

Chaigeley Educational Foundation

Instrument of Government
of
Chaigeley Educational Foundation

Lymm Road
Thelwall
Warrington
WA4 2TE

The Trustees of Chaigeley Educational Foundation
| formally adopted this Instrument of Government on the
1st September 2022.

Approval from the Department for Education

Chaigeley Educational Foundation

INSTRUMENT OF GOVERNMENT
OF
CHAIGELEY EDUCATIONAL FOUNDATION

1. In this document, unless the context otherwise requires:

“the Charity” means Chaigeley Educational Foundation

“exclude” in relation to a pupil means exclude on disciplinary grounds;

“the Principal” means the person who is, from time to time, the Principal (or Acting Principal) of the School.

“parent” shall mean parent or legal guardian;

“Placing Authority” means any Local Education Authority which has placed any pupil in the School;

“the School” means Chaigeley School;

“School day” means any day on which at the School there is a School session;

“the School Governors” means the Board of Governors of Chaigeley School and “Governor” means a member of that Board;

“special educational needs” means a learning difficulty or disability which calls for special educational provision to be made for a child;

“special educational provision” in relation to a pupil means educational provision which is additional to, or otherwise different from, the education provision made generally for children of his age;

“the Trustees” means the Trustees of Chaigeley Educational Foundation”

“senior staff” shall mean the most senior staff employed by the Charity. For the School these are the Principal, the Head of Education and the Business and Finance Manager;

all references to statutory provision shall be construed as including references to any statutory modification, consolidation or re-enactment for the time being in force, all statutory instruments or orders made pursuant to it and any statutory provisions of which it is a consolidation, re-enactment or modification;

all documents, minutes, logs referred to in this document shall be assumed to be generated, stored, managed and published electronically

PART I

THE SCHOOL

- 2.1 The School is a Non-maintained Special School approved by the Secretary of State for Education or any successor minister (“the Secretary of State”) under section 342(1) of the Education Act 1996 and categorised by reference to:

- (a) the number, age and sex of day pupils
 - (b) their respective special educational needs and
 - (c) the special educational provision for them.
- 2.2 The School shall be maintained in the present School buildings at Thelwall, Cheshire or in other suitable buildings provided by the Charity.
- 2.3 Where any change is proposed in the arrangements referred to in 2.1 or 2.2 above, the Secretary of State shall be given written notice of the proposed change and effect shall not be given to the proposal unless and until the changed arrangements have been approved by him.
- 2.4 The School shall not be conducted for profit.
- 2.5 No member of the staff shall have a financial interest in the School, otherwise than by reason only of his being employed for the purposes thereof at a salary which is calculated in line with the School's pay policy.
- 2.6 The premises of the School shall, subject to clause 2.7 below, conform to the standards prescribed by the appropriate legislation from time to time for Non-Maintained Special Schools.
- 2.7 If the Secretary of State is satisfied that it would be unreasonable to require the School to conform with requirements of the legislation referred to in clause 2.6 he may give a direction that the School premises shall, while the direction remains in force, be deemed to conform to the prescribed standards with respect to matters with which the direction deals, if such conditions, if any, as may be specified in the direction as respects those matters, are observed.

THE SCHOOL GOVERNORS

- 3.1 The School shall be managed and conducted in conformity with this Instrument and also in accordance with such legislation as may apply from time to time to Non-Maintained Special Schools by the Board of Governors of Chaigeley School (hereinafter called "the School Governors"), constituted as hereinafter mentioned. In particular the School Governors will make such arrangements for safeguarding and promoting the welfare of the pupils at the School as have been approved by the Secretary of State.
- 3.2 The School Governors shall comprise the Trustees and:
- (a) The senior managers of the School
 - (b) Representative members of the School staff groups
 - (c) A parent of a pupil at the School ("the Parent Governor") elected by parents, if such parents respond to the opportunity to become a Governor
 - (d) Two governors who may also be trustees appointed by local Quaker bodies
 - (e) At least one member appointed by one or more local authority.
- 3.3 The School Governors shall ensure that their members have sufficient and appropriate skills to carry out their duties, and there are sufficient numbers to be able to do so. The Clerk to the

Governors shall ensure that there is a skills audit of the Governing body conducted at least biennially.

