

Terms of Reference for the Sark School Board of Governors

1. Introduction

Sark School, located on the island of Sark in the Channel Islands, serves the educational needs of a small community with a current enrolment of 28 students (2024/25). The Sark School Board of Governors ('the Board of Governors') is established to provide strategic oversight, ensure accountability and support the school in delivering high-quality education that meets the needs of all students. This Terms of Reference outlines the role, responsibilities, and procedures of the Board of Governors.

2. Purpose of the Board of Governors

The Board of Governors is responsible for:

- Ensuring that Sark School provides a safe, supportive, and inclusive learning environment.
- Setting the strategic direction of the school, including the development and monitoring of the school's vision, values, and educational objectives.
- Ensuring financial stability and efficient use of resources.
- Monitoring and evaluating the school's performance against agreed goals. Governors shall follow the 'Scheme of Delegation' as agreed with the Education Committee with the support of external Education Advisors.
- Ensuring compliance with legal, regulatory, and educational standards as laid out by the Education Committee.
- Supporting the Head of School and staff while holding them accountable for the school's performance.

3. Composition of the Board of Governors

3.1 Membership

The Board of Governors shall consist of the following members with voting rights:

- **Community Governors:** Three members from the local community appointed by the Education Committee to ensure a broad perspective. These may not be a member of staff working at the school, parents of children currently at the school, or an elected member of Chief Pleas.
- **Head of School:** Ex-officio member.

- **Parent Governor:** One representative elected by the parents of students enrolled at the school and approved by the Education Committee.
- **Education Committee Representative:** A representative from the Education Committee, nominated by the Education Committee.

Chairperson: Elected by the board members annually. Only Community Governors can be nominated or act as the Chair.

The Education Committee has the right to approve additional co-opted governors should the need arise.

The Board is supported by a non-voting Clerk who ensures the Board operates efficiently, stays compliant and has the necessary information for effective decision making.

3.2 Term of office

- The Board of Governors shall be appointed by the Education Committee.
- Governors, except for the Head of School, will serve a term of three years, with the possibility of reappointment or re-election if appropriate.
- The Chairperson will serve a one-year term and may be re-elected. On an annual basis the Board of Governors will recommend a candidate for the position of Chair to the Education Committee. The Board of Governors will then be informed of the outcome of the Education Committee decision.

4. Roles and responsibilities

4.1 Strategic direction

- Develop and periodically review the school's vision, mission, and strategic objectives in partnership with key stakeholders.
- Approve and regularly monitor the implementation and impact of the school improvement plan.

4.2 Financial oversight

- Recommend an annual budget to the Education Committee and ensure proper financial management of that budget.
- Monitor financial performance against the budget and take necessary actions to address any variances.

- Ensure compliance with all financial regulations and auditing requirements. Including those outlined within the scheme of delegation.
- To work in partnership with the Island Trustees in relation to all applicable property matters.

4.3 Educational standards

- Monitor and evaluate the quality of education provided, including student progress and outcomes and to report these to the Education Committee on an annual basis.
- Support the Head of School in maintaining high educational standards.
- Review and approve policies related to curriculum, assessment, and student welfare.

4.4 Accountability

- Hold the Head of School accountable for the effective management and deployment of resources for the school and the achievement of educational objectives.
- Alongside a professional partner to conduct performance reviews of the Head of School annually.
- Ensure that the school's performance is communicated to parents and the wider community on a regular basis.

4.5 Safeguarding and inclusion

- Ensure that the school has effective policies and procedures in place to safeguard all students in accordance with appropriate Sark laws.
- Promote an inclusive environment that respects the diversity of the student body, staff and community.

4.6 Communication and community engagement

- Facilitate effective communication between the school, parents and staff.
- Engage with the local community to promote the school and build partnerships that benefit students.

4.7 Wellbeing

- To promote and support the physical and mental well-being of Head of School and staff within the school.
- To ensure an appropriate system is in place to oversee the performance of staff; this is carried out by the Head of School.

5. Meetings

5.1 Frequency

- The Board of Governors shall meet at least once per term with one additional meeting (four times a year).
- Additional meetings may be convened as necessary by the Chairperson or at the request of any two Board of Governors members.
- Governors are expected to attend at least three of the four scheduled Board meetings a year, but an absence can be excused if there is a valid reason (illness, family emergency, work commitments). The absence needs to be approved by the Board for it to be ‘authorised.’
- If a Governor fails to attend meetings without authorisation they may be considered for removal from the Board.
- In the absence of a Chairperson, the Board may elect a chair for that meeting.

5.2 Quorum

- A quorum for meetings shall be four of the six voting members.

5.3 Decision making

Decisions shall be made by a simple majority of the votes of those present. In the event of a tie, the Chairperson shall have the casting vote.

5.4 Minutes

- The minutes of each meeting shall be recorded, approved by the Board of Governors at the subsequent meeting, and made available to the school community, including the Education Committee, redacted if necessary.

