

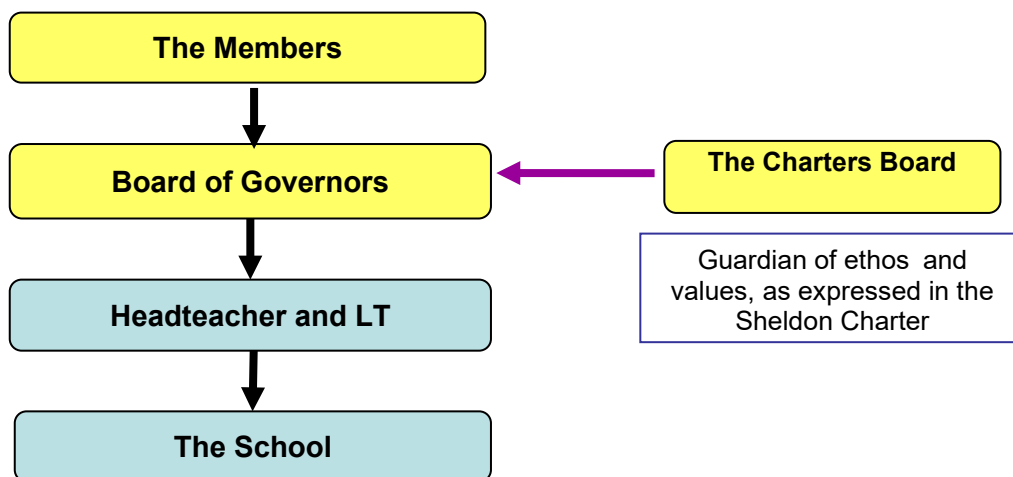
## The Sheldon School Constitution and Charters

Revised December 2023

This document constitutes “rules” as defined in sections 134 and 135 of the Articles of Association of Sheldon School

1. The school is self-governing. Legally, the structure is that of a charitable company with liability limited by guarantee.
2. In accordance with Article 94 of the Articles of Association, the business of the Academy Trust is managed by the governors who may exercise all the powers of the Academy Trust.

Figure 1 The constitutional structure of Sheldon School



3. The role of the Charters Board is extremely limited. Its sole purpose is to act as a guardian of Sheldon’s ethos and values. These values are expressed in the School Charter.
4. The Board of Governors are the directors of the Academy Trust.
5. The Board of Governors is responsible for the running of the school and for meeting all the legal requirements expected of the school. Mostly, as now, these responsibilities are delegated to the head teacher, the senior management team and other members of staff. These are codified in a **Scheme of Delegation** agreed by the Board of Governors.
6. Sheldon’s **Funding Agreement** with the DfE requires the school to
  - be at the heart of its community, promoting community cohesion and sharing facilities with other schools and the wider community;
  - be an all all-ability inclusive school;
  - have admissions policy and arrangements in accordance with admissions law, and the DfE Codes of Practice, as they apply to maintained schools;
  - Have an emphasis on the needs of the individual pupils including pupils with special educational needs and disabilities (SEND), both those with and without statements of SEND;
  - have no charge in respect of admission to the school and to only charge pupils where the law allows maintained schools to charge;
  - ensure that all teachers have access to the Teachers Pension Scheme and other employees have access to the local government pension scheme

## The Sheldon Charters

7. The Sheldon Charter and the Sheldon Employment Charter reflect the school's ethos and values, they set clear priorities for the Board of Governors, and they provide a legal constraint on the actions of the Board of Governors.