POWERS OF THE TRUSTEES

- 4.1 To enable them to carry out their duties hereunder, the Trustees shall delegate to the School Governors the management of the School and the Trustees will have the powers set out in this Instrument, to enable them to fulfil their duties set out therein.
- 4.2 For the avoidance of doubt the following powers and other powers expressly retained elsewhere in this Instrument are retained by the Trustees:
- (a) the power to make an Instrument in substitution for this Instrument or to amend this Instrument subject to the approval of the Secretary of State.
 - (b) The power to revoke the delegation to the School Governors of all or any of their powers, subject to approval of the Secretary of State.
 - (c) The power to confirm or reject as any of the Senior Managers a nominee recommended by an advisory panel constituted by the School Governors or by the School Governors
 - (d) The power to dismiss, accept or otherwise the resignation of any of the Senior Managers
 - (e) To accept or reject tuition and other fees payment of which is a condition of attendance at the School
 - (f) The power to insist that contracts with placing authorities conform to the agreed NASS (National Association of Special Schools) standard contract form
 - (g) Full powers in relation to the finances of the School save as expressly delegated by the Trustees. The Principal is the Chief Financial Officer as defined in the funding agreement by the Department for Education. All financial management is detailed in the financial manual which expressly details each person's delegated authority.

ELECTION OR APPOINTMENT OF CERTAIN GOVERNORS

- 5.1 The Representative Staff Governors shall be duly elected by secret ballot of the teaching and non-teaching staff respectively to hold office for a period of four years and shall be eligible for re-election for a further consecutive period of four years but not longer. The elections shall be conducted by the Company Secretary during the months preceding the Annual General Meeting for members of the Charity. Nominations with the names of a proposer and seconder shall be handed to the Company Secretary by the date agreed by the School Governors prior to the date of the Annual General Meeting. Such nominations must indicate the consent of the nominee. All permanent staff shall be issued with a voting form indicating the candidates representing their category and these are to be returned to the Company Secretary by the dates agreed by the School Governors prior to that Annual General Meeting. Election results shall be published within a further five working days thereafter and the elected Governors shall

hold office from the conclusion of the Annual General Meeting. For avoidance of doubt Non-teaching Staff will only be entitled to vote for the Non-Teacher Governor and the Teaching Staff will only be entitled to vote for the Teacher Governor. If only one member of staff from teaching or non-teaching staff expresses an interest in becoming a Governor, a ballot will not be required.

- 5.2 A Parent Governor shall be elected by secret ballot of the parents of registered pupils at the School to hold office for a period of four years from the conclusion of such Annual General Meeting and shall be eligible for re-election for a further consecutive period of four years but not longer. All parents of registered pupils at the School shall be informed of a vacancy for Parent Governor, the need for an election, their right to stand for election and to vote in a secret ballot for the candidate of their choice. In some circumstances a child may have more than two parents who have the right to stand as Parent Governor or to vote. A parent shall have one vote, no matter how many children he has at the School. If only one parent expresses an interest in becoming a Governor, a ballot will not be required.
- 5.3 The election shall be conducted by the Company Secretary during the months preceding the Charities Annual General Meeting in accordance with procedures determined by the School Governors.
- 5.4 If no parents offer to fulfil the role of parent governor or if no nominations are received from parents, the Chair of Trustees will nominate a governor to fulfil the role of parent governor who will liaise with parents as part of that role.
- 5.5
 - (a) A Staff Governor ceases to be a School Governor if he ceases to be employed by the School
 - (b) a Parent Governor ceases to be a School Governor if he ceases to have a child who is a pupil at the School.
- 5.6 The name of the Parent Governors shall be notified to all parents on appointment and on the occasion of change.

CHAIR AND VICE-CHAIR

- 6. The Chair and Vice-Chair of the Trustees shall be the Chair and Vice-Chair of the School Governors. If the Chair is absent from any Meeting the Vice-Chair shall take the Chair. In the absence of both the Chair and Vice-Chair the School Governors shall, before any other business is transacted, choose one of their number (not being the Principal or a member of the Staff of the School) to preside at that Meeting.

MEETINGS OF THE SCHOOL GOVERNORS

- 7.1 Ordinary Meetings

The School Governors shall meet whenever necessary but at least three times a year. The Clerk to the School Governors shall give to each School Governor at least seven days' written notice of the date for the Ordinary Meeting and of the agenda for the Meeting.

