

Leading Learning Trust school local governing bodies: terms of reference

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**Leading
Learning Trust**



The Board of the Leading Learning Trust has established a local governing body for each academy as committees of the Trust Board.

Membership

The membership of each local governing body shall be:

- 2 parent governors elected by parents or guardians of registered pupils
- 1 staff governor elected by staff permanently employed at the academy
- 1 Headteacher or Head of school (by virtue of office)
- 2 co-opted governors appointed by the local governing body
- 2 to 4 governors appointed by the Trust Board

Note 1: The number of parent governors shall be made up by persons appointed by the local governing body if the number of parents standing for election is less than the number of vacancies. Any person appointed shall be a parent of a registered pupil or a parent of a child of or under compulsory school age. No parent governor shall be an employee of the Academy Trust at the time of their election or appointment, unless they are employed for less than 500 hours per year.

Note 2: When complete each local governing body will have 8 to 10 members, but it may continue to act notwithstanding a temporary vacancy in its composition provided that there are at all times a minimum of three governors.

Terms of office

The term of office for all elected and appointed governors should be for four years. Unless agreed otherwise by the Board, no elected or appointed governor can serve for more than three consecutive terms of office, i.e. twelve years. In this connection, a governor's term of office shall not include any time served as a governor of the predecessor school of the academy.

The Head of school is a governor by virtue of their office and continues to serve as a governor until s/he ceases to be Head of school.

Chair and vice-chair

At its first meeting and then every 12 months thereafter, the local governing body shall elect a chair and vice-chair from among the members who are not employees of the Academy Trust and recommend them for appointment by the Board.

The chair and vice chair can stand for re-election while they continue to be eligible members of the local governing body. If the chair or vice-chair becomes



employees of the Academy Trust they must immediately resign as chair or vice-chair.

In the absence of the chair, the vice-chair assumes the duties of the chair. In the absence of both the chair and the vice-chair, the local governing body shall appoint a chair for the meeting from among the members who are not employees of the Academy Trust.

The chair and the vice-chair can be removed from office as chair and vice-chair by the Trust Board.

Resignations and removal

A governor may resign from office at any time by giving written notice to the chair and the clerking service.

Any appointed governor can be removed from office by the appointing body or the Trust Board. Any governor whose presence or conduct is deemed by the trustees not to be in the best interests of the Trust or the academy can be removed from office by the Trust Board. The staff governor or Head of school shall cease to hold office if they cease to be employed at the academy. A parent governor will not automatically cease to hold office if their child ceases to be a pupil of the academy.

Responsibilities

The local governing body is responsible for implementing the Trust's vision, values, aims, objectives and policies. The extent of its responsibilities are set out in the schedule appended to these terms of reference.

Persons ineligible to be a governor

No person shall be qualified to serve on the local governing body unless s/he is aged 18 or over at the date of their election or appointment.

A person serving on the local governing body shall cease to hold office if they become incapable by reason of illness or injury of managing or administering their own affairs.

A person serving on the local governing body shall cease to hold office if they are absent without the permission of the local governing body from all the meetings of the local governing body held within a period of six months and the local governing body resolves that their office be vacated.



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A person shall be disqualified from serving on the local governing body if:

- *their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or*
- *they are the subject of a bankruptcy restrictions order or an interim order.*
- *at any time when they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).*
- *they would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).*
- *they have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or which they by their conduct contributed to or facilitated.*

A person shall be disqualified from serving on the local governing body at any time when they are:

- *included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or*
- *disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or*
- *barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).*



A person shall be disqualified from serving on the local governing body where they have, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.

A person shall be disqualified from serving on the local governing body where they fail to comply to apply for a DBS enhanced disclosure within six weeks of their appointment.

Where a person becomes disqualified from serving on the local governing body, they shall upon becoming so disqualified give written notice of that fact to the chair of the local governing body who shall inform the Trustees.

Meetings and proceedings

The local governing body shall meet at least three times a year and preferably once a term. All meetings shall be convened and clerked by the clerking service appointed by the Trust Board.

All governors shall receive a copy of the agenda at least fourteen-calendar days in advance of the meeting. A special meeting shall be called by the clerk whenever requested by the chair or at the request in writing by any three governors. For reasons of urgency, the chair or, in his/her absence, the vice-chair may waive the need for seven days' notice of the meeting and substitute such notice as s/he thinks fit.

The convening of a meeting and the proceedings conducted shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

Meetings of the local governing body shall be quorate if 50% of governors in office at the time of the meeting are present, subject to a minimum of three. If the number of governors present at the meeting does not constitute a quorum, the meeting shall not be held. If in the course of a meeting the number of governors present ceases to constitute a quorum, the meeting shall be adjourned.

