they) may request the CES to issue a formal interpretation to resolve the ambiguity or doubt by giving written notice.
 - (b) Where the CES considers that it may be appropriate to issue such an interpretation, it shall consult:
 - (i) the Governing Body, Trustees and Bishop; and
 - (ii) the Governing Body, Trustees and Bishop of any other Catholic Sixth Form College in England and Wales where the wording in question is the same or similar to that in this Instrument or the Articles.
 - (c) Where, after considering the responses to the consultation, the CES considers that it is appropriate to issue such an interpretation, it may do so, and shall issue a copy of the same to all of the persons and bodies mentioned in paragraph (2)(b).
 - (d) This Instrument shall be interpreted and applied in accordance with any interpretations issued by the CES under the provisions of this clause or of any similarly worded clause in the Instrument or Articles of Government of any of the Colleges described in paragraph (2)(b) above.

3. *The Composition of the Governing Body*

- (1) Subject to the provisions of this clause and the transitional arrangements set out in clause 4, the composition of the Governing Body is set out in the schedule hereto, and shall consist of—
 - (a) at least eight persons who have been appointed by the Bishop for the purpose of securing that the Catholic character of the College is preserved and developed and, in particular, that the College is conducted in accordance with its objects and the trust deed of the Archdiocese of Southwark (“foundation governors”);
 - (b) up to six governors who have been co-opted by the Governing Body (“co-opted governors”);
 - (c) at least one governor, who is a parent of a student attending the College,

- appointed by the Governing Body (“parent governor”);
- (d) the Principal of the College;
 - (e) at least one governor who is a member of the College’s staff and has a contract of employment with the College, appointed by the Governing Body (“staff governor”);
 - (f) at least one governor who is a student at the College, appointed by the Governing Body (“student governor”),

provided that at all times the number of foundation governors shall outnumber the other governors by at least three.

- (2) A person who is not for the time being enrolled as a student at the College, shall nevertheless be treated as a student during any period of authorised absence from the College for study, travel or for carrying out the duties of any office held by that person in the College’s students’ union.

4. *Transitional arrangements*

Where the membership of the Governing Body does not conform in number to those set out in the schedule hereto—

- (a) nothing in clause 3 of this Instrument shall require the removal of governors; but
- (b) the Governing Body shall ensure that any new appointments are made so that its composition conforms to the schedule as soon as possible,

provided that at all times the number of foundation governors shall outnumber the other governors by at least three.

5. *Appointment of parent, staff and student governors, and vacancies*

- (1) The Governing Body shall make regulations setting out the procedures for obtaining nominations for parent, staff or student governors including, where appropriate, the procedures for any elections to obtain such nominations.
- (2) The Clerk to the Governing Body shall notify the Bishop as soon as possible of every vacancy or expected vacancy among the foundation governors.

6. *Persons who are ineligible to be governors*

- (1) No one under the age of 18 years may be a governor, except as a student governor.
- (2) The Clerk may not be a governor.
- (3) A person who is a member of staff of the College may not be, or continue as, a

governor, except as a staff governor or in the capacity of Principal.

- (4) Paragraph (3) does not apply to a student who is employed by the College in connection with the student's role as an officer of a students' union.
- (5) A person is disqualified from holding, or continuing to hold, office as a governor if:
 - (a) The person's estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
 - (b) The person is the subject of a bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief restrictions order or an interim debt relief restrictions order.
- (6) A person is disqualified from holding, or continuing to hold, office as a governor at any time when the person is subject to:
 - (a) A disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986;
 - (b) A disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002, as amended;
 - (c) A disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or
 - (d) An order made under section 429(2) (b) of the Insolvency Act 1986 for failure to pay under a county court administration order.
- (7) A person is disqualified from holding, or continuing to hold, office as a governor if:
 - (a) That person has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which that person was responsible or to which they were privy, or to which they contributed or which was facilitated by that person's conduct;
 - (b) The person has been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of anybody; or
 - (c) The person is disqualified from being a charity trustee under the Charities Act 2011.
- (8) A person is disqualified from holding, or continuing to hold, office as a governor at any time when the person is:
 - (a) Included in the list of those considered as unsuitable to work with children kept under section 1 of the Protection of Children Act 1999, as amended;

- (b) Subject to a direction under section 142 of the Education Act 2002 or any other disqualification, prohibition or restriction which takes effect as if contained in such direction;
 - (c) Barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006;
 - (d) Disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000;
 - (e) Disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 from child minding or providing day care;
 - (f) Disqualified from registration under Part 3 of the Childcare Act 2006, as amended.
- (9) Subject to sub-paragraph (e) below, a person is disqualified from holding, or continuing to hold, office as a governor where any of the sub-paragraphs (a) to (c) or (e) below apply:
- (a) This sub-paragraph applies to a person if:
 - (i) Within the period of five years ending with the date immediately preceding the date on which the person's appointment would otherwise have taken effect or, as the case may be, on which that person would otherwise have become a governor by virtue of an office, or
 - (ii) Since the person's appointment as governor or, as the case may be, the person became a governor by virtue of an office,

the person has been convicted, whether in the United Kingdom or elsewhere, of any offence and a sentence of imprisonment (whether suspended or not) has been imposed for a period of not less than three months without the option of a fine;

- (b) This sub-paragraph applies to a person if within the period of 20 years ending with the date immediately preceding the date on which that person's appointment would have taken effect or, as the case may be, on which that person would otherwise have become a governor by virtue of an office, they have been convicted of any offence and a sentence of imprisonment has been imposed for a period of not less than two and a half years.
- (c) This sub-paragraph applies to a person who has at any time been convicted, as aforesaid, of any offence and a sentence of imprisonment has been imposed on the person for a period of not less than five years.
- (d) For the purposes of sub-paragraphs (a) to (c) above, any conviction by or before a court outside the United Kingdom of an offence which, if the facts giving rise to

the offence had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom must be disregarded.

- (e) This sub-paragraph applies to a person if:
- (i) Within the period of five years ending with the date immediately preceding the date on which the person's appointment would otherwise have taken effect or, as the case may be, on which that person would otherwise have become a governor by virtue of an office; or
 - (ii) Since that person's appointment or, as the case may be, becoming a governor by virtue of an office,

they have been convicted under section 547 of the Education Act 1996 in relation to a nuisance or disturbance on school premises, or under section 85A of the FHE 1992 in relation to a nuisance or disturbance on educational premises, of an offence and has been sentenced to a fine.

- (10) A person is disqualified from holding, or continuing to hold, office as a governor at any time:
- (a) when the person, being a foundation governor, refuses a request by an officer of the Bishop; or
 - (b) when the person, being any other category of governor refuses a request by the Clerk,

to make application under section 113B of the Police Act 1997, for a criminal records certificate.

- (11) Where a person is, or is proposed to become, a governor and by virtue of any of paragraphs (5) to (9) that person is disqualified from holding, or continuing to hold, office as a governor, they must give notice of that fact to the Clerk, or for foundation governors to an officer of the Bishop.

7. *The term of office of a governor*

- (1) A governor (other than the Principal) shall hold and vacate office in accordance with the terms of the appointment, but the length of the term of office shall not exceed four years.
- (2) Governors retiring at the end of their term of office shall be eligible for reappointment.

- (3) Except in relation to foundation governors, paragraph (2) is subject to any rule or bye-law made by the Governing Body under article 25 of the Articles of Government concerning the number of terms of office a person may serve.

8. Termination of governorship

- (1) A governor may resign from office at any time by giving notice in writing to the Clerk or, in the case of a foundation governor, to the Bishop.
- (2) If at any time the Governing Body is satisfied that any governor, other than a foundation governor—
 - (a) is unfit or unable to discharge the functions of a governor; or
 - (b) has been absent from meetings of the Governing Body for a period longer than one calendar year or 3 consecutive meetings, whichever is the longer, without the permission of the Governing Body,

the Governing Body may by notice in writing to that governor remove the governor from office and the office shall then be vacant.

- (3) Any person who is a governor by virtue of being a member of the staff at the College, including the Principal, shall cease to hold office upon ceasing to be a member of the staff and the office shall then be vacant (and if there are co-principals, this paragraph (3) shall only apply to the co-principal who ceases to be a member of staff).
- (4) A student governor shall cease to hold office—
 - (a) at the end of the student's final academic year, or at such other time in the year after ceasing to be a student as the Governing Body may decide; or
 - (b) if expelled from the College,and the office shall then be vacant.

- (5) A foundation governor may be removed from office at any time by the Bishop.

9. Copies of the Instrument of Government

A copy of this Instrument shall be given free of charge to every governor and to the Trustees and, at a charge not exceeding the cost of copying or free of charge, to any other person who so requests a copy, and shall be available for inspection at the College, upon request during normal office hours, to every member of staff and every student.

10. Seal of Governing Body and Dissolution

- (1) The application of the seal of the Governing Body shall be authenticated by the signature—

- (a) of the Chair or of some other member authorised either generally or specially by the Governing Body to act for that purpose; and
 - (b) of any other member.
- (2) The Governing Body may change the name of the College, subject to the consent of the Trustees, with the approval of the Secretary of State.
 - (3) Subject to paragraph (4), the Governing Body may by resolution dissolve itself and provide for the transfer of its property, rights and liabilities.
 - (4) Any property held by the Governing Body on trust for the purposes of the College must be transferred to the Trustees.

11. *Amendment of Instrument of Government*

- (1) Subject to paragraph (3) and (4), the Trustees may modify or replace this Instrument with the consent of the Governing Body and the Bishop.
- (2) Subject to paragraph (3) and (4), the Governing Body may modify or replace this Instrument with the consent of the Trustees and the Bishop.
- (3) Any consent to be given under this clause must be given in writing by the person or persons entitled to give such consent or an authorised officer thereof.
- (4) The Governing Body shall not make changes to the Instrument that would result in the body ceasing to be a charity.