The Governors meeting will be followed by a Trustees only meeting, with an agenda concerned solely with the business of the Charity.

7.2 Special Meetings

A Special Meeting of School Governors shall be called at any time by the Chair or Vice-Chair upon the requisition of any four School Governors, other than members of staff, provided that at least one of them shall be a Trustee. The Clerk to the School Governors shall give to each School Governor at least seven days' notice of a Special Meeting, containing particulars of the business for which it is called. Such additional meetings shall be convened within 28 days of receipt of the request.

7.3 the School Governors shall keep a record in which the names of all School Governors attending the meeting shall be listed.

7.4 The person presiding at a Meeting must ensure that the minutes of the preceding Meeting of the School Governors have been previously approved as accurate.

7.5 A Trustees Meeting shall be called at any time by the Chair or Vice-Chair of Trustees on the request of a single Trustee

DECLARATION BY SCHOOL GOVERNORS

8. No person shall be entitled to act as a School Governor whether on the first or any subsequent entry in office until they have signed a declaration of acceptance and willingness to act in conformity with this Instrument.

SCHOOL GOVERNORS NOT TO BE PERSONALLY INTERESTED

9.1 No School Governor shall take or hold any interest in any property belonging to the School or receive any remuneration (other than that payment in respect of salary or other emoluments as Principal or other member of staff of the School). No School Governor shall have a financial interest in the School save to the extent that such interest would be permissible to a Trustee in relation to the Charity within the Memorandum and Articles of Association of the Charity.

9.2 Except as provided elsewhere in this Instrument, a School Governor shall withdraw from that part of any Meeting of the School Governors, or a Committee of the School Governors, at which there is to be discussed any matter in which they have any personal interest having first declared such interest to the Meeting.

VACANCIES

10. Every vacancy in the office of Representative, Parent, or Representative Staff Governor shall, as soon as possible, be notified to the Company Secretary. The School Governors may

appoint any Parent, Teacher or Non-Teacher Staff Governors from the relevant category or person to fill a casual vacancy only until the next Annual General Meeting of the Charity.

DISQUALIFICATION

- 11.1 All School Governors must be 18 years of age or over at the date they are elected or appointed.
- 11.2 The Clerk to the Governors shall report to the Governors on any School Governor other than a Trustee who has been absent from all meetings of the School Governors for a continuous period of 12 months with any reasons advanced by that Governor for his absence. The School Governors may disqualify that Governor from office.
- 11.3 If any School Governor resigns or is removed from office, the Clerk to the School Governors must be informed in writing.

QUORUM AND DECISION MAKING

- 12.1 There shall be a quorum at meetings of the Full School Governors when seven School Governors (of whom at least four shall be Trustees, and 2 should be senior members of staff) are present at a Meeting.
- 12.2 If at any proposed Meeting of School Governors a quorum is not present or if any Meeting becomes inquorate before the business is completed, the Meeting shall stand adjourned sine die and a Special Meeting may be summoned as soon as convenient.
- 12.3 Any question arising at a meeting shall be normally decided by consensus. A declaration by the Chair that a resolution has been carried or lost and an entry to that effect in the authorised minutes of the proceedings shall be conclusive evidence of the fact.

PROCEEDINGS OF THE SCHOOL GOVERNORS

- 13.1 The proceedings of the School Governors shall not be invalidated by any failure to appoint or difficulty in the appointment, election or qualification of any School Governor.
- 13.2 Any resolution of the School Governors may normally be rescinded or varied by consensus at a subsequent Meeting if due notice of the intention to rescind or vary the same has been given in writing to all the School Governors.
- 13.3 Any Meeting may be adjourned by resolution of the School Governors.
- 13.4 In relation to any matter affecting or connected with the Staff of the School any School Governor, other than the Principal, who is a member of the Staff shall absent themselves from any meeting of the School Governors during the relevant discussions.
- 13.5 In the case of the Principal, they shall absent themselves from any part of a meeting of the School Governors during discussions of any matter connected directly with their own circumstances unless expressly invited by the other School Governors to remain.

