



## **Governors' Attendance Policy**

**October 2023**

Effective Governing Boards provide confident, strategic leadership, lead by example and 'set the tone from the top'.

As part of effective Governance of the school, all Governors are required to attend meetings regularly. By agreeing to the requirements outlined in the NGA Governor Code of Conduct and the Standing Orders all Governors commit to this.

### Monitoring Governor attendance

The Clerk to Governors records attendance at each meeting of the Full Governing Board and sub-Committees. A summary of Governor attendance is published annually on the school's website in accordance with statutory requirements.

### Managing Governor absence

If a Governor is unable to attend a meeting, it is expected that they contact both the Chair of Governors and the Clerk 24 hours before the meeting outlining the reasons why they are unable to attend. In exceptional circumstances apologies can be given on the day of the meeting, but no later than the end of the school working day (3.30 p.m.). It is the decision of the Chairperson of the meeting as to whether the apologies can be accepted. This is recorded in the minutes of the meeting.

The absence of a Governor will be acted upon if concerns are raised regarding the attendance of a Governor, or when a Governor has missed three consecutive Full Governing Board meetings or if they are absent from meetings for a six-month period. ('absent' is defined as not in attendance, having either not sent reasonable apologies, or having sent apologies which have not been accepted by the GB).

### Process for lapsing the office of a Governor due to poor attendance

In accordance with the 'The constitution of governing bodies of maintained schools' Statutory guidance for governing bodies of maintained schools and local authorities in England - August 2017 (the relevant excerpt outlined in Appendix A), the Governor will be informed in writing of the Governing Board's concerns regarding their conduct (see exemplar letter Appendix B). This will be issued automatically in the case of a Governor missing three consecutive meetings of the FGB without offering apologies or without having apologies accepted. The Governor will be invited to submit a response and attend the following meeting where their attendance will be discussed and a decision taken. Following the meeting an outcome letter will be sent within 14 days.

If the Governor disagrees with the outcome of this meeting, they have the right to appeal. An independent panel will be convened to hear the appeal. The decision of this panel would be final. A request to appeal the decision must be made in writing to the Clerk of Governors within ten working days of receipt of the final outcome letter. A response with details of the hearing will be provided within 20 working days. The outcome of this hearing will be communicated in writing within five working days of the appeal being heard.

Date Policy Agreed: 19<sup>th</sup> October 2023

Signed (Headteacher):

Signed (Chair of Governors):

## **Appendix A – Excerpt from ‘The constitution of governing bodies of maintained schools’ Statutory guidance for governing bodies of maintained schools and local authorities in England - August 2017**

### C.5 Removal of Governors (regulations 20 - 24A)

Local Authority Governors may be removed from office by the Local Authority that nominated them. The Local Authority must give written notice of the removal to the Clerk to the Governing Board and to the Governor concerned.

The Governing Board may remove Co-opted Governors and Partnership Governors (for details see section C.6). A Partnership Governor may also be removed by the Governing Board at the request of the nominating Board (for details see section C.6 below).

The Governing Board may also remove an appointed or an elected, Parent or Staff Governor.

It is advised that every effort be made to avoid potential difficulties later by informing prospective election candidates, or appointees, of the nature of the role. It is advised that their agreement is secured to a clear set of expectations for behaviour and conduct – as set out in a code of conduct. A code of conduct is expected to detail (within the parameters of relevant regulations and this guidance) the circumstances in which the Governing Board may suspend or remove a Governor. Good training, a thorough induction and effective chairing are also vital in helping to prevent situations occurring in the first place. It is advised that induction includes a clear setting out of the expectations of the Governor role.

Governing Boards are expected only to exercise the power to remove an elected Governor in exceptional circumstances where the actions or behaviour of the elected Governor warrants removal rather than suspension. The power should not be used simply to remove dissenting or challenging voices. Good governance involves asking courageous questions and offering appropriate professional challenge. A diverse range of viewpoints contributes to healthy debate and good decision making; and avoids Governing Boards becoming inappropriately dominated by a single narrow perspective.