SCHEDULE

Composition of the Governing Body

Clauses 3 & 4

The Governing Body shall consist of up to seventeen governors of which there shall be:

- (a) ten foundation governors;
- (b) the Principal of the College (and if co-principals are appointed, both co-principals);
- (c) two staff governors;
- (d) one student governor;
- (e) one parent governor;
- (f) one co-opted governor.

Archdiocese of Southwark Christ the King Sixth Form College
ARTICLES OF GOVERNMENT

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1. *Interpretation*

(1) In these Articles of Government—

- (a) (i) any terms defined in clause 2(1) of the Instrument of Government shall have the same meaning in these Articles;
- (i) the provisions of clause 2(2) of the Instrument shall apply in the same way to the Articles, and the Articles shall be interpreted and applied in accordance with any interpretations issued by the CES under the provisions of that clause

or of any similarly worded clause in the Instrument or Articles of Government of any of the Colleges described in clause (2) (b) of the Instrument;

- (b) “Chair” and “Vice-Chair” mean respectively the Chair and Vice-Chair of the Governing Body appointed under clause 6 of these Articles;
- (c) “Education Funding Agency” means the Education Funding Agency, or any successor body which has the same or similar powers to direct Governing Bodies in relation to the matters set out in article 24;
- (d) “senior Catholic post” means the Post of Principal, the posts of Deputy Principal, Head of Religious Education and such other senior posts specified by the Bishop;
- (e) “senior post” means senior Catholic posts, the Clerk, and such other senior posts as the Governing Body may decide for the purposes of these Articles;
- (f) “the staff” means all the staff who have a contract of employment with the College;
- (g) “staff matters” means the remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement of staff;
- (h) “Deputy Principal” includes, if there is no person designated as such, the most senior member of staff whose duties include deputising for the Principal in his or her absence.

2. Conduct of the College

The College was founded by and is part of the Catholic Church. The College shall be conducted in accordance with:

- (a) The teachings of the Catholic Church;
- (b) Canon law of the Catholic Church in relation to the governance and the Catholic nature of the College;
- (c) The Trust Deed of the Archdiocese of Southwark;
- (d) The provisions of the Instrument;
- (e) The provisions of these Articles and any rules or bye-Laws made thereunder,

and at all times the College is to serve as a witness to the Catholic faith in Our Lord Jesus Christ.

3. *Collective Worship*

- (1) The Governing Body shall ensure that, at an appropriate time on at least one day in each week during which the College is open, an act of collective worship is held at the College which students may attend.
- (2) Acts of collective worship shall be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church.
- (3) If the Governing Body considers it appropriate to do so it may in addition to the acts of collective worship referred to in paragraph (2) provide for additional acts of worship which reflect the practices of some or all of the other religious traditions represented in the College.

4. *Religious Education*

- (1) The Governing Body shall ensure that religious education is provided at the College for all students who wish to receive it.
- (2) The Governing Body shall be deemed to be fulfilling its duty if religious education is provided at a time or times at which it is convenient for the majority of full-time students to attend.
- (3) Religious education may take the form of a course of lectures or classes or of single lectures or classes provided on a regular basis and may include a course of study leading to an examination or the award of a qualification.
- (4) The Governing Body shall ensure that 5% of the curriculum is devoted to religious education.
- (5) The form and content of religious education provided shall be determined from time to time by the Governing Body and shall be in accordance with the teachings, discipline and general and particular norms of the Catholic Church.

5. *Responsibilities of the Governing Body, the Principal and the Clerk*

- (1)
 - (a) The Governing Body occupies and conducts the College on behalf of the Trustees and under the supervision of the Bishop.

(b) The Governing Body is accountable to its Trustees for the occupation of the premises and the conduct of the College, and to the Bishop for the Catholic character of the College.
- (2) The Governing Body shall be responsible for the following functions:
 - (a) the preservation and development of the educational character and mission of the college and the oversight of its activities;

- (b) publishing arrangements for obtaining the views of staff and students on the preservation and development of the educational character and mission of the institution and the oversight of its activities;
 - (c) approving the quality strategy of the College;
 - (d) the effective and efficient use of resources, the solvency of the College and safeguarding of its assets;
 - (e) approving annual estimates of income and expenditure;
 - (f) the appointment, grading, appraisal, suspension, dismissal and determination of the pay and conditions of service of the holders of senior posts;
 - (g) setting a framework for the pay and conditions of service of all other staff; and
 - (h) determining the policy for the admission of students.
- (3) Subject to the responsibilities of the Governing Body, the Principal shall be the Chief Executive of the College, or where there are co-principals they shall be co-Chief Executives, and shall be responsible for the following functions:
- (a) making proposals to the Governing Body and Trustees about the educational character and mission of the College and implementing the decisions of the Governing Body;
 - (b) the determination of the College's academic and other activities;
 - (c) preparing annual estimates of income and expenditure for consideration and approval by the Governing Body, and the management of budget and resources within the estimates approved by the Governing Body;
 - (d) the organisation, direction and management of the College and leadership of the staff;
 - (e) the appointment, assignment, grading, appraisal, suspension, dismissal and determination, within the framework set by the Governing Body, of the pay and conditions of service of staff, other than the holders of senior posts; and
 - (f) maintaining student discipline and, within the rules and procedures provided for within these Articles, suspending or expelling students on disciplinary grounds or expelling students for academic reasons.
- (4) The Clerk shall be responsible for the following functions:
- (a) advising the Governing Body with regard to the operation of its powers;

- (b) advising the Governing Body with regard to procedural matters;
- (c) advising the Governing Body with regard to the conduct of its business; and
- (d) advising the Governing Body with regard to matters of governance practice.

6. *Appointment of the Chair and Vice-Chair*

- (1) The Governing Body shall appoint a Chair and a Vice-Chair from among the foundation governors.
- (2) Neither the Principal nor any staff or student governor shall be eligible to be appointed as Chair or Vice-Chair or to act as Chair in their absence.
- (3) If both the Chair and the Vice-Chair are absent from any meeting of the Governing Body, the governors present shall choose one of the foundation governors to act as Chair for that meeting.
- (4) The Chair and Vice-Chair shall hold office for such period as the Governing Body decides.
- (5) The Chair or Vice-Chair may resign from office at any time by giving notice in writing to the Clerk.
- (6) If the Governing Body is satisfied that the Chair is unfit or unable to carry out the functions of office, it may give written notice, removing the Chair from office and the office shall then be vacant.
- (7) If the Governing Body is satisfied that the Vice-Chair is unfit or unable to carry out the functions of office, it may give written notice, removing the Vice-Chair from office and the office shall then be vacant.
- (8) At the last meeting before the end of the term of office of the Chair, or at the first meeting following the Chair's resignation or removal from office, the governors shall appoint a replacement from among the foundation governors.
- (9) At the last meeting before the end of the term of office of the Vice-Chair, or at the first meeting following the Vice-Chair's resignation or removal from office, the governors shall appoint a replacement from among the foundation governors.
- (10) At the end of their respective terms of office, the Chair and Vice-Chair shall be eligible for reappointment.
- (11) Paragraph (10) is subject to any rule or bye-law made by the Governing Body under article 25 of these Articles concerning the number of terms of office which a person may serve as Chair or Vice-Chair.

7. Appointment of the Clerk to the Governing Body

- (1) The Governing Body shall appoint a person to serve as its Clerk, but the Principal may not be appointed as Clerk.
- (2) In the temporary absence of the Clerk, the Governing Body shall appoint a person to serve as a temporary Clerk, but the Principal may not be appointed as temporary Clerk.
- (3) Any reference in these Articles to the Clerk, shall include a temporary Clerk appointed under paragraph (2).
- (4) Subject to article 10, the Clerk shall be entitled to attend all meetings of the Governing Body and any of its committees.
- (5) The Clerk may also be a member of staff at the College.

8. Meetings

- (1) The Governing Body shall hold such meetings as may be necessary.
- (2) Subject to paragraphs (4) and (5) and to article 9(4), all meetings shall be called by the Clerk, who shall, at least seven calendar days before the date of the meeting, send to the Governing Body written notice of the meeting and a copy of the proposed agenda.
- (3) If it is proposed to consider at any meeting the remuneration, conditions of service, conduct, suspension, dismissal or retirement of the Clerk, the Chair shall, at least seven calendar days before the date of the meeting, send to the governors a copy of the agenda item concerned, together with any relevant papers.
- (4) A meeting of the Governing Body, called a “special meeting”, may be called at any time by the Chair or at the request in writing of any five governors.
- (5) Where the Chair, or in the Chair’s absence the Vice-Chair, decides that there are matters requiring urgent consideration, the written notice convening the special meeting and a copy of the proposed agenda may be given within less than seven calendar days.

9. Quorum

- (1) Meetings of the Governing Body shall be quorate if the number of governors present is at least 40% of the total number of governors including at least four foundation governors.
- (2) If the number of governors present for a meeting of the Governing Body does not constitute a quorum, the meeting shall not be held.

- (3) If during a meeting of the Governing Body there ceases to be a quorum, the meeting shall be terminated at once.
- (4) If a meeting cannot be held or cannot continue for lack of a quorum, the Chair may call a special meeting as soon as it is convenient.