If a meeting cannot proceed or continue for the lack of a quorum, the chair shall determine the time and date at which a further meeting shall be held and shall direct the clerk to convene the meeting accordingly.

Every question to be decided at a meeting shall be determined by a majority of the votes of the governors present and voting on the question. Every governor



shall have one vote. Where there is an equal division of votes the chair of the meeting shall have a second or casting vote.

No resolution may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.

Any governor who is also an employee of the Trust shall withdraw from that part of any meeting at which their remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.

A resolution in writing, signed by all the governors, shall be valid and effective as if it had been passed at a meeting of the governors. Such a resolution may consist of several documents in the same form, each signed by one or more of the governors.

Any governor shall be able to participate in meetings of the governors by telephone or video conference provided that s/he has given reasonable notice to the clerk and that the governors have access to the appropriate equipment.

When requested by the Trust Board, the chair of the local governing body will attend Trust Board meetings.

Minutes

At every meeting of the local governing body the minutes of the last meeting shall be an agenda item, and, if agreed to be accurate, shall be signed as a true record.

Delegation of functions

The local governing body may establish committees to consider decisions to exclude pupils and to hear parental complaints. The local governing body may also establish committees or appoint individual governors to fulfil requirements as stipulated in various Trust Board policies. Committees may also be established to carry out other functions where this is a requirement of Trust Board.

Review of terms of reference

These terms of reference will be reviewed by the Trust Board on an annual basis, but can be revoked or modified by the Trust Board at any time.

Key powers, duties and responsibilities

The local governing body is accountable for the powers, duties and responsibilities delegated to them by the Trust Board, details of which set out within the Scheme of Delegation. In order to hold the academy leadership to



account all local governing body members are expected to ensure that they are familiar with the academy through visits, training and reading.

The local governing body is responsible for the following:

1 Governance

- To carry out an annual self review and skills and diversity audit, acting upon any findings.
- To ensure that the local governing body functions effectively and that vacancies are filled in a timely fashion.
- To maintain a record of interests
- To ensure the implementation of the Trust Board's plan and decisions
- To ensure the implementation and monitoring of the Trust Board's policies relating to the school (policy schedule appended)

2 Strategic

- To respond to consultation on the Trust's vision, aims, objectives, growth strategy and development plans
- To carry forward the Trust's vision and develop the ethos of the trust as appropriate to each academy.
- To ensure that the academy and Trust's reputation is maintained.

3 Standards

- To approve the school development plan* and monitor its implementation
- To set school attainment and attendance targets* and to monitor progress
- To approve the school self-evaluation review*
- To hold the school leadership to account for educational standards and quality of provision and for promoting high standards of educational achievement.
 - *Board approves for Portway*

4 Staffing

- To approve the staffing structure* and to ensure that the costs remain within budget
- To recommend candidates for appointment as headteacher
- To respond to consultation on Trust staffing policies and ensure their implementation
- To respond to consultation on the Trust's equality objectives that relate to staffing and ensure their implementation
- To establish a committee to hear staffing appeals in line with Trust staffing policies

* *Board approves for Portway*

5 Pupils

- To respond to consultation on the admissions policy and plans to expand pupil numbers or the age range
- To establish a committee to hear exclusion appeals in line with Trust policy
- To respond to consultation and ensure implementation of the school terms and holiday dates
- To respond to consultation and ensure implementation of agree the times and school sessions
- To approve the school uniform policy
- To monitor implementation of the Trust's safeguarding policy and child protection procedures
- To respond to consultation on the Trust's equality objectives that relate to pupils and ensure their implementation

6 Finance

- To ensure the implementation of the Trust's financial regulations and procedures
- To respond to consultation on the Trust's financial strategy (three year plan)
- To implement the annual budget plan approved by the Board and to monitor expenditure to ensure that it remains within budget
- To monitor the implementation and impact of pupil premium and other related grants
- To comply with requests for financial information and to fully cooperate with internal audit reviews and the implementation of any findings

7 Premises and equipment

- To ensure that capital projects approved by the Board are implemented
- To monitor the implementation of Trust health and safety policies

8 Community engagement

- To respond to consultation on the school prospectus
- To ensure that the information on the school website remains up to date and compliant with reporting requirements
- To ensure implementation of the Trust's community engagement strategy
- To ensure implementation of the parental involvement strategy
- To ensure complaints are addressed in line with the Trust's policy

The local governing body is responsible for reviewing these terms of reference



The Trust Board is responsible for approving these terms of reference

See policy tracker document for policy details