

# ACORN MULTI ACADEMY TRUST

## TERMS OF REFERENCE: LOCAL GOVERNING BODY

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Adopted by Trust Board: 11<sup>th</sup> October 2017

Review Timetable: Annual

Review Date: September 2018

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### **1 POWERS OF THE TRUST BOARD OF DIRECTORS**

- 1.1 The Directors of the Trust Board shall establish the Local Governing Body (LGB) as a committee of the Trust as set out in the Trust's Articles of Association (Article 100).
- 1.2 As a charity and company limited by guarantee, Acorn Multi Academy Trust (the "Trust") is governed by a Board of Directors (the "Directors") who have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and running of the academies run by the Trust.
- 1.3 The Directors shall determine and approve the Local Governing Body Terms of Reference and shall review the Terms at the start of each academic year (Article 104).
- 1.4 The Directors shall determine and approve the delegation of powers, responsibilities and duties to the Local Governing Body and shall review this Scheme of Delegation at the start of each academic year (Article 105).
- 1.5 The Directors shall have the right to intervene in the governance of an academy where it has serious cause for concern, including;
  - 1.5.1 Standards of performance of pupils at the Academy are unacceptably low,
  - 1.5.2 Serious breakdown in the way the Academy is governed or managed,
  - 1.5.3 Safety of pupils or staff is threatened,
- 1.6 The Trust Scheme of Delegation is attached as Annex 1.

### **2 CONSTITUTION OF THE LOCAL GOVERNING BODY COMPOSITION AND APPOINTMENT**

- 2.1 The composition of the Local Governing Body shall be as follows;
  - 2.1.1 The number of people sitting on the LGB must not be less than five
  - 2.1.2 Normally up to 8 members, known as 'Governors'
  - 2.1.3 The Head of School on an ex-officio basis
  - 2.1.4 At least two (2) but no more than three (3) Parent Governors elected by the parents or carers of registered pupils at the academy,
  - 2.1.5 At least one (1) but no more than two (2) Staff Governors elected by the staff of the academy,
  - 2.1.6 Church schools to have a majority of foundation governors, appointed by the Trust Board under Article 101.
  - 2.1.7 Community schools to have community governors, appointed by the Trust Board under Article 101.
  - 2.1.8 The LGB may also have co-opted governors or associate governors, appointed by the Trust Board

- 2.1.9 The Directors (all or any of them) may also serve on a LGB and may attend any meetings of the LGB. Any Director attending a meeting of the LGB shall count towards the quorum and shall be entitled to vote on any resolution being considered by the LGB.

#### **TERM OF OFFICE AND RESPONSIBILITIES OF GOVERNORS**

- 2.2 The Committee shall be responsible for the matters set out in [Schedule 1](#).
- 2.3 The Term of Office for Governors is 4 years, save the Headteacher/Head of School of the Academy (as applicable) who shall remain a LGB member until he or she ceases to work at the Academy.
- 2.4 Subject to remaining eligible as a member of the LGB, any person may be re-appointed or re-elected to the LGB.
- 2.5 In the event of a member of the LGB having served two consecutive terms [commencing with effect from 16 March 2016], if they wish to serve a third term the Board's approval will need to be obtained in advance of the appointment.
- 2.6 All persons appointed or elected to the LGB shall give a written undertaking to the Directors to uphold the Objects of the Trust (Code of Conduct).
- 2.7 On appointment, Governors are each required to familiarise themselves and to agree to comply with;
- 2.7.1 Trust Articles of Association,
  - 2.7.2 Trust Financial Regulations,
  - 2.7.3 These Terms,
  - 2.7.4 Current relevant legislation and guidance for Governors, including the 'Governance Handbook' and 'Keeping Children Safe In Education'
  - 2.7.5 The Scheme of Delegation

#### **RESIGNATION AND REMOVAL**

- 2.8 A person serving on the LGB shall cease to hold office if:
- 2.9 He or she resigns his or her office by giving notice in writing to the clerk;
- 2.10 The Headteacher/Head of School or a staff LGB member ceases to work at the Academy;
- 2.11 The Directors terminate the appointment of a LGB member whose presence or conduct is deemed by the Directors, at their sole discretion, not to be in the best interests of the Trust or the Academy.
- 2.12 For the avoidance of doubt, a parent governor shall not automatically cease to hold office solely by reason of their child ceasing to be a pupil at the Academy.