10. *Proceedings of meetings*

- (1) Every question to be decided at a meeting of the Governing Body shall be decided by a majority of the votes cast by governors present and entitled to vote on the question.
- (2) Where, at a meeting of the Governing Body, there is an equal division of votes on a question to be decided, the Chair of the meeting shall have a second or casting vote.
- (3) No resolution of the governors may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.
- (4) The validity of any proceedings of the Governing Body, or of any committee of the Governing Body, shall not be affected by a vacancy amongst the governors or by any defect in the appointment, nomination or election of a governor.
- (5) Except as provided by procedures made pursuant to article 21 of these Articles, a governor who is a member of staff at the College, including the Principal (and where there are co-principals, only the co-principal affected by this paragraph (5) (unless both co-principals are affected by this paragraph (5) in which case both co-principals)), shall withdraw—
 - (a) from that part of any meeting of the Governing Body, or any of its committees, at which staff matters relating solely to that member of the staff, as distinct from staff matters relating to all members of staff or all members of staff in a particular class, are to be considered;
 - (b) from that part of any meeting of the Governing Body, or any of its committees, at which that governor's reappointment or the appointment of that governor's successor is to be considered;
 - (c) from that part of any meeting of the Governing Body, or any of its committees, at which the matter under consideration concerns the pay or conditions of service of all members of staff, or all members of staff in a particular class, where the member of staff is acting as a representative (whether or not on behalf of a recognised trade union) of all members of staff or the class of staff (as the case may be); and
 - (d) if so required by a resolution of the other governors present, from that part of any meeting of the Governing Body or any of its committees, at which staff matters relating to any member of staff holding a post senior to that governor's post are to be considered, except those relating to the pay and conditions of all staff or all

staff in a particular class.

- (6) A student governor who is under the age of 18 shall not vote at a meeting of the Governing Body, or any of its committees, on any question concerning any proposal—
 - (a) for the expenditure of money by the Governing Body; or
 - (b) under which the Governing Body, or any governors, would enter into any contract, or would incur any debt or liability, whether immediate, contingent or otherwise.
- (7) A student governor shall withdraw from that part of any meeting of the Governing Body or any of its committees, at which a student's conduct, suspension or expulsion is to be considered.
- (8) In any case where the Governing Body, or any of its committees, is to discuss staff matters relating to a member or prospective member of staff at the College, a student governor shall—
 - (a) take no part in the consideration or discussion of that matter and not vote on any question with respect to it; and
 - (b) where required to do so by a majority of the governors, other than student governors, or committee present at the meeting, withdraw from the meeting.
- (9) The Clerk—
 - (a) shall withdraw from that part of any meeting of the Governing Body, or any of its committees, at which the Clerk's remuneration, conditions of service, conduct, suspension, dismissal or retirement in the capacity of Clerk are to be considered; and
 - (b) where the Clerk is a member of staff at the College, the Clerk shall withdraw in any case where a governor is required to withdraw under paragraph (5).
- (10) If the Clerk withdraws from a meeting, or part of a meeting, of the Governing Body under paragraph (9), the Governing Body shall appoint a person from among themselves to act as Clerk during this absence.
- (11) If the Clerk withdraws from a meeting, or part of a meeting, of a committee of the Governing Body, the Governing Body shall appoint a person from among themselves to act as Clerk to the committee during this absence.

11. *Right of persons to attend meetings*

Subject to article 10, the following persons are entitled to attend any meeting of the Governing Body: a governor, the Clerk, the Principal, an officer of the Trustees, an officer of the Bishop, and such other persons as the Governing Body may determine.

12. Minutes

- (1) Written minutes of every meeting of the Governing Body shall be prepared, and, subject to paragraph (2), at every meeting of the Governing Body the minutes of the last meeting shall be taken as an agenda item.
- (2) Paragraph (1) shall not require the minutes of the last meeting to be taken as an agenda item at a special meeting, but where they are not taken, they shall be taken as an agenda item at the next meeting which is not a special meeting.
- (3) Where minutes of a meeting are taken as an agenda item and agreed to be accurate, those minutes shall be signed as a true record by the Chair of the meeting.
- (4) Separate minutes shall be taken of those parts of meetings from which staff governors, student governors or the Clerk have withdrawn from a meeting in accordance with clause 10(5), (7) (8) or (9) and such persons shall not be entitled to see the minutes of that part of the meeting or any papers relating to it.

13. Publication of minutes and papers

- (1) Subject to paragraph (2), the Governing Body shall ensure that a copy of—
 - (a) the agenda for every meeting of the Governing Body;
 - (b) the draft minutes of every such meeting, if they have been approved by the Chair of the meeting;
 - (c) the signed minutes of every such meeting; and
 - (d) any report, document or other paper considered at any such meeting,

shall as soon as possible be made available during normal office hours at the College to any person wishing to inspect them.

- (2) There shall be excluded from any item made available for inspection any material relating to—
 - (a) a named person employed at or proposed to be employed at the College;
 - (b) a named student at, or candidate for admission to, the College;
 - (c) the Clerk; or
 - (d) any matter which, by reason of its nature, the Governing Body is satisfied should be dealt with on a confidential basis.

- (3) The Governing Body shall ensure that a copy of the draft or signed minutes of every

meeting of the Governing Body, under paragraph (1), shall be placed on the College's website, and shall, despite any rules the Governing Body may make regarding the archiving of such material, remain on its website for a minimum period of 12 months.

- (4) The Governing Body shall review regularly all material excluded from inspection under paragraph (2)(d) and make any such material available for inspection where it is satisfied that the reason for dealing with the matter on a confidential basis no longer applies, or where it considers that the public interest in disclosure outweighs that reason.

14. *Governors not to hold interests in matters relating to the College*

- (1) Except with the written approval of the Secretary of State, no governor shall acquire or hold any interest in any property that is held or used for the purposes of the College, other than as a trustee.
- (2) A governor to whom paragraph (3) applies shall—
 - (a) disclose to the Governing Body the nature and extent of the interest; and
 - (b) if present at a meeting of the Governing Body, or of any of its committees, at which such supply, contract or other matter as is mentioned in paragraph (3) is to be considered, not take part in the consideration or vote on any question with respect to it and not be counted in the quorum present at the meeting in relation to a resolution on which that governor is not entitled to vote; and
 - (c) withdraw, if present at a meeting of the Governing Body, or any of its committees, at which such supply, contract or other matter as is mentioned in paragraph (3) is to be considered, where required to do so by a majority of the governors or committee present at the meeting.
- (3) This paragraph applies to a governor who—
 - (a) has any financial interest in—
 - (i) the supply of work to the College, or the supply of goods for the purposes of the College;
 - (ii) any contract or proposed contract concerning the College; or
 - (iii) any other matter relating to the College; or
 - (b) has any other interest of a type specified by the Governing Body in any matter relating to the College.
- (4) Any position or office held by a governor within, or connected with, the Trustees or the diocese under whose jurisdiction the College falls cannot be an interest within the meaning of this clause and therefore may not be specified by the Governing Body under paragraph (3) above.

- (5) This clause shall not prevent the governors considering and voting upon proposals for the Governing Body to insure them against liabilities incurred by them arising out of their office or the Governing Body obtaining such insurance and paying the premium.
- (6) Where the matter under consideration by the Governing Body or any of its committees relates to the pay and conditions of all staff, or all staff in a particular class, a staff governor—
 - (a) need not disclose a financial interest; and
 - (b) may take part in the consideration of the matter, vote on any question with respect to it and count towards the quorum present at that meeting, provided that in so doing, the staff governor acts in the best interests of the Governing Body as a whole and does not seek to represent the interests of any other person or body; but
 - (c) shall withdraw from the meeting if the matter is under negotiation with staff and the staff governor is representing any of the staff concerned in those negotiations.
- (7) The Clerk shall maintain a register of the interests of the governors which have been disclosed and the register shall be made available during normal office hours at the College to any person wishing to inspect it.

15. *Delegation of functions*

- (1) The Governing Body shall not delegate the following functions-
 - (a) the preservation and development of the educational character and mission of the College;
 - (b) the approval of the annual estimates of income and expenditure;
 - (c) the responsibility for ensuring the solvency of the college and for safeguarding their assets;
 - (d) the appointment of a senior Catholic post;
 - (e) the appointment of the Clerk, (including, where the Clerk is, or is to be, appointed as a member of staff the Clerk's appointment in the capacity of a member of staff); and
 - (f) the modification or revocation of the Instrument or of these Articles.
- (2) The Governing Body may not delegate—
 - (a) the consideration of the case for dismissal, and

- (b) the power to determine an appeal in connection with the dismissal of the holder of a senior post, other than to a committee of the members of the Governing Body.
- (3) The Governing Body shall make rules specifying the way in which a committee having functions under paragraph (2) shall be established and conducted.
- (4) The Principal may delegate functions to the holder of any other senior post, other than
 - (a) the management of budget and resources; and
 - (b) any functions that have been delegated to the Principal by the Governing Body.

16. *Committees of the Governing Body*

- (1) The Governing Body may establish committees for any purpose or function, other than those assigned in these Articles to the Principal or Clerk and may delegate powers to
 - (a) such committees;
 - (b) the Chair, or in the Chair's absence, the Vice-Chair; or
 - (c) the Principal.
- (2) The number of members of a committee and the terms on which they are to hold and to vacate office, shall be decided by the Governing Body.
- (3) Subject to the consent of the Trustees and the Bishop, the Governing Body may also establish joint committees or other collaboration arrangements with other further or higher education institutions, maintained or independent schools (including academies) (or any combination thereof), and such joint committees shall be subject to any regulations made under section 166 of the Education and Inspections Act 2006 governing such arrangements.
- (4) Any committee established by the Governing Body, other than the Special Committee referred to in article 15(2), may include persons who are not governors.

17. *Access to committees and publication of minutes*

The Governing Body shall ensure that the minutes of committee meetings, if they have been approved by the Chair of the meeting are published on the College's website and made available for inspection at the College to any person wishing to inspect them, during normal office hours.

18. Payment of allowances to governors

The Governing Body may pay to its governors such travelling, subsistence or other allowances as it decides, but shall not without the written approval of the Secretary of State, pay allowances which remunerate the governors for their services as governors.