The five-year disqualification term for removal reflects the expectation that the power to remove an elected Governor will only be used in exceptional and serious circumstances (and such seriousness will depend on the facts of the case). Examples which could give rise to removal are where:

(a) there have been repeated grounds for suspension

(b) there has been serious misconduct. Governing Boards should decide what constitutes serious misconduct based on the facts of the case. However, it is expected that any actions that compromise the Nolan principles, if sufficiently serious, would be considered in scope of this reason for removal

(c) a Governor displays repeated and serious incompetence; for example; where an elected Governor is unwilling or unable, despite all appropriate support, to develop the skills to contribute to effective governance; or where attendance is so irregular that the Governor is unable to make any meaningful contribution to the work of the Board

(d) the Governor has engaged in conduct aimed at undermining fundamental British values of democracy, the rule of law, individual liberty, mutual respect, and tolerance of those with different faiths and beliefs; and/or

(e) the actions of the Governor are significantly detrimental to the effective operation of the Governing Board, distracting it from its core strategic functions; and/or the actions of a Governor interfere with the operational efficiency of the school thereby wasting a significant amount of Headteacher and /or senior leadership time.

#### C.6 Procedure for removal of Governors by the Governing Board (regulation 25)

Removal by a Governing Board of a Co-opted Governor, Partnership Governor, Ex-officio Foundation Governor, appointed Parent Governor or elected Parent or Staff Governor is effected by resolution of the Governing Board but only if:

- the removal is confirmed by a resolution passed at a second meeting of the Governing Board not less than 14 days after the first meeting;
- the removal of the Governor has been specified as an item on the agenda of both meetings; and The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 14 set out the grounds on which Governing Board or the office of Governor into disrepute
- the following additional conditions are satisfied.

Where the Governor concerned is a Co-opted Governor, a Partnership Governor, elected Parent or Staff Governor, or an appointed Parent Governor, the Governor proposing the removal must at the meeting give reasons for the proposal and the Governor concerned must have the chance to make a statement in response.

Governing Boards are expected to provide an appeals procedure to enable any removed Governor to test the reasonableness of the Governing Board's decision to remove them. It is advised that an independent panel conducts the appeal, which could include a Governor from another school, and/or a suitable official from the Local Authority, or a suitable diocesan representative.

It is advised that any Governor subject to removal is provided with written details of the case against them ahead of any meeting, and it is advised this includes details of how their case is being handled, and the timeframes involved. They must then be given sufficient time and support to respond.

## Appendix B – letter re: attendance

Dear

Re: Governing Board Attendance – **Named Primary School**

I have been asked by the Chair of Governors to contact you to ask if you wish to continue to serve on the Governing Board of **Named School**. The attendance of all Governors has been reviewed and it appears that you have not been able to attend an appropriate number of meetings this year. The register of your attendance is noted below.

The yearly calendar of Governing Board meetings is agreed in the Autumn Term and then reviewed with Governors again at the start of the school year. The aim is to ensure that notice of meetings is given far in advance so that Governors may plan ahead. The Code of Conduct makes clear that being a school Governor requires a commitment to give the time and energy that the role deserves, careful regard of this should be given when agreeing to take on the role.

If you wish to continue your term as a Governor at **Named School**, I would request that you make contact with either myself or the Chair of Governors to state that you wish to do so. However, if you feel that other commitments lead you to resign from the Governing Board, please communicate your intention in writing as soon as possible.

The next Governing Board meeting is due to take place on **XXXXXX (date)**, commencing at **XXX(time)**. I would like to be able clarify your position then, which, depending on your response to this letter, may result in your Governorship lapsing.

I would like to thank you for your service to the community at the school to date. The school is a happy and successful place for children, families and staff. We rely on the support and commitment of Governors to ensure the clarity of our strategic vision as we further develop the school.

Yours sincerely,

Clerk to the Governors