6. Sub-committees

- The Board of Governors may establish subcommittees as necessary to deal with specific issues or projects. Each subcommittee will have clearly defined terms of reference and report back to the full Board. These can include non-Board members, for their expertise or knowledge, but they do not have voting rights. All expenditure must be approved by the Board.

7. Code of Conduct

7.1 Confidentiality

- Governors shall maintain the confidentiality of sensitive information. This includes any information pertaining to the Education Committee. This extends to beyond their term of office.

7.2 Conflicts of interest

- Governors must declare any conflicts of interest on an annual basis and at the start of each meeting. If appropriate, they should recuse themselves from related discussions and decisions.

7.3 Professional conduct

- Governors are expected to act with integrity, respect, and in the best interests of the school (and the Island) at all times.

8. Review of Terms of Reference

- These Terms of Reference shall be reviewed annually by the Board of Governors and the Education Committee, to ensure they remain relevant and effective. Any amendments must be approved by the Education Committee.

9. Agreement

As individuals on the governing body, we agree to the following:

- We understand the purpose of the Board of Governors and the role of the Head of School.
- We are aware of and accept the Seven Nolan Principles of Public Life (see Appendix).
- We accept that no Board of Governors member has the legal authority to act individually, except when the governing body has given us delegated authority to

do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.

- We accept collective responsibility for all decisions made by the Board of Governors or its delegated agents. This means that we will not speak against majority decisions outside the Board of Governors meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- We will always use social networking sites responsibly and ensure that neither our personal/professional reputation, nor the school's reputation is compromised by inappropriate postings.
- We will make full efforts to attend all meetings and where we cannot attend, explain in advance in full why we are unable to, so that any absence can be authorised.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other Governors.
- We will seek to develop effective working relationships with the Head of School, staff and parents, the Education Committee and other relevant agencies and the community.
- We will observe complete confidentiality when matters are deemed confidential concerning specific members of staff or pupils.
- We will exercise the greatest prudence at all times when discussions regarding the Education Committee arise outside the Board of Governors meeting.
- We will not reveal the details of any Governor's vote.
- We should only speak to the media with the express permission of the Chair of the Board of Governors.
- All allegations of breaches of confidentiality will be investigated under the Education Committee's complaints procedure and could result in the removal of a Governor involved in such a breach.
- We will promote tolerance of and respect for those of different faiths and beliefs, races, genders, ages, disability and sexual orientation.

- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the Board of Governors and Education Committee.
- We will support the Head of School but challenge their expectations and hold them to account for school performance.
- We should not exert any influence to obtain any preferential treatment for ourselves, our families, or other connected persons or organisations. We are aware of, and act in accordance with, the Board of Governors and Education Committee’s policy and procedure on identifying and managing conflicts of interest.
- We will record any pecuniary or other business interest that we have in connection with the Governors’ businesses on the Register of Business Interests and will update this whenever a material change occurs.
- We understand that failure to declare an interest, real or perceived, could result in the complaints process being instigated and, depending on the circumstances and severity of the conflict, this may result in being removed from office.

The Governors of Sark School adopted this code of practice on:

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Governors will sign the Code at the first Board of Governors meeting of each academic year.

Undertaking:

As a member of the Board of Governors at Sark School I will always have the well-being of the children and the reputation of the school at heart; I will do all I can to be an ambassador for the school, publicly supporting its aims, values and ethos; I will never say or do anything publicly that would embarrass the School, Head of School or staff.

Signed: Printed name:

Date:

Appendix 1: The Seven Principles of Public Life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Appendix 2: Data Protection and Information Security – Personal Data

The governing board has a collective and individual responsibility regarding confidentiality in respect of school business. In exercising their functions, governors will on occasion, have access to sensitive personal information about staff and pupils. This may, for example, relate to safeguarding, exclusion, health or conduct issues. In addition, the nature of a governor's role means that they will often receive, access and process information outside of the school premises – at home or at work. Under the Data Protection (Bailiwick of Guernsey) Law, 2017, it is particularly important that personal and sensitive information is held and handled securely. We will ensure that we are familiar with, and adhere to, the data protection principles set out in the Data Protection (Bailiwick of Guernsey) Law, 2017.

We will ensure that personal data:

- is processed fairly and lawfully
- is obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes
- is accurate and, where necessary, kept up to date
- is adequate, relevant and not excessive in relation to the purposes for which it is processed
- is not kept for longer than is necessary for those purposes;
- is processed in accordance with the rights of data subjects under the DPA;
- is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage and is not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information

With contact details, we will:

- ensure that our correct contact details (home address, phone number and email address) are held by the school to avoid misdirected communications
- ensure that our email addresses are professional and where possible, personal (ie not shared with family members)
- take appropriate steps to prevent others, including family members, from accessing confidential information

With electronic personal data, we will:

- use encryption software/strong passwords on all electronic devices which may contain personal data. This includes mobile phones, laptops, tablets and USB devices.

- password protect files containing personal data
- take all reasonable steps to keep such devices secure (eg not leaving them in cars)
- ensure that family members/work colleague who share devices, cannot access personal data

With paper-based personal data, we will:

- keep all paper-based files securely
- dispose of paper records in a secure manner