19. Appointment and promotion of staff

- (1) Where there is a vacancy or expected vacancy in a senior Catholic post, the Governing Body shall—
 - (a) advertise the vacancy nationally; and
 - (b) appoint a selection panel consisting of—
 - (i) at least five governors including the Chair or the Vice-Chair or both, where the vacancy is for the Post of Principal, provided that the majority of members of the panel shall be foundation governors; or
 - (ii) the Principal (and in the case of co-principals, the panel shall consist of at least one principal although it may include both) and at least three other governors, provided that the majority of members of the panel shall be foundation governors, where the vacancy is for any other senior Catholic post.
- (2) The members of the selection panel shall—
 - (a) decide on the arrangements for selecting the applicants for interview;
 - (b) interview the applicants; and
 - (c) where they consider it appropriate to do so, recommend to the Governing Body for appointment one of the applicants they have interviewed.
- (3) If the Governing Body approves the recommendation of the selection panel, that person shall be appointed, provided that the person appointed shall be a practising member of the Catholic Church.
- (4) If the members of the selection panel are unable to agree on a person to recommend to the Governing Body, or if the Governing Body does not approve their recommendation, the Governing Body may make an appointment itself of a person from amongst those interviewed, provided that the person appointed shall be a practising member of the Catholic Church, or it may require the panel to repeat the steps specified in paragraph (1), with or without first re-advertising the vacancy.
- (5) Where there is a vacancy in a senior Catholic post or where the holder of a senior Catholic post is temporarily absent, until that post is filled or the absent post holder returns, a member of staff who is a practising member of the Catholic Church-

- (a) may be required to act as Principal or in the place of any other senior Catholic post holder; and
 - (b) if so required shall have all the duties and responsibilities of the Principal or such other senior Catholic post holder during the period of the vacancy or temporary absence.
- (6) The Bishop may, on the application of the Governing Body in a particular case and in his absolute discretion, dispense in writing with any of the requirements set out in paragraphs 19(1)(a), and the requirement to be a practising Catholic set out in paragraphs (3), (4) and (5). If such a dispensation is granted, the Governing Body shall follow any additional stipulations and conditions set out in that dispensation.

20. *Academic freedom*

The Governing Body shall have regard to the need to ensure that academic staff at the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without putting themselves at risk of losing their jobs or any privileges which they may enjoy at the College, subject always to the provisions of article 2 regarding the conduct of the College in accordance with the teachings of the Catholic Church and any consequential constraints included in the Contract of Employment to avoid conduct which is incompatible with the precepts, or with the upholding of the tenets, of the Catholic Church.

21. *Grievance, suspension and disciplinary procedures*

- (1) The Governing Body shall make rules setting out the College's employment procedures, including grievance and disciplinary procedures, and such procedures shall, in accordance with article 2, incorporate provisions which take account of the Catholic character of the College and ensure its protection.
- (2) Where the Clerk is also a member of staff at the College, the Clerk is to be treated as a senior post holder for the purposes of paragraph (1)
- (3) Where the Clerk is suspended or dismissed under paragraph (1), that suspension or dismissal does not affect the position of the Clerk in the separate role of Clerk to the Governing Body.

22. *Financial matters*

The Governing Body shall set the policy by which the tuition and other fees payable to it are determined, subject to any terms and conditions attached to grants, loans or other payments paid or made to it.

23. *Voluntary Funds*

- (1) As a Voluntary College with a voluntary and charitable origin the College is entitled to acquire, hold and use voluntary charitable funds for the furtherance of its objects

("voluntary funds") in addition to any statutory or non-statutory funds it holds.

- (2) The Governing Body is solely responsible for management of the voluntary funds and for putting in place the necessary audit arrangements in accordance with the Charities Acts.

24. Accounts and audit of accounts

- (1) The Governing Body shall
 - (a) keep proper accounts and proper records in relation to the accounts; and
 - (b) prepare a statement of accounts for each financial year of the Governing Body.
- (2) The statement shall—
 - (a) give a true and fair account of the state of the Governing Body's affairs at the end of the financial year and of its income and expenditure in the financial year; and
 - (b) comply with any directions given by the Education Funding Agency as to the information to be contained in it, the manner in which the information is to be presented, the methods and principles according to which it is to be prepared and the time and manner of publication.

25. Rules and bye-laws

The Governing Body shall have the power to make rules and bye-laws relating to the government and conduct of the College and these rules and bye-laws shall be subject to the provisions of the Instrument and these Articles.

26. Copies of Articles of Government and rules and bye-laws

A copy of these Articles, and of any rules and bye-laws, shall be given free of charge to every governor and, at a charge not exceeding the cost of copying or free of charge, to any other person who requests a copy and shall be available for inspection at the College, upon request during normal office hours, to every member of staff and every student.

27. Amendment of Articles of Government

- (1) Subject to paragraphs (3) and (4), the Trustees may modify or replace these Articles with the consent of the Governing Body and the Bishop;

- (2) Subject to paragraph (3) and (4), the Governing Body may modify or replace these Articles with the consent of the Trustees and the Bishop;
- (3) Any consent to be given under this clause must be given in writing by the person or persons entitled to give such consent or an authorised officer thereof;
- (4) The Governing Body shall not make changes to the Articles that would result in the body ceasing to be a charity.



Christ the King Sixth Form College

Standing Orders

Introduction

1. The Governing Body shall be constituted in accordance with the Instrument of Government adopted 19 May 2015.
2. The business of the Governing Body shall be conducted in accordance with the Instrument and Articles of Government (19 May 2015) and with regard to these Standing Orders.

Attendance by Governors at meetings of the Governing Body

3. Governors are expected to give priority to attendance at meetings of the Governing Body and, where appointed to a Committee, its Committees and to attend at least 80% of those meetings.
4. A Governor unable to attend a meeting should submit apologies to the Clerk at the earliest opportunity and, in any event not later than 4.00 pm of the day preceding the meeting.
5. The Clerk shall maintain records of attendance of meetings of the Governing Body and its Committees.

Access to meetings of the Governing Body by persons other than Governors and the Clerk

6. Members of the College Senior Leadership Team shall be standing observers at meetings of the Governing Body and its Committees.
7. A member of the College staff may attend a meeting(s) of the Governing Body or a Committee by invitation in order to present an item(s) of business.
8. Any other persons may attend meetings only with the prior agreement of the Chair of Governors.
9. Observers shall be required to withdraw from any part of a meeting designated confidential unless invited by the Chair to remain for a specific reason.
10. Observers shall be required to withdraw from any other part of a meeting in accordance with the confidentiality policy agreed by the Governing Body.

Publication of minutes and papers

11. The publication of minutes and papers shall be in accordance with paragraph 13 of the Articles of Government.
12. Access to information and papers shall be as open as possible and only denied when there are sound reasons for maintaining confidentiality. Information falling into the following categories shall normally be regarded as confidential:
 - i) Personal information relating to an individual;
 - ii) Information provided by a third party who has not authorised disclosure;
 - iii) Information relating to procurement decisions, including that related to the College's negotiating position, during the course of those negotiations;
 - iv) Information related to the College's negotiating position in industrial relations matters, during such negotiations;
 - v) Information related to the College's financial position where the Governing Body is satisfied, in good faith, that disclosure might harm the College or its competitive position;
 - vi) Legal advice received from or instructions given to the College's legal adviser;
 - vii) Information planned for publication prior to publication.
13. Governing Body documents, other than those deemed to be confidential, are available for inspection during normal office hours at the College. Persons wishing to gain access to documents should contact the Clerk to the Governors at the College.
14. Governing Body agendas and agreed minutes, other than those relating to items deemed to be confidential, are available on the College website.
15. The Governing Body shall review annually all material excluded from inspection and make available any such material for inspection where it is satisfied that the reason for dealing with the matter on a confidential basis no longer applies, or where it is considered that the public interest in disclosure outweighs that reason.

Proceedings of meetings

16. Meetings shall be conducted in accordance with the Articles of Government with particular regard to paragraph 10.
17. The Clerk shall at the start of the first meeting of each academic year draw Governors' attention to the eligibility clauses in paragraph 6 of the Instrument of Government. It shall be the responsibility of each Governor to advise the Clerk, in writing, at any time during their period of office, if they have reason to believe they are no longer eligible to continue as a governor.
18. A Governor shall declare at the start of a meeting any personal interest in any item of business. The meeting shall then determine if that Governor should withdraw from the

meeting and at what stage.

19. The Clerk shall advise the Chair immediately prior to the start of a meeting if a Governor is required to withdraw under any clause of paragraph 11 of the Instrument of Government.
20. Governors shall withdraw from any part of a meeting, as appropriate, in accordance with the confidentiality policy agreed by the Governing Body.
21. The Chair, working with the Clerk, shall seek the right balance between ensuring that all Governors have the opportunity to contribute to discussion while avoiding repetition and ensuring the Governing Body does not lose sight of the subject presented for resolution.
22. All Governors shall respect the rights of others to express their personal opinions while fulfilling their responsibilities, although nothing should be said which would bring the Governing Body into disrepute.
23. In the event of a meeting being or becoming inquorate, informal discussion may continue. The Chair shall, if he thinks fit, cause a special meeting to be called as soon as convenient.

Calling meetings, and agendas

24. Meetings shall be called in accordance with paragraph 8 of the Articles of Government.
25. An annual agenda plan shall be agreed in advance for the Governing Body and each of its Committees as a basis of business for each meeting.
26. The Clerk shall clear an agenda through the Principal and Chair of Governors or Committee Chair respectively.
27. Governors wishing to include an item of business in the agenda for a meeting should submit details in writing to the Clerk not later than two weeks prior to the meeting.
28. Normal practice shall be that each item of business is accompanied by a written document unless it is clearly not appropriate to do so.
29. Subject to paragraph 8(3) of the Articles of Government, reports to be considered at a meeting of the Governing Body shall be dispatched not later than seven days prior to the meeting.
30. Documents may be tabled at a meeting only with the agreement of the Chair.
31. Only urgent or minor items of business shall be raised under, 'Any other business'.

