

Governor Panel Collaboration Agreement

Introduction

1. This is a Collaboration Agreement according to [Regulation 3 of The School Governance \(Collaboration\) Regulations 2003 \(England SI 2003/1962\)](#). The regulations allow for governing bodies to 'convene joint meetings' and 'exercise joint functions' in the same way that they may delegate them to a committee within either of their single governing bodies.
2. It is formed when two or more Collaborating Governing Bodies subscribe to it, to help them convene a panel - hearing or appeal - without bias for any complaint, disciplinary, exclusion review, grievance or any other matter that may arise. Subscribing bodies are listed below.
3. Any panel that is formed under this agreement will be a Joint Committee under Regulation 4 of The School Governance (Collaboration) Regulations 2003, for the duration of that panel.

Terms of Reference

Membership and Appointment

4. The Chair of Governors of the school requiring a panel will decide when it is necessary to request additional panel members. Any governor from any of the collaborating governing bodies who has no prior knowledge or involvement in the case may be a panel member. **NB Any governor who has participated in an initial hearing cannot sit on the appeal panel against that decision.** Each panel will appoint a chair once convened.

Quorum

5. A panel provided under these arrangements must consist of three governors (+one reserve) from either school. A potential appeal panel would consist of three different governors (+ one reserve)
6. The quorum will be a minimum of three governors who are full members of their body. Additional Associate Members could be added if they provided relevant skills, above the quorum of three full members.
7. It would generally be preferable that the majority of panel members come from the body forming the panel, but it is recognised that there may be circumstances that make this impossible.

Delegation of Powers

8. By subscribing to this agreement all subscribing governing bodies agree to delegate their responsibilities to the panel formed on a case by case basis and in accordance with need. The formed panels will be responsible for making any initial decision, and any subsequent appeal decision, on behalf of the governing body of the school forming those panels and subject to the policies adopted by that governing body.

Review and Duration of this Agreement

9. This Collaboration Agreement must be approved by each subscribing governing body at a meeting of the Full Governing Body.
10. The collaborative arrangements will be reviewed annually, by each governing body in line with committee review processes. The governing bodies may also wish to consider other opportunities to collaborate in the future.

11. For practicality each governing body accepts that the agreement may be authorised and managed by their clerk or chair via email. Such subscription is effective until that Full Governing Body chooses to withdraw following their annual review. This agreement stays in effect until all bodies have withdrawn.
12. Amendments to this agreement must be approved by ALL subscribed bodies in order to become effective.
13. Any governing body may withdraw unilaterally from this agreement at any time, providing they and their members are not currently involved in any joint panels. Naturally they would retain any responsibilities and liabilities for previous panels they had formed under this agreement.

Procedures and Responsibilities

Request & Offer procedures

14. When one of the collaborating governing bodies must form a panel and requires additional unbiased members, they may contact the clerks or chairs of the other bodies. The request should outline their requirement, including any timescales, but taking care to avoid disclosing specific details of the matter under investigation.
15. When offering members to other bodies, it is suggested that the clerks or chairs should reply with the following details for any of their members who have offered their availability:
 - a) name,
 - b) email and
 - c) phone contact details,
 - d) their category of governor, and
 - e) mention any panel training or experience they may have.
16. The other collaborating governing bodies offering any additional members accept that
 - a) these terms of reference are subject to the policies of the governing body that forms it, as well as any appropriate legislation and statutory guidance (including where relevant the School Staffing (England) Regulations 2009 – as amended 2015);
 - b) the proceedings from the panel will remain confidential to the body that formed it.

Responsibilities

17. The panel remains the responsibility of the governing body that forms it. That governing body must:
 - a) satisfy themselves of the suitability of any members offered by other collaborating governing bodies
 - b) ensure that all their panel/appeal/hearing members have no prior knowledge, interest or involvement in the case,
 - c) that the panel will appoint a chair once convened,
 - d) that a clerk is available (A Senior Clerk should be appointed where possible, as this process is part of their job description and requires a greater knowledge of the regulations. The clerk will act as coordinator and point of contact),
 - e) arrange and pay for any clerk and facilities required and
 - f) meet claims for appropriate expenses in line with the school's own policy for governor allowances.
18. THE GOVERNING BODY FORMING A PANEL UNDER THIS AGREEMENT ACCEPTS THAT, AS EMPLOYER, THEY RETAIN FULL LEGAL RESPONSIBILITY AND CORPORATE LIABILITY FOR ALL DECISIONS MADE BY ANY PANELS THEY FORM USING THIS AGREEMENT, AS WELL AS LIABILITY FOR DEALING WITH ANY POTENTIAL CLAIM ARISING FROM THE CASE, AND THEY RETAIN THIS EVEN IF THEY LATER WITHDRAW FROM THIS AGREEMENT.
19. It may be necessary for members of either the disciplinary panel or any potential appeal panel, to attend an Employment Tribunal to give evidence.

Version

The Agreement text above was last modified in June 2021. The status of ratification by collaborating Governing Bodies below was updated on xxxx

Date	Nature of changes to text of Agreement
XXXX [TBC]	Status of ratification by collaborating Governing Bodies finalised.
June 2021	Various improvements drawn from model collaborative agreements
10 th March 2021	Status of ratification by collaborating Governing Bodies updated.
18 th September 2019	Annual limit of duration removed. Agreement now effective until withdrawn.
12 th September 2019	Contact via clerk / chair & clarify liability on body forming panel
2 nd April 2019	Initial version

Collaborating Governing Bodies

This updated version of this agreement was ratified by:

- Cardinal Newman Catholic School –
- Cottesmore St Mary Catholic Primary School –
- St Joseph's Catholic Primary School – 24.06.2021
- St Mary's Catholic Primary School – 01.07.2021
- St John the Baptist Catholic Primary School -
- St Mary Magdalen Catholic Primary School – 12.07.2021
- Our Lady of Lourdes RC School – 16.07.2021
- St Bernadette's Catholic Primary School -

Note: it is recommended that each governing body mentions in their relevant policies – e.g. complaints, disciplinary, exclusions and grievance – that a collaboration agreement may be in place with partnering schools to ensure that the governing body has access to sufficient unbiased members for any panels that may be required.