### The Sheldon Charter

The school aims to enable all young people to become:

- Successful, independent learners who enjoy learning, make progress and achieve
- Confident individuals who are able to live safe, healthy and fulfilling lives
- Responsible citizens who make a positive contribution to society

And to that effect the Board of Governors will:

1. value the individual needs of all pupils
2. maintain a comprehensive school with non-selective intake of pupils at age 11
3. provide an education of excellence to enable all pupils to make the very best use of their individual talents and abilities
4. maintain a broad, balanced and appropriately challenging curriculum catering for the needs of all pupils
5. encourage pupils to take pride in their membership of the Sheldon community and to contribute to the running of the school
6. provide and maintain a safe, caring and stimulating physical, social and learning environment
7. engage with parents, the community and other schools to improve educational outcomes for all pupils
8. value equally the contribution of all staff to the success of Sheldon School
9. commit to the development and job satisfaction of staff and honour the Sheldon Employment Charter
10. Maintain a balance between the charters within the financial resources of the school

## The Sheldon Employment Charter

The Board of Governors of Sheldon School will:

1. Continue to employ all teachers on a fair basis with consideration to national guidelines and any nationally agreed terms and conditions
2. Continue to employ all support staff on a fair basis with consideration to the Wiltshire LA terms and conditions and, where appropriate, any nationally agreed terms and conditions.
3. Continue to value and recognise membership of trade unions and professional associations
4. Continue to abide by relevant national collective agreements
5. Ensure a commitment to ongoing professional development for all staff

8. The Board of Governors is required to honour the charters. (The Board of Governors would be acting “ultra vires” or beyond its powers if it failed to do so.)
9. It is the main purpose of the Charters Board to ensure that the charters are being honoured. Any changes to the charters must be agreed by a simple majority of the Board of Governors and then by a 75% majority of the Charters Board.

### Members of the Academy Trust

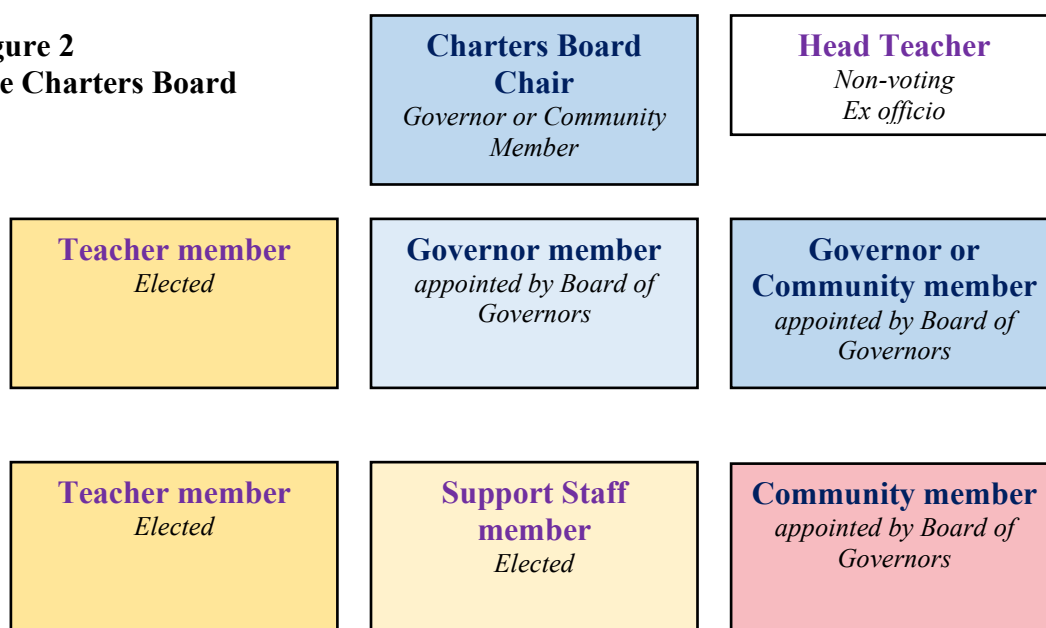
10. Unless otherwise permitted by the Articles of Association, the Members of the Academy Trust are appointed by the Board of Governors and comprise the following:
  - Chair of Governors
  - Up to seven Members that are independent of the Board of Governors and Sheldon Charters Board, and are not employees of Sheldon School
11. The powers of the Members are as set out in the Articles of Association, Company Law, Charity Law and their Terms of Reference.
- 11a. The Members will meet with governors once a year for an Annual General Meeting, prior to a meeting of the Board of Governors.