32. Items of business to be raised under, 'Any other business' should be notified to the Chair through the Clerk prior to the meeting.
33. The Chair may decline to take an item under, 'Any other business' should he consider it appropriate to do so. In this event the business shall be deferred until the next meeting, or other arrangements agreed to deal with it, or it shall be discarded altogether.

Delegation of powers to the Chair

34. The Governing Body may not delegate functions listed in paragraph 15 of the Articles of government.
35. The Chair may take action between meetings if in his view it is not practicable to call a special meeting and delay shall be prejudicial to the College. Such action shall be taken only with regard to the Chair's action statement agreed by the Governing Body (May 2001 and reviewed periodically) and in accord with Article 8 (5).

Minutes of meetings

36. Minutes of meetings shall clearly and unambiguously record the names of those present at the meeting, including observers, and the decisions of that meeting.
37. The minutes shall not be 'verbatim' and individuals shall be named only when it is relevant and necessary to do so.
38. The content and the style should be of sufficient detail to convey the essence of discussion to any person not present.
39. Agenda and agreed minutes of meetings, other than those relating to items deemed to be confidential, shall be available on the College website and for view in the College during normal office hours by arrangement with the Clerk.

Committees of the Governing Body

40. The Governing Body shall review the Committee structure at least every two years.
41. Meetings of Committees shall be convened with regard to meetings of the Governing Body to ensure that reports from each Committee can be presented without undue delay.
42. Agenda and agreed minutes of Committee meetings, other than those relating to items deemed to be confidential, shall be available on the College website and for view in the College during normal office hours by arrangement with the Clerk.

Last updated: September 2018

Date of next review: September 2020



Christ the King Sixth Form College

Audit and Risk Committee Terms of Reference

1. Purpose:

Under paragraph 7 (1) of the Articles of Government, the Governing Body is required to establish an audit committee to advise on matters relating to the Governing Body's audit arrangements and systems of control. The Joint Audit Code of Practice states that the role of the audit committee is to advise the Governing Body on the comprehensiveness and effectiveness of the college's assurance framework. At Christ the King, the Audit and Risk Committee carries out this function and in particular the Committee advises and supports the Governing Body in fulfilling its roles and responsibilities, including its responsibility for providing the assurances required in the Statement of Corporate Governance and Internal Control in the annual accounts. The Audit and Risk Committee will report on all internal audit and external audit work, whether provided by the financial statements and regularity auditor, by a named internal audit provider or another provider of assurance services. From time to time, the Audit and Risk Committee or the Governing Body may recommend using the services of specific specialists to meet the assurance requirements within the College.

The Audit and Risk Committee has the authority to investigate any activity within its terms of reference, and has right of access to obtain all the information and explanations it considers necessary, from whatever source, to fulfil its remit.

2. Tasks:

- 2.1 To assess and provide the Governing Body with an opinion on the adequacy and effectiveness of the College's audit arrangements, framework of governance and board assurance, risk management and control and processes for securing economy, efficiency and effectiveness.
- 2.2 To advise the Governing Body on the appointment, reappointment, dismissal and remuneration of the financial statements auditors and other assurance providers including any internal audit service to the College, and establish that all such assurance providers adhere to relevant professional standards.
- 2.3 To advise the Governing Body on the scope and objectives of the work of the financial statements auditors and any internal audit service.
- 2.4 To ensure effective coordination between the internal audit service, if there is one, and the financial statements auditors.

- 2.5 To consider and advise the Governing Body on the audit needs assessment, strategic and annual audit plans for the internal audit service, or of other means of providing assurance.
- 2.6 To advise the Governing Body on internal audit assignment reports and annual reports and on control issues included in the management letters of the financial statements auditors (including their work on regularity) and any report submitted by other providers of audit and assurance services to the College, and the College's response to these.
- 2.7 To consider and advise the Governing Body on relevant reports by the National Audit Office and funding bodies, and where appropriate, the College's response to these.
- 2.8 To monitor, within an agreed timescale, the implementation of agreed recommendations relating to internal audit assignment reports, internal audit annual reports, financial statements audit management letters, and the reports of any other assurance providers.
- 2.9 To establish, in conjunction with College management, relevant annual performance measures and indicators against which to monitor the effectiveness of the internal audit service, if used, and the financial statements auditors; and to decide based on this review whether a competition for price and quality of the audit service arrangements is appropriate.
- 2.10 To produce an annual report to the Governing Body and the Accounting Officer before the Statement of Corporate Governance and Internal Control in the accounts is signed. The report must summarise the Audit and Risk Committee's activities relating to the financial year under review, including any significant issues arising up to the date of preparation of the report, and any significant matters of internal control included in the management letters and reports from auditors or other assurance providers. It must include the Committee's view of its own effectiveness and how it has fulfilled its terms of reference. It includes the Committee's advice on the adequacy and effectiveness of the College's audit arrangements, its framework of governance, risk management and control, and its processes for securing economy, efficiency and effectiveness. A copy of the Committee's annual report must be submitted to the funding body with the annual accounts.
- 2.11 To hold an annual joint meeting with the Finance & Resources Committee in order to expedite the execution of audit and finance business as required for the approval of the financial statements, and so that each committee can consider risks from the perspective of the responsibilities of their own committee.
- 2.12 To monitor and review the SMT's processes for assessing, reporting and owning business risks and their financial implications

- 2.13 To be informed about any internal fraud, and to ensure all allegations of fraud and irregularity are properly followed up, and to ensure that the Governing Body, auditors, and the chief executive of the funding body are informed as necessary.
- 2.14 To be informed of all additional services undertaken by the internal audit service, the financial statements auditors and other assurance providers, to advise the Governing Body on the provision, and explain how independence and objectivity have been safeguarded.
- 2.15 To recommend to the Governing Body regulatory returns needed by funding and regularity bodies as required.
- 2.16 To support the Governing Body and other Committees by reviewing, assessing and considering other risk management areas at the Governing Body's request to ensure effective assurance arrangements for key risk areas, including safeguarding policy and practice.
- 2.17 To consider, report and advise on other issues associated with the purpose of the Committee as may be required from time to time.
- 2.18 To recommend to the Governing Body, and note, all requests made to the College under the Data Protection Act and the Freedom of Information Act. For the Committee to consider the implications surrounding each request and whether there are implications that may impact on the College.

3. Membership and conduct

The Committee shall operate within these terms of reference. Any issue not specified shall be subject to interpretation under the Instrument and Articles of Government and any requirements of the funding agency.

Membership

- 3.1 The membership of the Committee shall be five governors, excluding the Principal, the Chair of Governors and members of the Finance and Property Committee, nominated by the Governing Body from amongst the membership of the Governing Body.

The Committee may at its discretion co-opt up to two additional members provided each has skills and experience relevant to the work of the Committee. Such persons need not be members of the Governing Body and may be members of the College staff other than senior post holders. Such co-opted members of the Committee shall not have a vote and shall serve a period of office determined by the Committee at the time of their co-option.

Collectively, members of the Audit Committee, whether full governors or external co-opted members, must have a range of skills and recent experience relevant to risk, governance, finance, audit, assurance and control.

Chair

- 3.2 At the first meeting after 1st September 2001 the Committee shall nominate a Chair and Vice Chair from their number. Thereafter a nomination shall be made every two years. A Student Governor or co-opted member of the Committee may not be Chair.

If both are absent from any meeting, the Committee shall choose one of the governor members present, excluding a Student Governor or co-opted member, to act as Chair for that meeting.

Clerk

- 3.3 The Clerk to the Governors shall be Clerk to the Committee.

Governors ineligible to serve on the Committee

- 3.4 The Principal, the Chair of Governors and members of the Finance & Property Committee shall be ineligible to serve on the Committee.

Period of office

- 3.5 Appointments to the Committee shall be for a period of four years except that a person shall cease to be a member of the Committee if they cease to be a governor. Co-opted members shall serve a period of office determined by the Committee at the time of their co-option.

Members retiring at the end of a period of office shall be eligible for reappointment.

Frequency of meetings

- 3.6 The Committee shall meet at least three times a year.

Meetings without management

- 3.7 The Committee shall meet with key assurance providers, particularly the external auditor, in confidential session without management but with the Clerk attending.

Quorum

- 3.8 The quorum for a meeting shall be two, of whom one must be a foundation governor.

Observers at meetings

- 3.9 The Committee shall determine who should be allowed to attend meetings of the Committee.

Last updated by the Governing Body: December 2018

Date of next review: October 2020



Christ the King Sixth Form College

Finance and Resources Committee Terms of Reference

1. Purpose:

To monitor the College's financial position in order to advise the Governing Body on all related matters including solvency, budget control, management accounts, statutory financial statements and funding methodology. The Management Accounts, and all matters financial, are produced in respect of three College sites. Where required, figures may need to be updated in light of changes that impact on College finances.

To advise on property maintenance and development in order to ensure a safe and suitable environment for students and staff.

In accordance with the Instrument and Articles of Government to advise and make recommendations to the Governing Body, so as to ensure that the Governing Body meets its responsibilities as an employer and in doing so conforms to all legal requirements and the requirements of the funding body. The Committee may determine, on the Governing Body's behalf, all aspects of the framework of conditions of service of staff, save those that are non-delegable under the Articles, general law, and funding conditions, or that have been allocated to the Quality & Curriculum Committee.

