

VIRTUAL GOVERNANCE POLICY FOR THE GOVERNING BOARD OF FAIRBURN VIEW PRIMARY SCHOOL

Adopted: 1/10/2024

Due for Review: annually

Introduction

1. The School Governance (England) (Roles, Procedures and Allowances) Regulations 2013 make provision for governing bodies of maintained schools in England to: “approve alternative arrangements for governors to participate or vote at meetings of the Governing Board including but not limited to by telephone or video conference”.
2. The requirement to be present at the meeting means that proxy voting or voting in advance of a meeting is not permitted. It is important that governors are present to hear and engage in the debate before casting their vote. However, the regulations now give boards the power to make arrangements for their members to be present at board and committee meetings ‘virtually’, for example by telephone or video conference, and therefore to participate in discussion and decision making remotely.
3. Academy governing boards should have approved their arrangements for participating and voting in virtual meetings using the provision within academy articles of association and academy committee terms of reference.
4. A simple protocol or set of ground rules (agreed by the board and documented within the minutes by the clerk/governance professional) should be in place to cover virtual meeting practices. This protocol could acknowledge existing policies relating to data protection, appropriate use of ICT and maintaining confidentiality etc. You can adapt the following model protocol to suit your own context and circumstances.
5. The expectations for virtual meetings should be understood by all to ensure meetings are productive. You may wish to make clear the importance of:
 - joining on time
 - obtaining consent for the meeting to be recorded where necessary
 - keeping to the agenda
 - using your mute button to minimise background noise
 - allowing additional time for participants to refer to documents
 - everyone to using their webcams if possible – this helps keep everyone engaged
 - using chat functions as agreed

A protocol should be put in place to ensure all Governors understand how the meetings will take place and expectations of attendance.

In relation to this, the Governing Board has adopted this policy, which outlines the arrangements that will be applied.

The arrangements outlined in the policy will apply to meetings of the Governing Board and to committee meetings.

Virtual Meeting Protocol

1. Where the governing board decides that a meeting should take place using alternative arrangements (e.g. by telephone or video conference) that have been previously agreed then the following will apply:
 - the usual (statutory) notice and arrangements for issuing papers except where the chair has exercised their right to waive the usual notice;
 - all participants to receive clear instructions regarding how to access the meeting including where they can access support if they experience difficulty;
 - all participants will note and follow any instructions given on how to manage their participation at the meeting. For example, confirming attendance, speaking through the chair of the meeting, voting on matters etc;
 - the governing board will abide by their normal rules, procedures and code of conduct adopted by the governing board and give regard to the duty to maintain confidentiality;
 - governors/trustees will contribute towards a safe and secure environment for the meeting by giving due regard to the school's policies relating to data protection and the appropriate use of ICT, and
 - the minutes of the meeting will be taken by the clerk to the governing board;
 - the meeting should not be recorded without the approval of the governing board and the consent of those participating; and
 - the use and deletion of an approved recording should be in accordance with data protection and records retention policies of the school/trust.
2. Where the governing board has approved and has in place alternative arrangements for governors/trustees to participate and vote in meetings (e.g. by telephone or video conference) and a governor/trustee wishes to use these alternative arrangements they should:
 - restrict themselves to using the arrangements agreed by the governing board;
 - inform the clerk to the governing board that this is their intention as soon as possible but no later than 72 hours before the meeting is due to take place (subject to the meeting being convened giving the normal notice period);
 - communicate and co-operate with School Governor Services, school or trust as necessary to ensure that the alternative arrangements can be put in place and work well for all concerned;
 - where approval is withheld, the reason for this will be minuted and the Governor informed immediately; and

- abide by the normal rules, procedures and code of conduct adopted by the governing board and give regard to the duty to maintain confidentiality.
3. Governors attending the meeting virtually will be entitled to vote on any issue providing they are fully aware of the subject on which a vote is taking place; this may require them to have been 'present' for the whole agenda item which the vote relates to. Where a secret ballot is required, this will be facilitated where possible (for example by taking a telephone call off speaker phone and the Governor sharing their vote verbally with the Clerk). Where this is not possible, the Governor will be asked to either vote publicly or abstain.
 4. Governors attending the meeting virtually will contribute to the quorum for the meeting. If the technological link is lost they will cease to contribute to the quorum, but this will not prevent the meeting continuing in their absence unless it has become inquorate.
 5. If, after all reasonable efforts, it does not prove possible for a Governor to participate virtually, the meeting may still proceed with its business provided it is otherwise quorate.
 6. The policy will be reviewed annually; however, any governor with concerns about its operation can request that it is reviewed at any time.