CLERK TO THE GOVERNORS

- 14.1 The School Governors shall appoint their Clerk. It is envisaged that the same person shall be both Clerk to Trustees and to the School Governors.
- 14.2 The School Governors shall have power, where the Clerk to the School Governors fails to attend any meeting of theirs, to appoint any other person or one of their number to act as Clerk for the purposes of that meeting, but in the latter event without prejudice to his position as School Governor.

COMMITTEES

- 15.1 The Board of Governors may appoint committees and delegate certain of their powers to them, determine their composition and terms of reference and require them to conform to any regulations laid on them which regulations shall always include provision for full and prompt reports to the Board of Governors.
- 15.2 The composition and terms of reference of such committees shall be reviewed at least annually

AMENDMENTS TO THE INSTRUMENT OF GOVERNMENT

- 16 This Instrument of Government is formulated by the Trustees and may be amended or replaced from time to time by resolution of the Trustees with the approval of the Secretary of State.

COPIES OF THE INSTRUMENT OF GOVERNMENT

- 17 A copy of this Instrument of Government shall be given to every School Governor and shall be available for inspection upon request to every member of staff.

PART II

CONDUCT OF THE SCHOOL

- 18.1 The conduct of the School shall be under the direction of the School Governors, but subject to any provision contained in this Instrument conferring specific functions or any person other than the School Governors, and to the provision made under any legislation that may apply to Non-Maintained Special Schools.
- 18.2 Subject as mentioned in clause 18.1 above the Principal is responsible for the management of the School and for exercising supervision over all Teaching and Non-Teaching Staff.
- 18.3 Subject to the requirements of any applicable legislation the School Governors shall make arrangements as they think fit for allotting and distributing duties in connection with the School to the Principal. They shall have regard when making these arrangements to the desirability of giving to the Principal a suitable measure of control over staff.
- 18.4 The Trustees shall appoint link governors to each of the senior staff from their membership

CURRICULUM

- 19.1 It is the duty of the School Governors and the Principal to exercise their functions to ensure that the curriculum for the School is a balanced and broadly based curriculum which:
- (a) promotes the spiritual, moral, cultural, mental and physical development of pupils at the School and in society; and
 - (b) prepares such pupils for the opportunities, responsibilities and experiences of life beyond the School and into adulthood.
- 19.2 The curriculum for the School shall comprise a curriculum which includes provision for religious education for all registered pupils at the School.
- 19.3 It is the duty of the School Governors in any School year to exercise their functions to ensure, and the duty of the Principal to ensure that the National Curriculum subsisting at the beginning of that year is implemented in accordance with the requirements of legislation except where an alternative curriculum, which excludes the National Curriculum or applies the National Curriculum with such modifications as may be specified in the statement referred to, at clause 19.4 below is, in agreement with the Placing Authority, considered more appropriate to meet the special educational needs of a particular child.
- 19.4 It is the duty of the School Governors:
- (a) To ensure that a separate written statement of their policy with regard to the provision of Sex and Relationships Education is in place and is embedded within the school curriculum, to make copies of the statement available for inspection, at all reasonable times, by parents at the School and provide a copy of the statement free of charge to any such parent who asks for one;
 - (b) To make arrangements for parents to remove their children from the parts of the sex education programme that are not covered in the National Curriculum science teaching, should they so wish.
- 19.5 It is the duty of the School Governors:
- (a) when considering the matters mentioned in clauses 19.3 and 19.4 above, to do so in consultation with the Principal and to have regard to any representations which are made to them with regard to any of these matters, by any person connected with the community served by the School;
- 19.6 The determination and organisation of the secular curriculum for the School is the responsibility of the Principal and it is their duty to secure that the curriculum is followed within the School.

RELIGIOUS EDUCATION AND COLLECTIVE WORSHIP

- 20.1 It shall be the duty of the School Governors, working with the Principal, to ensure that, so far as practicable, every pupil attending the School will receive religious education and attend

daily collective worship or will be withdrawn from attendance from receiving such education or such worship and in accordance with the wishes of his or her parent.

