

## Local Governing Board (LGB) Terms of Reference Updated July 2022

### **Membership**

The membership of a Local Governing Board at individual academy will be influenced by the status of the school on joining the Trust. Existing schools which are rated at least Good and with positive evaluation of the effectiveness of governance through due diligence, will agree with the Chief Executive Officer and the Trust Board appropriate delegations for local governance responsibilities.

At newly established academies the Local Governing Boards shall consist of at least nine governors made up of:

- Two Trust governors (one usually taking the position of Chair);
- The Principal / Headteacher;
- Two 'elected' parent governors;
- Two 'elected' staff governors; and
- Two other trust appointed governors.

Other than the Principal/Headteacher position which is 'ex-officio', the term of office for any Governor is four years. Governors may be reappointed for a further term.

For an established school which converts to an academy and joins the Trust, the Constitution of the Governing Body will be agreed by the Trust on conversion. Governors will usually all be transferred across to the new academy to form a Local Governing Body which will function under the Trust Scheme of Delegation and LGB Terms of Reference.

There is an expectation that the LGB will have no fewer than 9 members.

### **Quorum**

One half of the number of Governors in post, rounded up to the nearest whole number.

### **Voting at Local Governing Board meetings**

Only members of the Local Governing Board may vote at its meetings. The Chair will have a casting vote.

### **Appointment of Chair**

The Chair of the Local Governing Board will be appointed by the Trust who will take recommendation from the Local Governing Board.

In the absence of the Chair from any LGB meeting, the Local Governing Board will elect a temporary replacement from among the Trustees/Governors present at the meeting subject to above.

NB. The Principal / Headteacher and staff governors are disqualified from taking the Chair of the Local Governing Board role.

Local governing boards are corporate bodies and individual governors have no power or right to make decisions on behalf of the governing board, unless the governing board has delegated a specific function to them. The Chair, however, does have the power to take action if the matter is urgent. 'Urgent' is defined as where a delay is likely to be seriously detrimental and it would not be reasonably practicable to hold a governors' meeting to resolve the issue.

Any urgent action the Chair takes on behalf of the Local Governing Board will be ratified at the next meeting.

*The Local Governing Board needs to take a strategic role, act as a critical friend to the academy and be accountable for its decisions. It should set aims and objectives and agree monitor and review policies, targets and priorities, thus setting a framework for the direction of the academy.*

The LGB may choose to conduct relevant activities through the establishment of sub-committees, working groups, Link Governors, Special Responsibility Governors etc. Where this is the case the LGB must establish clear terms of reference / role remits and remits and named appointments must be reviewed no less than annually.

The business of a Local Governing Board is likely to include the activities highlighted below:

### **Procedural**

- To agree constitutional matters, i.e. the trust Terms of Reference for the LGB including any amendments;
- To hold at least three Local Governing Board meetings a year;
- To agree, by early in the autumn term, the objectives for the Governing Board following due consideration of the priorities identified in the Academy Development Plan and the Trust Strategic Development Plan and a calendar of meetings for the Local Governing Board and any sub-committees for the forthcoming year;
- The Trust appoints the Clerk to the Local Governing Board;
- To oversee elections for the appointment of Parent and Staff Local Governors in line with the Trust's appointments process;
  - Two parent governors are elected by parents/carers with children at the school.
  - *Up to two staff governors are elected by the staff body*
- To work with the Trust to appoint up to four additional Local Governors (one being the LGB Chair) to reflect the specific skills needs of the LGB – including to uphold the Trust values regarding community engagement and diversity;
- To decide which areas of LGB responsibilities will be delegated to working groups and /or individuals and to provide clear remit for these responsibilities;
- To receive reports from any sub-committee or individual to whom responsibility has been delegated through monitoring progress and ratification of decisions made in line with delegations and review of recommendations relative to LGB-retained responsibilities and to consider whether any further action by the Local Governing Board is necessary;
- To set up and maintain a register of academy governors' business interests – including ensuring publication on the school website;
- To work with the Trust to address any matters of concern regarding breach of the Trust's Governance Code of Conduct including the potential to work with the Trust regarding any proceedings for the removal from office of local governors;
- To confirm the application of Trust policy and oversee matters concerning implementation and impact related to Child Protection issues;
- With the Principal / Head Teacher, prepare and publish an Academy Prospectus and ensure the academy website is up to date with required statutory information;
- Review planned admission numbers, pupil attendance and governor attendance;
- To ensure that all decisions are made by the LGB in line with the academy Equality Policy and legislation; and
- To ensure that training and development needs of governors are met.