2. Tasks:

- 2.1 Ensure that the College acts responsibly in financial matters and in accordance with all relevant regulations and requirements.
- 2.2 Recommend to the Governing Body an annual income and expenditure budget.
- 2.3 Review the latest management accounts and the annual financial statements and report to the Governing Body with recommendations as appropriate.
- 2.4 To monitor and advise the Governing Body on the solvency of the institution and the safeguarding of its assets, including insurances.
- 2.5 Advise the Governing Body on income generation and investment.
- 2.6 Approve the opening and closing of bank accounts in the name of the College and to report such action to the Governing Body.
- 2.7 Approve the disposal of individual assets with an estimated value in excess of £5000 (including VAT) and to report such action to the Governing Body.

- 2.8 Consider matters related to the maintenance and development of premises, and make recommendations to the Governing Body as appropriate.
- 2.9 To monitor approved building projects through to completion.
- 2.10 Within the scope of budget provision agreed by the Governing Body, approve contracts valued in excess of £30,000 (including VAT) and to report such action to the Governing Body. For the Governing Body to note that reference may be made to contracts which are no longer required.
- 2.11 Monitor the College's insurance portfolio and make recommendations to the Governing Body as appropriate.
- 2.12 Determine policies for dismissal, grievance and redundancy within the parameters of the Articles. Where Governors are directly involved in the procedures for appeals etc, and where they have non delegable responsibilities for Senior Postholders, the policies and procedures will be recommended to the Governing Body for approval.
- 2.13 Determine the framework for consultation with staff and Trade Unions on national employment issues and developments in staff conditions of service The framework for Senior Postholders will be recommended to the Governing Body. It will advise the Governing Body on any proposed collective bargaining arrangements.
- 2.14 Monitor and advise the Governing Body on issues of Health and Safety
- 2.15 Consider, report and advise on other issues associated with the purpose of the Committee as may be required from time to time.

3. Membership and conduct

The Committee shall operate within these terms of reference. Any issue not specified shall be subject to interpretation under the Instrument and Articles of Government.

Membership

- 3.1 The membership of the Committee shall be six governors nominated by the Governing Body from within their number. The nominations shall include the Chair of Governors, the Principal and a total of at least three Foundation Governors. Student governors are ineligible to join the Committee.
The Committee may at its discretion co-opt up to two additional members provided each has skills and experience relevant to the work of the Committee. Such persons need not be members of the Governing Body but such persons shall not have a vote.

Chair and Vice- Chair

- 3.2 At the first meeting after 1st September 2001 the Committee shall nominate a Chair and a Vice-Chair from amongst the Foundation Governor members of the Committee. Thereafter a nomination shall be made every two years.

If the Chair and Vice-Chair are absent from any meeting, the Committee shall choose one of the governor members present, excluding the Principal and a Staff Governor, to act as Chair for that meeting.

Clerk

- 3.3 The Clerk to the Governors shall be Clerk to the Committee.

Period of office

- 3.4 Appointments to the Committee shall be for a period of four years except that a person shall cease to be a member of the Committee if they cease to be a governor.

Members retiring at the end of a period of office shall be eligible for reappointment.

Frequency of meetings

- 3.5 The Committee shall meet at least once a term.

Quorum

- 3.6 The quorum for a meeting shall be three governors including two Foundation Governors.

Observers at meetings

- 3.7 The Committee shall determine who should be allowed to attend meetings of the Committee.

Last updated by the Governing Body: December 2018

Date of next review: October 2020



Christ the King Sixth Form College

Quality & Curriculum Committee Terms of Reference

1 Purpose.

In accordance with the Instrument and Articles of Government, to advise and make recommendations to the Governing Body so as to ensure that the Governing Body meets its responsibilities in all aspects relating to curriculum and quality. Since inclusion of Personnel matters in the Quality and Curriculum agenda, it is noted that this has worked effectively and will continue to form part of the Q&C agenda.

2 Tasks.

Within the context of the Articles of Government of the College, the Committee will:

- 2.1 Ensure there is a continuous review of the curriculum offered by the College, and for adjusting that curriculum and its modes of delivery to match and anticipate the needs of students, partner schools and the community.
- 2.2 Ensure that there is in place a policy of Quality Assurance which staff understand and effectively support and which includes appropriate arrangements to monitor, feedback and continuously improve the effectiveness of both teaching departments and cross-college services offered by the College.
- 2.3 Monitor progress against Quality targets.
- 2.4 Ensure that appropriate arrangements are in place to produce an annual whole College Self Assessment Report.
- 2.5 Moderate sample course/service reviews from departments and cross-college areas and oversee their incorporation into the College Self Assessment Report.
- 2.6 Validate the grading process of department/service areas.
- 2.7 Ensure internal and external good practice in teaching and learning is shared across the College.
- 2.8 Review the systematic collection and use of feedback from students, parents, staff and members of the wider community.

The Chair of the Quality & Curriculum Committee maintains involvement with the Partnership Board and highlights that the nature of the Governing Body is of an advisory nature. The work of, and the link with, the Governing Body is both clarified and reinforced.

- 2.9 Keep under review the quality requirements of relevant national agencies, including Ofsted, to ensure that College policy and procedures are consistent and appropriate.
- 2.10 Explore and discuss Quality and Curriculum related themes in order to assist the College in shaping future Quality and Curriculum strategies and policies.
- 2.11 Advise the Governing Body on the development of staff and senior staff, and determine policies for staff recruitment, induction and appraisal
- 2.12 Monitor and advise the Governing Body on issues of Safeguarding and Equal Opportunities, and approve policies relating to general student welfare and student behaviour
- 2.13 Advise the Governing Body on the Student Admissions Policy

3 Membership and Conduct

The Committee shall operate within these terms of reference. Any issue not specified shall be subject to interpretation under the Instrument and Articles of Government.

Membership

- 3.1 The membership of the Committee shall be eight Governors, three of whom shall be Foundation Governors, nominated by the Governing Body from within their number, and one of whom shall be a student governor. The nominations shall include the Principal. The other student governors shall be alternate members in place of the appointed student governor and may attend meetings as observers.

The Vice Principal, Associate Principal and Head of Centre will be co-opted members of the Committee. As they are not members of the Governing Body they will not have the right to vote.

The Committee may invite the College's advisers or other third parties to attend meetings of the Committee as appropriate (such persons shall not have a vote but shall be entitled to speak at the meeting).

Quorum

- 3.2 The quorum for a meeting shall be three governors including two Foundation Governors.

Chair

- 3.3 At the first meeting the Committee shall nominate a chairperson from amongst their number excluding the Principal and co-opted members. Thereafter a nomination shall be made every two years.

The Committee shall nominate a Vice-Chair from amongst their number, excluding the Principal, staff and co-opted members. Thereafter a nomination shall be made every two years.

Clerk

- 3.4 The Clerk to the Governors shall be Clerk to the Committee.

Governors ineligible to serve on the Committee.

- 3.5 All Governors shall be eligible to serve on the Committee, staff and student Governors may be required to withdraw from confidential items.

Observers at meetings

- 3.6 The Committee shall determine who should be allowed to attend meetings of the Committee.

Last updated by the Governing Body: October 2017

Date of next review: October 2019



Christ the King Sixth Form College

Remuneration Committee Terms of Reference

1. Purpose:

To advise the Governing Body on the salaries of Senior Postholders and the Clerk.

2. Tasks:

2.1 To consider at least annually, the remuneration package for Senior Postholders and the Clerk and to make recommendations to the Governing Body for the same.

2.2 To ensure that annual objectives are set and monitored for Senior Postholders and the Clerk by receiving an annual report on the objectives of the Principal and the Clerk from the Chair of the Governing Body, and an annual report on the objectives of the other Senior Postholders from the Principal

3. Membership and conduct

The membership of the Committee shall be the membership of Finance and Property Committee excluding the Principal and any staff or student governor.

Chair

3.1 At the first meeting after 1st September 2001 the Committee shall nominate a Chair from amongst the Foundation governor members of the Committee. Thereafter a nomination shall be made every two years. If the Chair is absent from any meeting, the Committee shall choose one of the Foundation governor members present to act as Chair for that meeting.

Clerk

3.2 The Committee shall appoint its own clerk to take minutes of each meeting.

Governors ineligible to serve on the Committee

3.3 The Principal, staff governors and student governor shall be ineligible to serve on the Committee.

Period of office

3.4 Appointments to the Committee shall be for a period of four years except that a person shall cease to be a member of the Committee if they cease to be a governor. Members retiring at the end of a period of office shall be eligible for reappointment.

Frequency of meetings

3.5 The Committee shall meet at least annually.

Quorum

3.6 The quorum for a meeting shall be two Foundation governors.

Observers at meetings.

3.7 The Committee shall determine who should be allowed to attend meetings of the Committee.

Last updated by the Governing Body: October 2017

Date of next review: October 2019



Christ the King Sixth Form College

Search and Governance Development Committee Terms of Reference

1. Purpose

To ensure that there is a full membership of the Governing Body with an appropriate composition and balance of skills, and to advise on the continuous improvement of governance at the College. In light of the complexities associated with the many changes facing the landscape of the Sixth Form College Sector, the work of the Search and Governance Development Committee is underpinned with an emphasis on “catch all”. This enables the Committee to address, with immediacy, many far reaching and complex circumstances.

2. Tasks

Within the context of the Articles of Government of the College, the Committee will:

- 2.1 Make recommendations to the Governing Body on all aspects of the recruitment of governors, including appropriate means of advertising, liaison with other relevant parties, procedures for election, appointment, induction and development of governors
- 2.2 In making recommendations, the Committee will have regard to the role of the Archbishop in the appointment of foundation governors and any other requirements of the Trustees
- 2.3 Through representations to appointing bodies, seek to ensure that appointments are made to the Governing Body with regard to an appropriate and balanced range of skills and interests and continuity.
- 2.4 Will develop and recommend to the Governing Body policies and procedures for the induction, governance training, development of members of the Governing Body, and for the review of the performance of the Governing Body.
- 2.5 Consider, report and advise on other issues associated with the purpose of the Committee as may be required from time to time.
- 2.6 Advise the Governing Body on the designation and appointment of Senior Postholders, including the composition and procedures of the selection panel for all Senior Postholders including the Clerk.
- 2.7 Advise the Governing Body on Terms of Reference for a Special Committee.