#### **APPOINTMENT OF THE LOCAL GOVERNING BODY CHAIR AND VICE CHAIR**

- 2.13 The Local Governing Body shall elect the Chair and Vice Chair.
- 2.14 The Trust Board shall have the right to remove the Chair and/or Vice Chair,
- 2.15 The term of office for Chair and Vice-Chair will be 1 year and they shall be elected at the first meeting of each school year, and, in particular;
- 2.15.1 The Chair and Vice Chair will be elected by a secret ballot, conducted by the Clerk to the Local Governing Body.
  - 2.15.2 Governors will be able to submit written nominations prior to the meeting and verbal nominations at the meeting. A Governor can nominate him/herself for office and does not need to be present.
  - 2.15.3 Nominee(s) will be asked to leave the room whilst the election takes place. If there is more than one nominee, the remaining Governors will take a vote by secret ballot and the Clerk will tally the vote.

- 2.15.4 If there are more than three nominees per office, the nominee polling the least votes shall be eliminated and a further vote taken. If there is a tie the Governors shall discuss the strengths of nominees and a further vote taken. This process will continue until a nominee polls a majority of votes.

### **3 PROCEEDINGS OF THE LOCAL GOVERNING BODY**

#### **MEETINGS**

The Local Governing Body shall meet at least once per term and in particular;

- 3.1 The Local Governing Body shall meet at the appropriate times set out in the Trust Business Calendar,
- 3.2 The Governors will receive notice of each meeting 7 clear days before the date of the meeting,
- 3.3 Where there are matters demanding urgent consideration, the Chair or, in his or her absence, the Vice-Chair, may waive the need for seven days' notice of the meeting and substitute such notice as he/she thinks fit,
- 3.4 Any member shall be able to participate in meetings of the LGB by telephone or video conference provided that he/she has given reasonable notice to the clerk of the LGB and that the LGB have access to the appropriate equipment.

#### **QUORUM**

- 3.5 Quorum for a meeting of the Local Governing Body will be one half (1/2) of a number of Governors entitled to vote.

#### **VOTING**

- 3.6 Each question to be decided at a meeting of the Local Governing Body shall be determined by a majority of votes of Governors present and eligible to vote on the question. In the event that there are equal votes on the question then the Chair shall have an additional casting vote.
- 3.7 Any LGB member who is also an employee of the Trust shall withdraw from that part of any meeting of the LGB at which his or her remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.

#### **CONFLICTS OF INTEREST**

- 3.8 Any LGB member who has or may have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest as defined below) which conflicts or may conflict with his or her duties as a LGB member of the LGB shall disclose that fact to the LGB as soon as he or she becomes aware of it. A person must absent himself from any discussions of the LGB in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 3.9 An LGB member has a Personal Financial Interest if he or she, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the LGB member or any person living with the LGB member as his or her partner, is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the Academy.
- 3.10 The CEO, Head of School and staff governors shall be deemed to have declared their personal interest as employees of the Trust.

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#### **MINUTES OF MEETINGS**

- 3.11 Minutes will be signed by the Local Governing Body Chair at the next meeting to verify that the minutes are a true record.
- 3.12 The clerk to the LGB shall ensure that a copy of the agenda, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the Company Secretary of the Trust.

#### **4 LGB COMMITTEES AND WORKING GROUPS**

- 4.1 The Local Governing Body shall establish an Admissions Committee and Working Groups or Subcommittees as it sees fit to fulfil its powers, responsibilities and duties.
- 4.2 The Local Governing Body will be able to invite up to two non-Governors to serve in working groups or subcommittees, subject to the approval of the Trust Board and provided that such individuals are in a minority.
- 4.3 Subject to the prior agreement of the Directors, the LGB may delegate to a subcommittee or any person serving on the LGB, working group, the Headteacher or Head of School (as applicable) or any other holder of an executive office, such of their powers or functions as they consider desirable. Any such delegation may be made subject to any conditions either the Directors or the LGB may impose and may be revoked or altered. The person or subcommittee shall report to the LGB in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the LGB immediately following the taking of the action or the making of the decision.
- 4.4 The Local Governing Body will set out subcommittee/working group Terms of Reference and membership to be agreed and reviewed at the first meeting of the Local Governing Body each school year.

#### **5 REPORTING PROCEDURES**

- 5.1 The LGB will submit a report to the Trust Board on a termly basis, a template of the report is attached as Annexe 2.
- 5.2 The LGB shall conduct an annual self- evaluation and review of its work and performance and shall report the outcome and development plan to the Trust Board.
- 5.3 Governors should complete annual skills audits to arrange appropriate governor training and recruitment to fill vacancies

#### **6 GOVERNORS' EXPENSES**

- 6.1 The Trust Board shall set out a policy for payment of exceptional expenses incurred by Governors, subject to prior application and approval by the Chair of the Local Governing Body

## SCHEDULE 1

### DELEGATED RESPONSIBILITIES OF THE LOCAL GOVERNING BODY

*Multi Academy Trusts may use their powers to delegate functions and decisions to committees or individual governors. It is the overall Multi Academy Trust Board, however, that in all cases remains accountable in law and to Ofsted for the exercise of its functions. (Governance Handbook, 2017)*