### The Charters Board

12. The role of the Charters Board is to be the guardian of the school’s ethos and values. Its main duty is to ensure that the Sheldon Charter and the Sheldon Employment Charter is being honoured.
13. The Charters Board will comprise:
  - two teacher members elected by the teaching staff
  - one support staff member elected by the support staff
  - the head teacher, who will be a non-voting member
  - four other members, who may not be members of the school staff, appointed by the Board of Governors. They will include:
    - at least one who will be a member of the Board of Governors

- at least one who will not be a member of the Board of Governors
- at least one who is a Parent Governor

**Figure 2**  
**The Charters Board**



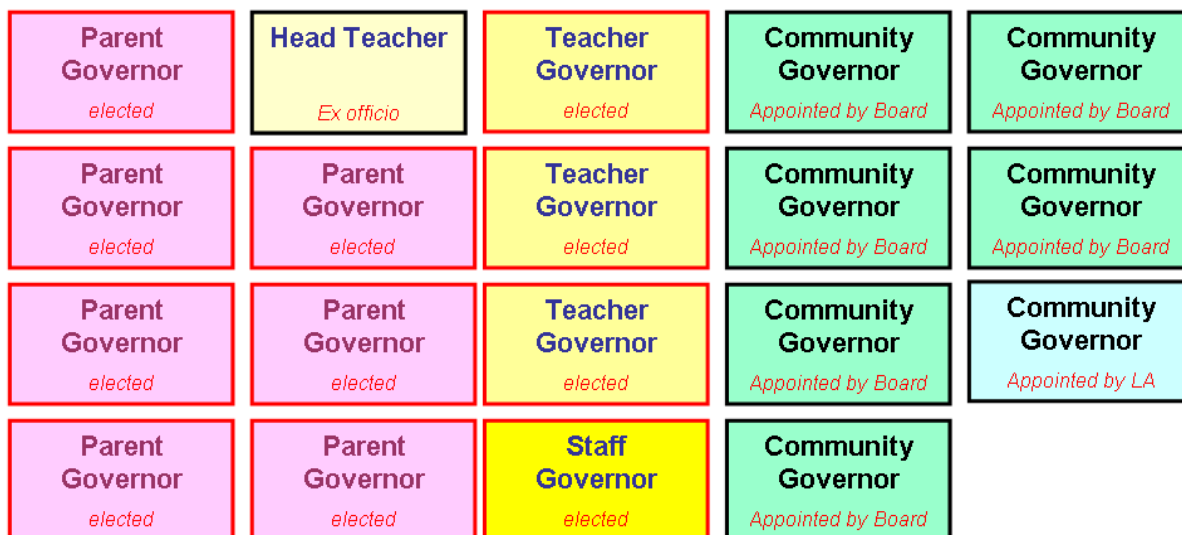
- Teacher and staff members must have been employed at Sheldon for at least two years.
- The terms of office for Charters Board members will be four years. Any member may be re-elected or reappointed to further terms of office. Charters Board membership will cease if the member resigns or, in the case of an appointed member, is removed by a unanimous vote of the other members.
- Charters Board decisions relating to:
  - changes in the Sheldon Charters,
  - changes to the school's constitution or
  - acceptance of the Board of Governors Annual Report
 will require a 75% majority of the Charters Board. The quorum is 6 of the 7 voting members.
- Other decisions of the Charters Board will require only a simple majority.
- The Charters Board will elect a Charters Board Chair who may not be a school employee (and who is preferably not a governor).