3. Membership and conduct

Membership

- 3.1 The membership of the Committee shall be:
the Chair of Governors
the Vice Chair of Governors
the Chair of each committee (currently Audit, Finance and Property, Personnel, Quality and Curriculum and Remuneration)
the Principal
the Director of Finance & Estates (co-opted non-Governor)

Chair

- 3.2 The Chair of the Governing Body is ex-officio the Chair of the Search Committee. If the Chair is absent from any meeting, the Committee shall choose one of the governor members present, excluding the Principal, to act as Chair for that meeting.

Clerk

- 3.3 The Clerk to the Governors shall be Clerk to the Committee.

Governors ineligible to serve on the Committee

- 3.4 A student governor shall be ineligible to serve on the Committee.

Period of office

- 3.5 Appointments to the Committee shall be for a period of four years except that a person shall cease to be a member of the Committee if they cease to be a governor. Members retiring at the end of a period of office shall be eligible for reappointment.

Frequency of meetings

- 3.6 The Committee shall meet at least annually.

Quorum

- 3.7 The quorum for a meeting shall be two governors.

Observers at meetings

- 3.8 The Committee shall determine who should be allowed to attend meetings of the Committee.

Last updated by the Governing Body: October 2017

Date of next review: October 2019



Christ the King Sixth Form College

Special Committee Terms of Reference

1. Purpose

In accordance with the Articles of Government (Para. 5. (1e)), to hear appeals on behalf of the Governing Body as set out in Paras 11 (1b),11 (2) and Para.17 so as to ensure that the Governing Body meets its responsibilities as an employer and in so doing conforms to all legal requirements and the requirements of the funding body.

2. Terms of Reference:

Within the Articles of Government of the College, the Committee will:

- 2.1. Hear appeals by members of staff, including Senior Postholders and the Clerk in accordance with agreed grievance, disciplinary, suspension and dismissal procedures and appeals by students against exclusion. In accordance with agreed procedures, there may be other limited circumstances where the Committee considers an issue at an earlier hearing and the Governing Body hears the final appeal.
- 2.2. Inform the Governing Body of its proceedings and decisions. (Paras. 5 (1e) and 11 state the Governing Body may delegate such functions to a Committee. However it is advisable the Governing Body should receive a formal report on and review the findings of the committee.)

3. Membership and conduct

The Committee shall operate within the terms of reference. Any issue not specified shall be subject to interpretation under the Instrument and Articles of Government.

Membership

- 3.1 The membership of the Committee shall be at least two governors for student appeals, three for all other purposes. Members will be nominated by the Chair of the Governing Body from amongst their number, excluding the Chair of the Governing Body, the Principal and Staff and Student Governors, and, unless not reasonably practicable, any other members with prior involvement in the case. Membership will normally include the Chair of the Personnel Committee.

Chairperson

- 3.2 The Chair of the Committee will be appointed by the Committee.

Clerk

- 3.3 The Clerk to the Governors shall be Clerk to the Committee.

Governors ineligible to serve on the Committee

- 3.4 The Chair of the Governing Body, the Principal, Staff and Student Governors shall be ineligible to serve on the Committee.

Period of office

- 3.5 Appointments to the Committee shall be for each meeting.

Frequency of meetings

- 3.6 The Committee shall meet as necessary and within time limits for hearing appeals set out in agreed appeals procedures.

Quorum

- 3.7 The quorum for a meeting shall be two governors for student appeals and three governors for all other purposes.

Observers at meetings

- 3.8 There shall be no observers at the meetings of the Committee. Attendance will be at the invitation of the Chair of the Committee in accordance with agreed appeals and hearings procedures.

Last updated by the Governing Body: October 2017

Date of next review: October 2019



Christ the King Sixth Form College

Governing Body and Committee Procedures for conducting business

Annual procedure

Calendar and Agenda Plans

1. The Clerk submits a draft Calendar to the July meeting of the Governing Body for their agreement.
2. A meeting of each Committee considers a draft Agenda Plan prepared by the Clerk and recommends an agreed draft to the Governing Body, which sets out the framework of business to be conducted by the Committee in the following year.
3. The July meeting of the Governing Body receives a draft agenda for its business for the following year based on the Agenda plans of the Committees and any additional business it must receive. It then approves the Calendar, Governing Body and Committee Agenda Plans. Once approved, the Calendar is published on the College's website.

Procedure for each meeting

At least Two weeks prior to meeting – The Clerk submits a draft agenda to the Principal for approval; once this is approved, the Clerk sends it to the Chair for any additions they wish to make and the Principal informs those staff who are required to submit papers to the meeting.

One week prior to meeting – The Clerk circulates the agenda and papers for the meeting to members.

At the meeting – The Governing Body receives the Principal's report plus an oral report or the minutes from each committee chair on meetings of the committee which have occurred since the last meeting of the Governing Body. These oral reports or minutes are a brief synopsis of discussions at the Committee plus any recommendations with regard to policies, procedures, etc. which are not considered of such significance as to require a separate agenda item on the Governing Body agenda. These items are then sanctioned by the Governing Body in its receipt of the report. If the minutes of a committee meeting are not ready to circulate to the Governing Body then an oral report will be given and the minutes will be attached to the papers for the next Governing Body meeting.

After the meeting – The Clerk prepares draft minutes of the meeting and submits them to the Principal (or Director of Finance & Estates in the case of the Audit Committee) to agree the factual accuracy. The draft minutes are then sent to the Chair of the Governing Body/Committee for approval with or without further amendments, after which they are sent to all members of the Committee/Governing Body. The Clerk also circulates to members not present at the meeting any papers which were circulated at the meeting.

Last updated: September 2017

Date of next review: September 2019



Christ the King Sixth Form College

Chair's Action Procedure

1. Current authority contained in the Standing Orders

"The Chair may take action between meetings if in his view it is not practicable to call a special meeting and delay shall be prejudicial to the College, provided any such action is reported to the Governors at their next meeting."

2. Decisions that cannot be delegated to Chair's action

- a) The determination of the educational character and mission of the College;
- b) The approval of annual estimates of income and expenditure
- c) The approval of the College Quality Policy.
- d) Ensuring the solvency of the College and safeguarding its assets
- e) The modification of the Instrument and Articles of Government
- f) The appointment or dismissal of the Principal
- g) The appointment or dismissal of the Clerk

There should be few occasions when there is a genuine need for Chair's action.

3. The need for Chair's action can be avoided by:

- a) forward scheduling of meetings of the Governing Body and planned agendas;
- b) reviewing the terms of reference of Committees with a view to delegating decisions (other than those in 2 above)
- c) anticipating the need for action and obtaining delegated authority for a specific action at a prior meeting.
- d) calling a special meeting.

There can be difficulties of quorum for meetings called at short notice but this should not automatically exclude this course of action.

4. Chair's action might reasonably be necessary in the event of unforeseen and serious incidents such as extensive fire, serious assault, murder, and major theft.

5. In the event of the need to take Chair's action the Chair will consult with some other members of the Governing Body, e.g. Vice Chair, Chairmen of Committees, and the Principal.

6. Chair's action shall be fully recorded by the Chair/ Clerk and shall be reported to the next meeting of Governors. The Clerk will maintain a register of Chair's actions.

Reviewed: May 2019

Date of next review: May 2023



Christ the King Sixth Form College

Limits of Delegation

Responsible body / person	Permitted level of delegated authority
Governing Body	<ul style="list-style-type: none"> • May not delegate matters listed in Articles 15(1) and 15(2). • Under Article 15(3) the Governing Body shall make rules specifying the way in which a committee having functions under paragraph 15(2) shall be established and conducted.
Principal	<ul style="list-style-type: none"> • May not deal with matters listed in Articles 15(1) and 15(2). • Responsible for all matters listed in Article 5(3) but may delegate any of them, other than management of budget and resources, and any functions that have been delegated to the Principal by the Governing Body to senior post holders (Article 15) • May also carry out any further matters delegated to him/her by the Governing Body pursuant to Article 16.
Clerk	<ul style="list-style-type: none"> • May not delegate responsibilities set out in Article 5(4)
Chair	<ul style="list-style-type: none"> • May not deal with any of the matters listed in Articles 15(1) and 15(2). • May deal with those matters delegated to him/her by the full Governing Body pursuant to Article 16(1b). • May take urgent action between meetings within the framework agreed by the Governing Body.
Committees	<ul style="list-style-type: none"> • May not decide on any of the matters listed in Article 15(1) • May deal with matters delegated to them by the Governing Body pursuant to Article 15(3). • Only the Special Committee may deal with matters listed in Article 15(2).
Finance & Property Committee*	<ul style="list-style-type: none"> • May approve movements of approved budget provision in excess of the lower of £10,000 or 10% provided there is good reason for so doing and the action and its consequences are reported to the GB. • May approve contracts for services valued in excess of £30,000 (incl. VAT) or £40,000 in the case of utilities, (incl. VAT). • May approve the opening or closing of bank accounts in the name of the College.
Principal	<ul style="list-style-type: none"> • May move up to £10,000 or 10% (whichever is less) from any one budget heading of an approved budget to another provided there is good reason for so doing. Accumulated items may not be disaggregated in order to facilitate the movement.
Senior Post Holders	<ul style="list-style-type: none"> • May not deal with any of the matters listed in Article 15(1) and 15(2) • May deal with any matters which the Principal delegates to him/her <i>except</i> those detailed in Article 15(4).
	See also the Financial Regulations for Principal's and Senior Post Holders' levels of financial authority at a lower level.

Reviewed September 2017

Reviewed annually by F & P, next review by Search Committee September 2019.