#### SUMMARY

The Governors shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation, and in particular;

- to carry forward the Trust's vision in ways that are appropriate to the academy's status, pupils, staff and community,
- to implement policies, plans and actions to comply with statutory regulations, the Trust's policies and procedures and the decisions of the Directors,
- to develop and recommend the Academy Targets and Performance Review to the Trust Board and monitor progress towards the approved targets
- to approve and monitor the School/Academy Development Plan to achieve the approved Academy Performance Targets,
- to oversee the financial governance and operation of the academy to comply with the Trust's financial regulations, policies and procedures, including monitoring the academy's annual budget,
- to monitor the performance management of teaching staff and pay progression, to comply with statutory regulation and the Trust's HR regulations, policies and procedures,
- To review and approve an annual cycle of business

#### 1. SCHOOL IMPROVEMENT & STANDARDS

- 1.1. To hold the leadership to account for academic performance, quality of care and quality of provision.
- 1.2. To develop and recommend the Academy Targets and Performance Review to the Trust Board and monitor progress towards the targets approved by the Trust Board
- 1.3. To approve and monitor the School Development Plan to achieve the approved Performance Targets
- 1.4. To review and evaluate the success and impact of the School Development Plan in conjunction with the Head, senior leadership team and/or subject leaders, in accordance with the agreed formal monitoring arrangements. To identify areas for additional support/intervention and recommend allocation of resources.
- 1.5. To consider and evaluate standards and performance of the Academy against KPIs set by the Trust Board
- 1.6. To review and interrogate the external data available for the school and report/explain key messages, including benchmarking information. Ensure that governors involved with data analysis have current valid training to support their role. Ensure there is a link to the DfE school performance table website on the school website.
- 1.7. To support the Head in the creation, implementation and monitoring of the self-evaluation form (SEF) and any post-Ofsted action plan
- 1.8. To monitor the overall effectiveness and efficiency of leadership and management at the Academy
- 1.9. To receive reports on the quality of teaching and learning
- 1.10. To review any reports from the SIP (School Improvement Partner) or other external bodies in relation to the standards and achievement of the Academy

## **2. SEN & INCLUSION**

- 2.1. To ensure the needs of all pupils are met by ensuring the relevant policies, practices and procedures are in place and being implemented effectively for all vulnerable groups
- 2.2. To designate a governor to be responsible for monitoring SEN, Looked After children and Pupil Premium, ensure that the SEN governor has current valid training to support their role
- 2.3. To ensure that the requirements of children with Special Education Needs and Disabilities are being met by monitoring the implementation and effectiveness of the SEND Policy, including provision for more able children. Highlight any resourcing/finance/staffing issues, report to the trust board
- 2.4. To ensure relevant information relating to SEN is published on the school website.
- 2.5. To ensure the governing body meets their statutory duty to be involved in the formulation of the 'Local Offer' with the Local Authority. (The LA has a legal duty to involve parents, children & young people in the development of the local offer, i.e. what can be expected for all children & young people with SEND)
- 2.6. To consider and evaluate the effective use of the Pupil Premium funding by the school. Monitor and evaluate the impact of Pupil Premium and Sports Grant funding and report to trust board. Ensure information is published on the school website to show how the money has been spent and outcomes achieved.
- 2.7. To ensure that the school meets the statutory requirements relating to equality legislation including providing information on the school website to comply with the Public Sector Equality Duty
- 2.8. Review equality objectives, including data analysis
- 2.9. Approve and monitor the Attendance Policy. Ensure an attendance register is taken daily at school. Monitor pupil attendance and set targets as necessary. Review and evaluate progress towards these targets.
- 2.10. To monitor exclusion procedures and exclusion data, including pupils on a part time curriculum.
- 2.11. To review and agree, with the Head of School, the Behaviour Policy and Behaviour Principles. Ensure the Policy and relevant information is published on the school website and there is continuity of application throughout the school. Monitor implementation of the Behaviour Policy.
- 2.12. Establish an Accessibility Plan and review it every 3 years (see premises)

## **3. CURRICULUM**

- 3.1. To ensure that the curriculum is rich, balanced and broadly based and to review other curriculum issues such as spiritual, moral, social and cultural learning and extra-curricular activities
- 3.2. To evaluate information from the head, subject leaders and staff about how the curriculum is taught, evaluated and resourced, provision for more able children. Highlight any resourcing/finance/staffing issues, report to the trust board
- 3.3. To review and monitor the policies for sex & relationships and collective worship
- 3.4. To agree the arrangements for educational visits and ensure that they are in line with current Devon County Council guidance (link to Health and Safety)
- 3.5. To develop and review a monitoring procedure and cycle for governors focussing on specific areas of the curriculum, linked to the School Development Plan. Link to an agreed programme of termly governor visits
- 3.6. To review the policy and protocol for governor visits to the school. Ensure all governors are aware of and following the agreed structure by monitoring its implementation.
- 3.7. To monitor and evaluate the provisions of the curriculum to account for the needs of children with SEND