PUBLIC EXAMINATIONS

- 21.1 Subject to clause 21.2 below, the School Governors shall ensure that each registered pupil at the School is entered, at such time they consider appropriate, for each prescribed public examination for which they are being prepared at the School at the time in question in each syllabus for that examination for which they are being so prepared,
- 21.2 Clause 21.1 above shall not require the School Governors to ensure that a pupil is entered for any examination, or for any examination in any syllabus for that examination, if either:
- (a) the School Governors consider that there are educational reasons in the case for that particular pupil for not entering him for that examination or (as the case may be) for not entering him for that examination in that syllabus; or
 - (b) the parent of the pupil requests in writing that the pupil should not be entered for that examination or (as the case may be) for that examination in that syllabus.
- 21.3 As soon as practicable after determining whether or not to secure the entry of any pupil for a prescribed public examination in any syllabus for which he is being prepared at the School, the School Governors shall notify the parent of the pupil in writing of their determination in relation to each such syllabus.
- 21.4 The School Governors delegate these notifications to parents to the Principal

ADMISSIONS

- 22.1 It is the duty of the School Governors:
- (a) to ensure that the number of pupils at the School shall at no time exceed the number specified in the approved arrangements referred to in clause 2.1 of this Instrument; and
 - (b) to ensure, subject to clause 22.1.(c) below, that no pupil shall be admitted to the School unless he falls within the category specified in the arrangements referred to in clause 2.1 of this Instrument which are for the time being approved for the purposes thereof and that the special educational provision made in pursuance of those arrangements shall be suited to the pupils at the School (have regard to their different ages, abilities and aptitudes and, in particular, special education needs) and shall be efficiently provided;
- unless
- (c) the pupil is admitted for a limited period of time to allow assessment of his needs prior to a decision being made as to whether he falls within the category specified in the arrangements referred to in clause 2.1 of this Instrument.
- 22.2 It is also the duty of the School Governors:

- (a) to ensure that a suitable register be kept of all pupils attending the School; and
- (b) to ensure that adequate educational records are kept in respect of each pupil at the School.

22.3 It is the duty of the School Governors to ensure that no pupil shall be refused admission to the School or excluded from it on other than reasonable grounds as specified in clauses 27.2 to 27.4, nor shall any pupil be refused admission to or excluded from the School on grounds solely connected with the religious beliefs of the pupil or his parents.

SAFEGUARDING, HEALTH AND WELFARE OF PUPILS AND STAFF

23.1 It is the duty of the School Governors to ensure that arrangements are made for safeguarding and promoting the health and welfare of pupils and staff at the School and to ensure that provision is made:

- (a) for the care and supervision of the health of the pupils and staff at the School through the deployment of appropriately qualified members of staff with experience relevant to the pupils' particular disabilities and special needs;
- (b) for the maintenance of medical and dental records and for the medical and dental inspection, at appropriate intervals, of the pupils and their medical and dental treatment; and
- (c) for sufficient information to be kept to ensure the pupils' health care needs can be met effectively, e.g. name, address and telephone number of GP, details (including dates where appropriate) of immunisations, illnesses, accidents, medication, any special health needs, allergies, dental needs and hearing and visual requirements of developmental/School health examinations; and also
- (d) for arrangements to maintain the confidentiality of these records complying with current data protection legislation.

23.2 It is the duty of the School Governors to comply with the directions of the Trustees in relation to:

- (a) the requirements of current School premises regulations with regard to standards required for the provision of:
 - (i) medical accommodation and sick rooms; and
 - (ii) the safety protection of pupils
- (b) the requirements of current COSHH Regulations which cover the use of storage of substances and apparatus involving health hazards;
- (c) the guidance of the Children Act 2017, Keeping Children Safe in Education and Working Together to Safeguard Children and to have in place:
 - (i) a senior member of staff designated to have responsibility for child protection and welfare issues within the School and for liaison with the local authority, social services and other relevant agencies;

- (ii) clearly laid down and recognised procedures for dealing with allegations of abuse of pupils by members of staff, other pupils or any other person either within the School or elsewhere which reflect the procedures laid down by the Local Authority Designated Officer (LADO) for the area in which the School is situated and which ensure any complaint being independently investigated in accordance with the LADO Procedures is reported by the School without delay to OfSTED, where required
- (d) The Principal is responsible for ensuring the charity complies with safeguarding legislation by ensuring he/she performs the role of the Designated Safeguarding Lead (DSL) and that there are sufficient senior staff suitably trained and qualified to perform the role of DSL during periods when the Principal is unavailable. The Principal must also ensure that at least one member of staff is appointed, trained and suitably qualified to perform the role of Deputy DSL. The Principal must also ensure whenever possible that there is always at least 1 member of staff trained to the DSL standard on site. All DSLs and deputies must have their responsibilities set out in their job description keeping in line with statutory guidance under Keeping Children Safe in Education.