Christ the King Sixth Form College

Circumstances in which a governor should withdraw from a meeting

Any Governor	<p>Where there is a stated financial interest in the supply of goods or services.</p> <p>Where there is a stated personal interest, or connection through family, that might give rise to a conflict of interest.</p>
Staff Governor	<p>Consideration of his/her own and individual remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement.</p> <p>The appointment of his/her successor.</p> <p>Issues concerning remuneration, conditions of service or other staff matter of a member of staff or of a team of staff within the college.</p> <p>The dismissal of a senior postholder.</p> <p>Restructuring prior to staff consultation.</p> <p>Other sensitive issues deemed confidential by the Chair.</p>
Student Governor	<p>Consideration of his/her own conduct, suspension or expulsion.</p> <p>Issues of remuneration, conditions of service or other staff matter of a member of staff or of a team of staff within the college.</p> <p>Issues concerning a named student.</p> <p>Restructuring prior to consultation.</p> <p>If under 18, may not vote on matters detailed in Instrument 10 (6)</p> <p>Other sensitive issues deemed confidential by the Chair.</p>
Parent Governor	<p>Issues of remuneration, conditions of service, or other staff matter of a member of staff or of a team of staff within the college.</p>
Observers	<p>Shall withdraw in the spirit of the situations described above and for all confidential items unless specifically requested by the Chair to remain.</p>

Reviewed: May 2017

Date of next review: May 2021



Christ the King Sixth Form College

Appointment of local Foundation Governors

The Instrument of Government provides for the appointment of at least eight persons by the Bishop as foundation governors. Foundation Governors are appointed by the Education Commission of the Catholic Diocese of Southwark.

The Instrument of Government defines foundation governor as ‘a person appointed for the purpose of securing that the Catholic character of the College is preserved and developed and, in particular, that the College is conducted in accordance with the trust deed of the Archdiocese of Southwark.’

Foundation Governors should be practising Catholics and should have demonstrated their support for Catholic education by having or have had their children educated at Catholic Schools, unless there are exceptional reasons why this cannot happen when the advice of the Director of the Schools Commission should be sought.

In making appointments the Commission will seek a recommendation by the Parish Priest who normally will receive a report from the nominee’s parish priest and may interview applicants prior to making a recommendation. Appointment is also subject to applicants completing a declaration which the Commission will use to obtain DBS clearance, meeting the requirements of the Criminal Records Bureau. All governor appointments are subject to vetting and barring checks or other adequate safeguarding checks that shall be deemed appropriate from time to time.

When the Commission is satisfied that the individual is a suitable candidate they send a letter of appointment to the Governor and inform the Clerk that the candidate is acceptable. The Clerk then submits the name to the Governing Body for their information.

Foundation Governors are vital to the Governing Body as some of the sub-committees of the Governing Body must have a majority of Foundation Governors.

The College Governing Body manages its own membership by regular meetings of the Search and Governance Development Committee whose terms of reference include recruiting suitable members for the Governing Body. To aid its deliberations the Search and Governance Development Committee carries out a regular skills analysis of the Governing Body. This analysis is then used to identify particular skills the Governing Body needs to carry out its work efficiently and effectively. On the basis of the skills identification the Search and Governance Development Committee then seeks recruits with the requisite skills to fill any actual or potential vacancies, and will from time to time make recommendations to the Diocesan Commission.

Persons wishing to be considered for appointment as a Foundation Governor should apply to the Clerk to the Governing Body. If the candidate has appropriate skills, the Clerk will invite the candidate to interview by the Nominations Committee. If the Nominations Committee recommend the candidate he/she meet the Chair and Principal prior to recommendation to the Diocesan Commission for Schools and Colleges.

Appointments will usually be made for four years. Foundation Governors may be re-appointed by the Diocesan Commission for a second or subsequent term of office. On each occasion the Diocesan Commission will obtain DBS clearance.

Updated: May 2014

Date of next review: May 2018



Christ the King Sixth Form College

Appointment of Co-opted Governors

The Instrument of Government provides for the appointment of up to two governors who have been co-opted by the Governing Body.

The College Governing Body manages its own membership by regular meetings of the Search and Governance Development Committee whose terms of reference include recruiting suitable members for the Governing Body. To aid its deliberations the Search and Governance Development Committee carries out a regular skills analysis of the Governing Body. This analysis is then used to identify particular skills the Governing Body needs to carry out its work efficiently and effectively. On the basis of this skills identification the Search and Governance Development Committee then seeks recruits with the requisite skills to fill any actual or potential vacancies.

Persons wishing to be considered for appointment as a Co-opted Governor should apply to the Clerk to the Governing Body who will submit their names to the Search and Governance Development Committee.

When there is a suitable vacancy the Search and Governance Development Committee will recommend potential governors with the right skills mix to the Governing Body for appointment. Prior to the recommendation going to the Governing Body the potential governor will be invited to meet with the Chair, Principal and Clerk to enable the person to learn more about the College (see also Governor Induction Programme).

Appointments will usually be made for four years. All appointments shall be subject to vetting and barring checks or other adequate safeguarding checks that shall be deemed appropriate from time to time.

Updated: May 2014

Date of next review: May 2018



Christ the King Sixth Form College

Appointment of Parent Governors

Definition - 'parent' includes any person who is not a student but has parental responsibility for a student of the College.

The Clerk to the Governors will be responsible for arrangements for the nomination and election of parent governors.

Details of such arrangements will be published in such a manner and in good time to ensure equality of opportunity to participate in the process.

Parents of full-time students currently at the College will be eligible for nomination.

Only parents of full time students at the College may make nominations.

In the event of more nominations being received than there are vacancies, the Clerk will make arrangements for an election to take place.

The Principal shall act as the Returning Officer for such an election.

Subject to paragraph 9, all parents of full-time students currently at the College will be eligible to vote.

There shall be one parental vote for each family unit.

The Returning Officer shall decide on any dubious or spoiled ballot paper and his/her decision shall be final.

The parent(s) with the highest number of votes shall be declared elected.

In the event of a tie, the returning Officer shall place the name(s) of each candidate in a sealed container and draw one name. That person shall be declared duly elected.

The parent governor will then be formally appointed at the next Governing Body meeting for a period of up to two years. In the event that the parent ceases to have parental responsibility for a student at the College then the parent will cease to be a governor.

All appointments shall be subject to vetting and barring checks or other adequate safeguarding checks that shall be deemed appropriate from time to time.

Updated: May 2014

Date of next review: July 2018



Christ the King Sixth Form College

Appointment of Staff Governors

The Instrument of Government provides for the appointment of staff governors *by* the Governing Body. A staff governor means a governor employed at the College nominated and elected by the staff of the College in such manner as the Governing Body may determine.

In October 2000 the Governing Body determined that there should be two staff governors appointed for a period of two years. The Governing Body has further agreed that the arrangements shall be as follows:

There shall be one staff governor nominated by and from the academic staff.

There shall be one staff governor nominated by and from staff other than the academic staff.

The Clerk to Governors shall be responsible for the arrangements for the nomination and, where necessary, the election of the staff governors.

The Clerk shall ensure that details of the arrangements are circulated to all staff at least ten working days prior to an election.

Arrangements for an election and nomination of staff governors shall:

- i) include a specified date and time for an election;
- ii) have regard to the pattern of attendance of part time staff to ensure they have equal opportunity to participate;
- iii) include provision for postal votes

The Principal shall be appointed Returning Officer.

All staff employed on contract at the College are eligible to stand for election and to vote.

Each member of staff shall have one vote.

Senior Postholders with a timetabled teaching commitment are eligible to participate in the arrangements to nominate a staff governor from within the teaching staff.

Senior Postholders who do not have a timetabled teaching commitment are eligible to participate in the arrangements to nominate a staff governor from within the staff other than teaching.

The Returning Officer shall decide on any dubious or spoiled ballot paper and his/her decision shall be final.

The member of staff with the highest number of votes in each category will be duly elected.

In the event of a tie the Returning Officer shall place the name of each candidate in a sealed container and shall draw one name. That person shall be declared duly elected.

In the event that no nominations are received in the nomination process, the Chair of Governors may directly nominate a candidate on the advice of the Principal. The constituency (academic or non-academic staff) will then be consulted, within a limited time frame, on whether there are any objections to the candidate being appointed as staff governor. Objections may be made only on the basis that the candidate is unfit or unable to carry out the responsibilities of a governor.

The staff governor will then be formally appointed at the next meeting of the Governing Body, for a period of up to two years.

All appointments shall be subject to CRB checks or other adequate safeguarding checks that shall be deemed appropriate from time to time.

Updated: May 2014

Date of next review: May 2018



Christ the King Sixth Form College

Appointment of Student Governors

The Instrument of Government provides for the appointment of one student governor by the Governing Body. A student governor means a governor who is enrolled as a full-time student at the College nominated and elected by the Governing Body from the three student governor representatives in such a manner as the Governing Body may determine.

The Student Governor will be an upper sixth student supported by three representatives of the Student Council, one each from the Emmanuel site, the Student Council at St Marys, and the Student Council at Aquinas. They will be elected for a term of office of up to two years. Once elected they will then be formally appointed as student governor representatives at the next meeting of the Governing Body. They will only continue as student governor representatives while they are enrolled as students at the College. They will be eligible for re-appointment while they are enrolled as students at the College.

All appointments shall be subject to vetting and barring checks or other adequate safeguarding checks that shall be deemed appropriate from time to time.

The student governors are not eligible to be a member of the Sub committees of the Governing Body.

If a student governor is under the age of 18 they may not vote on any resolutions relating to College issues detailed in Instrument 14(7)

Student governors shall withdraw during any item in the Governing Body proceedings which relates to an individual member of the College.

Student governors shall not receive papers which are designated confidential by the Chairman of the Governing Body.

Last updated: May 2019

Date of next review: May 2023