- 3.8. To ensure that effective arrangements are in place for pupil support and representation, for monitoring pupil attendance and for pupil discipline
- 3.9. To ensure statutory information relating to the curriculum is published on the school website

#### **4. SAFEGUARDING**

**It is the responsibility of the Local Governing Body to ensure that the school's safeguarding, recruitment and managing allegations procedures take into account the procedures and practice of the local authority and DSCB and national guidance.**

- 4.1. To designate a governor to be responsible for safeguarding, with Terms of Reference in place
- 4.2. To ensure the Safeguarding Governor(s) undertakes appropriate governor training in order to fully understand their role.
- 4.3. For the designated governor to keep the Local Governing Body up to date with work undertaken through regular (termly) written data reports supplied to the clerk to disseminate to the LGB.
- 4.4. To monitor and evaluate the school's application of the Safeguarding Policy and procedures agreed by the Trust Board, including the staff behaviour policy/code of conduct.

#### **5. PARENTS & COMMUNITY**

- 5.1. To promote partnership working between parents/carers and the school to promote high standards of attendance, behaviour and learning by pupils
- 5.2. To assist the head of school in promoting good relationships and communication with parents and the wider community.
- 5.3. Ensure that the needs of stakeholders are monitored and responded to effectively
- 5.4. To undertake consultation with pupils, parents / carers and other stakeholders as part of a programme of regular self-evaluation by the school to assess its performance against its stated aims and objectives
- 5.5. To ensure that such feedback is used to support the development of best practice and to promote the quality of the overall pupil experience.
- 5.6. To ensure a Complaints Procedure is in place, monitored and followed. Review complaints and look for any common themes. Investigate any changes in practice required and recommend to the trust board.

#### **6. SIAMS & ETHOS (CHURCH SCHOOLS)**

- 6.1. To preserve and develop the Christian character and distinctiveness of the Academy in accordance with the principles of the Church of England and in partnership with the church at parish, deanery and diocesan level. To ensure that this is communicated to all stakeholders in appropriate communications, including the school's website.
- 6.2. To focus on the impact of the School's Christian distinctiveness in meeting the needs of all pupils.
- 6.3. To develop, monitor and evaluate the delivery of the Academy's SIAMS improvement plan, reporting annually to the Board and through the MAT Ethos Committee
- 6.4. To monitor and evaluate the effectiveness & impact of Collective Worship and teaching in RE and seek to share good practice across the MAT.
- 6.5. To ensure that all foundation governors take part in Diocesan Governance training at least annually.

#### **7. FINANCE**

- 7.1. To review & monitor the Academy Risk Register and report on risks to the Trust Board

- 7.2. To regularly monitor income and expenditure against budget with the Head of School, noting any significant budget amendments/variances

## **8. STAFFING/HEAD TEACHER/HEAD OF SCHOOL APPOINTMENTS**

- 8.1. Academy staffing structure, review and agree
- 8.2. To monitor the performance management of teaching staff and pay progression, to comply with statutory regulation and the Trust's HR regulations, policies and procedures
- 8.3. To approve teaching staff appointments, recommended by the Head of School
- 8.4. The Local Governing Body of an academy shall lead the process to appoint the Headteacher or Head of School and set up an appointment panel including up to three Governors, the Chief Executive and a Trust Director.
- 8.5. This Appointment panel shall manage the appointment process and make a recommendation for the appointment of a candidate to the Trust Board for approval, giving the views of the Chief Executive and Trust Director reasonable weight in this process.

## **9. PREMISES & HEALTH AND SAFETY**

- 9.1. To assist the head(teacher) and discharge the responsibilities of the local governing body on matters relating to the school premises and grounds, security and environment.
- 9.2. To agree a lettings policy
- 9.3. To agree, evaluate and review the schools Accessibility Plan
- 9.4. Review catering/school meals/ nutritional policy.
- 9.5. Monitor implementation of H&S Policy
- 9.6. Notify the Trust of any changes to fixed assets used by the Academy
- 9.7. To ensure the school has an educational visits policy and suitably trained educational visits co-ordinators

## **10. OTHER**

- 10.1. To establish an 'Admissions Committee' and to decide the allocation of places against the approved academy admissions policy

## **POLICIES**

## **SCHEDULE 2**

### **MEMBERSHIP OF THE LOCAL GOVERNING BODY**

**Chair:**

**Governors:**

**Clerk:**

Veronica Dower