SCHOOL PREMISES

- 24.1. The use of the School premises at all times other than during any School session, or break between sessions on the same, shall be under the control of the Trustees.
- 24.2. The Principal shall comply with any direction issued to him by the Trustees concerning the security for School premises and of anything belonging to the School.
- 24.3. the Principal shall comply with any direction issued to him by the Trustees concerning health and safety at the School.
- 24.4. The Trustees recognise that members of the local community and local community groups may want to use the school premises outside of usual school times. A schools' letting policy is in place which sets out how this will be managed.

MEALS AND REFRESHMENTS

- 25. It is the duty of the School Governors to comply with current legislation regarding the provision of meals and refreshments and facilities for the pupils to eat food.

TERMS, HOLIDAYS AND SESSIONS

- 26.1 It is the duty of the School Governors, in consultation with the Principal, to determine:
 - The dates on which the School terms and holidays are to begin and end
 - The times at which the School sessions are to begin and end on any day
 - And to inform Parents and Placing authorities of these dates and times, and to give reasonable notice of any changes

- 26.2 The School Governors may require pupils in attendance at the School to attend at any place outside the School premises for the purpose of receiving any instruction or training included in the secular curriculum for the School.
- 26.3 It is the duty of the Principal to make appropriate arrangements for the organisation of the School timetable.

DISCIPLINE

- 27.1 Insofar as such provisions for discipline are not contrary to the provisions of any appropriate legislation the Principal or the School Governors (as appropriate) will make such changes in their implementation to comply with the requirements of any other legislation.
- 27.2 It is the duty of the Principal:
- (a) to determine measures (which may include the making of rules and provision for enforcing them) to be taken with a view to:
 - (i) promoting, among pupils at the School, self-discipline and proper regard for authority.
 - (ii) encouraging good behaviour on the part of those pupils.
 - (iii) securing that the standard of behaviour of those pupils is acceptable; and
 - (iv) otherwise regulating the conduct of those pupils.
 - (b) in determining any such measures:
 - (i) to act in accordance with any written statement of general principles provided for him by the School Governors; and
 - (ii) to have regard to any guidance that they may offer in relation to particular matters, and
 - (c) to make any such measures generally known within the School.
- 27.3 The power to exclude a pupil from the School (whether by suspension, expulsion or otherwise) shall be exercisable only by the Principal with reference to the exclusion policy.
- 27.4 It is the duty of the Principal:
- (a) where he excludes from the School a pupil, to take (without delay) reasonable steps to inform a parent of the pupil of the period of exclusion and the reasons for it;
 - (b) where he excludes a pupil from the School:
 - (i) for more than five School days in any one term; or
 - (ii) in circumstances in which the pupil would, as a result of his exclusion from the School, lose an opportunity to take any public examinations;
- to inform the parent of the pupil, the Placing Authority and the School Governors (without delay) of the period of the exclusion and the reasons for it and where he decides that any exclusion of a pupil from the School which was originally for a fixed or indefinite period should be made permanent, to inform them (without delay) of his decision and of the reasons for it.

- (c) where he or she permanently excludes any pupil from the School to take (without delay) reasonable steps to inform a parent of the pupil and the Placing Authority, that the parent and the Placing Authority may make representations about the exclusion.
- (d) Appeals and the process for hearing them are covered by the published School exclusion policy

INCIDENT RECORDS

29.1 It is the duty of the School Governors to comply with the directions of the Trustees with regard to keeping:

A record of incidents:

- (a) any incident involving a person who is either a pupil or is employed or a volunteer working at the School, which results in personal injury (to that or some other person) or damage to property; and
- (b) any loss of, theft or damage to, property (otherwise than as a result of such an incident) where the property is that of such a person as aforesaid or School property.
- (c) This may be recorded in an electronic form which can be reproduced in a paper format if required.

29.2 It is the duty of School Governors to ensure that:

A record is kept in which there shall be recorded disciplinary measures taken against pupils.

29.3 It is the duty of the Trustees to follow statutory guidance from the Charities Commission with regards to reporting serious incidents.

