
Gov 5 **BOARD COMMITTEES**

Link to: *Board Annual Agenda*

- **Background**

Section 66 of the Education Act 1989 gives boards the power to delegate any of its powers or functions (other than the general power of delegation or the ability to borrow money) to individual trustees, any employees of the board, or a committee consisting of at least 2 members (at least one of whom is a trustee).

It is important for a board to note that delegations must be made by formal resolution, and be advised in writing to the person(s) concerned. Also, a delegation continues in force until it is formally revoked, even if the membership of the committee or the board changes.

Before establishing formal committees a board needs to consider carefully the fragmenting effect they may have on decision-making power within the board, and whether a more informal “working group”, which reports back to the whole board, may serve the specified purposes just as well or better.

Gov 5 **BOARD COMMITTEES**

- 5.1 The Board may set up, at its discretion, committees to help carry out its (not the school management’s) responsibilities.
- 5.2 Committees:
 - a. are to be used sparingly to preserve the Board functioning as a whole.
 - b. may use non-trustees as sources of advice, but only trustees can be part of the formal decision-making process.
 - c. may not speak for the Board except when formally given such authority for specific and time-limited purposes.
 - d. are to have clearly defined terms of reference which are appropriately minuted.
 - e. all delegations of authority to a committee are to be specified and clearly recorded in the Board’s minutes.
- 5.3 All committees and delegations to them will be reviewed annually.