### The Board of Governors

- The Board of Governors is responsible for entering into the Funding Agreement with the DfE and for the running of the school, and for meeting all the legal requirements expected of the school. Mostly, these responsibilities are delegated to the Head Teacher, the Senior Management Team and other members of staff.
- The Board of Governors will comprise:
  - seven parent governors elected by parents

- three teacher governors elected by teachers
- one staff governor elected by the non-teaching staff
- the head teacher, as an ex-officio governor
- six community governors appointed by the Board of Governors
- one community governor appointed by the local authority (or by the Board of Governors if the local authority fails to make a nomination).

**Figure 3 The Board of Governors**



21. The Board of Governors will be able to appoint up to three non-voting Associate Governors.
22. The deputy head teachers and School Business Manager will attend meetings of the Board of Governors. They may play a full part in discussions, but may not vote.
23. The School Council has the right to send one or two pupils to attend and speak at any meeting of the Board of Governors. These pupils will not be governors and will not have voting rights.
24. Decisions of the Board of Governors will be made by simple majority.
25. The Chair of the Board of Governors, and a vice chair, will be elected every year by the Board. Employees of the school are not permitted to be elected to these roles.
26. The Board of Governors will agree a Scheme of Delegation by which many of its responsibilities will be delegated to the head teacher, the senior management team and other school employees.

### **The Annual Report from the Board of Governors to the Charters Board**

27. The Board of Governors will present an annual report to the Charters Board. It will record how the Board of Governors is meeting the Sheldon Charters.

28. If they wish, the Board of Governors may choose for this report to be written as an annual report to parents and others by containing reports on the preceding school year, examination results, finance, admissions and other relevant information. It may be published for parents and others.
29. The Charters Board can accept the report outright, accept it with comments, or reject it with recommendations. It requires a 75% majority to accept the report.
30. The Charters Board members who vote against the report and thereby prevent a 75% majority should record their reasons for rejection for consideration by the Board of Governors.
31. If a report is rejected, the Board of Governors is then required to address the identified concerns.
32. The Charters Board, by a simple majority vote, can request extraordinary reports from the Board of Governors on matters directly related to the Sheldon Charters.
33. The Annual Report will be presented to the Charters Board at a meeting of the Board of Governors to which the Charters Board is invited
34. The Charters Board will meet to consider the annual report. Any two members of the Charters Board can call an extraordinary meeting of the Sheldon Charters Board at other times.

### **Appointing a Head Teacher**

35. A joint committee of governors and Charters Board members will be constituted to agree (rather than carry out) the selection process for a new Head Teacher.
36. The Board of Governors will put forward three members (with no more than one teacher or staff governor) and the Charters Board will put forward two members (with no more than one teacher or staff member). This joint committee will agree the appointment process, with the advice of the SMT, and may involve any governors, Charters Board members, staff or others of their choosing.

### **Election Arrangements for Charters Board and Board of Governors**

37. When elections are required for a single vacancy, a simple first-past-the-post ballot will be held. When elections are required for more than one vacancy, the single transferable vote system will be used.

### **Changing the Constitution or Charters**

38. Changes to the school's constitution or charters, as outlined in this document, must be agreed by a simple majority of the Board of Governors and a 75% majority of the Charters Board.
39. The Charters Board may choose to submit a resolution to the Board of Governors to begin this process.

## Notes

- *Paragraph 28 changed by vote of the Trust Board March 2015 and the Board of Governors May 2015.*
- *Point 1 of the Sheldon Employment Charter changed by vote of the Trust Board and Board of Governors July 2015.*
- *Revisions to Members and Charters Board, and addition of Sheldon Charter point 10 approved by vote of the Trust Board and Board of Governors Nov/Dec 2015.*
- *Point 2 of the Sheldon Employment Charter changed by vote of the Board of Governors (May 2016) and the Charters Board (October 2016).*
- *Revision to Members of the Academy Trust changed by vote of the Board of Governors and the Sheldon Charters Board October 2019.*
- *Paragraph 33 changed by vote of the Charters Board and Board of Governors December 2020.*
- *Paragraph 11a inserted by vote of the Charters Board and Board of Governors December 2020.*