REPORTS ON PUPILS TO PLACING AUTHORITIES AND PARENTS, ACCESS TO THE SCHOOL AND PARTICIPATION IN ANNUAL REVIEWS

30. It is the duty of the School Governors to ensure that:

- (a) a Report on each pupil in respect of whom a Placing Authority maintains a Education and Health Care Plan (EHCP) in compliance with legislation be furnished to that authority at least once a year;
- (b) the Principal and/or appropriate other staff participate in any review conducted by a Placing Authority pursuant to legislation of the EHCP referred to at (a) above which relates to any registered pupil at the School and to make no charge to the Placing Authority for such participation;
- (c) a person authorised by a Placing Authority shall be afforded access to the School premises at reasonable times to monitor continued appropriateness of a pupil's placement.

SCHOOL FINANCE

- 31.1 The Trustees have overall responsibility for the proper and efficient management of the business of the charity for determining School income, setting staff remuneration and determining staff complements and approving the annual budget.
- 31.2 The School Governors shall exercise control over the expenditure of money on the charity in such manner as they think fit and shall act in a prudent and business-like manner and shall comply with such reasonable conditions as the Trustees think fit to impose.
- 31.3 The trustees shall appoint a finance committee that shall approve and review on an on-going basis a budget prepared by the business and finance manager.
- 31.4 The trustees shall set out how the finance of the School will be managed within a financial regulations document that is reviewed annually.

ANNUAL REPORT AND PARENTS MEETING

- 32.1 The School Governors shall prepare, once in every School year, a report (the Annual Report) containing:
 - (a) a summary of the steps taken by the School Governors in the discharge of their functions during the period since the last report; and
 - (b) such other information as is required by legislation
- 32.2 The School Governors may produce the Annual Report in such language or languages (in addition to English) as they consider appropriate.
- 32.3 The School Governors shall take such steps as are reasonably practicable to ensure that:
 - (a) the parents of all registered pupils at the School are given (free of charge), where applicable not less than two weeks before the date of the Annual Parents' Meeting at which the report is to be considered, a copy of the Annual Report;
 - (b) all persons employed at the School are given (free of charge) a copy of the Annual Report;
 - (c) The Principal and Placing Authorities are given a copy of the report; and
 - (d) Copies of the report are available for inspection (at all reasonable times and free of charge) at the School.
- 32.4 Where the School Governors are of the opinion that it would be impracticable to hold an Annual Parents' Meeting in a particular School year, they may refrain from holding such a meeting in that year.
 - (a) The School Governors will announce the date of the Annual General Meeting in a public forum giving at least two weeks' notice.

APPOINTMENT AND DISMISSAL OF STAFF

- 33.1 The Trustees shall appoint the Senior Managers and will delegate the appointment of adequate and suitable additional members of staff, including teachers, support assistants, medical care staff, administrative and other School staff as appropriate to the Principal and
- (a) members of Teaching Staff shall be appointed to the School in accordance with the standards as detailed by the Teachers Regulation Agency currently in force and associated guidance;
 - (b) member of Non-teaching Staff shall also be appointed in accordance with any applicable legislation.
- 33.2 The School Governors shall form an advisory panel whenever it is necessary to appoint a Senior Manager in order that the panel might advise the School Trustees on such appointment.
- 33.3 The advisory panel shall consist of at least three persons appointed to it by the School Governors. These shall comprise:
- (a) at least three persons of whom at least two shall be Trustees who have received up to date safer recruitment training; and
 - (b) such other person(s) as the School Governors may consider appropriate.
- 33.4 The Principal shall be a part of the advisory panel for the appointment of the Business & Finance Manager
- 33.5 The advisory panel will make recommendations to the Trustees but will have no power of appointment. The Trustees shall appoint any Senior Manager in line with the recruitment policy and procedures following Keeping Children Safe in Education statutory guidance.
- 33.6 The School Governors may replace, at any time, any member of the advisory panel whom they have appointed.
- 33.7 The Trustees shall approve a complement for the School of Teaching and Non-teaching posts respectively.
- 33.8 Subject to this Instrument the appointment of staff shall be under the control of the Principal who shall also have power to suspend staff. Staff shall be dismissed in accordance with the provisions of the Staff Handbook. For dismissals and suspensions, the Principal must adhere to and refer to the Charity's policies and procedures.