### **School Improvement and organisation**

- To establish a strategic direction in line with trust and school vision ethos and values and determine goals for Local Governing Board activities in all areas;
- To note the formal budget of the financial year, which is initially approved at Trust Board level;
- Following appropriate consultation with the Trust Board, to agree priorities for, approve and monitor implementation and impact of the Academy Strategic Plan;
- To oversee arrangements for academy self-evaluation ensuring appropriate challenge;
- in line with relevant trust guidance, to ensure a Health and Safety Policy is in place and is followed;
- To confirm and oversee implementation of the Trust's Performance Management Policy;
- To decide to offer, or cease to offer, additional activities and what form these should take, subject to academy budget constraints;

- To engage with, consult with and provide information to pupils, staff, parents and the wider community as required; and
- To ensure that all decisions are made in line with the academy Equality Policy and legislation.

### **Curriculum**

- To ensure effective oversight of the curriculum requirements relative to delivery of the National Curriculum and consideration of any dis-application for pupils;
- To monitor and review implementation and impact of the curriculum policy;
- To oversee curriculum plans ensuring that the curriculum is relevant to the needs of all children and provides progression and continuity;
- In consultation with the Principal/ Headteacher, to set, monitor and publish targets for pupil achievement;
- To oversee the local discharge of governance statutory responsibilities for Sex and Relationships education, religious education and collective worship;
- In consultation with the Principal / Head Teacher, to review and monitor academy-specific policies including to ensure inclusion in regard to social disadvantage, race, disability, religion and gender;
- To review and approve the Academy Development Plan, Post Ofsted Action Plan and SEF as appropriate;
- To approve off site visits and activities of more than 24 hours;
- To review and monitor arrangements for assessments, reporting, consulting and informing parents on curriculum related matters;
- To receive and review reports of governors' visits; and
- To ensure that all decisions are made in line with the school Equality Policy and legislation.

### **Staff and Pupil Wellbeing**

- To support the employment of effective and efficient staff within the academy;
- To comply with Annex 4 of the Funding Agreements between the Secretary of State and the Trust which obliges the Academy to have regard to the Secretary of State's Guidance on exclusions— 'Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units' and to resolve any issues relating to staffing not delegated by the Trust; and
- To make appropriate comments and recommendations on such matters to the Trust Board or the Local Governing Board.

### **Staffing**

- To support the appointment school staff:
  - Interview panels for Principals will include Local Governors nominated by the LGB alongside the CEO / a Trustee;
  - Interview panels for Deputy Heads and other SLT members may include one or more Local Governors nominated by the LGB;
  - Interview panels for Teaching Staff may include Local Governors nominated by the LGB in exceptional circumstances only.
- To determine the staffing complement for the academy in line with budget;
- To agree and monitor a training strategy for teachers, support staff and governors;
- To keep under review staff work life balance, working conditions and well-being, including the monitoring of absence as related to Health and Safety; and
- To consider any staff discipline issues in line with Trust guidance.

### **Behaviour**

- To oversee implementation of the Behaviour Policy at the school and to monitor impact – sharing any recommendations for policy improvement with the Trust Board Achievement Committee;
- In consultation and partnership with the Trust Board, to discharge all obligations contained in the Secretary of State's guidance.

### **Parental Complaints**

- To support implementation of the Trust's Complaints Policy including by review of the procedure for dealing with parental complaints on an annual basis; and
- To hear and respond to parental complaints in line with the provisions of the Trust's Complaints Policy.

### **Admissions**

- To support Trust Board monitoring of compliance with Annex 2 of the Funding Agreement;
- To consider matters relating to admissions referred by the Trust Board or as directed by the Principal / Headteacher; and
- To provide advice and recommendations to the Trust Board on admissions issues.

### **Finance**

In partnership with the Trust Board including the Trust Board Finance, Business and Audit Committee to:

- Ensure effective oversight of the day to day financial management of the Academy and the management of resources to support the effectiveness of the Academy.
- Ensure effective input to governance decision making and detailed consideration of the academy's finances and resources;
- Provide input as requested by the Trust Board or other committee to support the production of the Trust accounts in accordance with the requirements of the Companies Act 2006, Charity Commission requirements and the DfE guidance issued to Academies;
- Ensure that any LGB sub-committee established with financial remit reports-back all recommendations for LGB review and approval
- Conduct effective local governance monitoring to oversee compliance with financial regulations and standing orders of the Trust; and
- Overseeing the development, maintenance and health and safety of the Trust's premises.
- To note the first formal budget plan as approved by the Trust Board each financial year;
- To monitor termly expenditure and take remedial action within delegations as necessary and as appropriate with due consultation and regard to the views of the Trust Board Finance and Business Committee;
- To regularly monitor an up to date formal three-year budget plan;
- To monitor all spending within the academy in liaison with the appropriate sub-committees;
- To make decisions on expenditure following recommendations from other sub-committees within delegated responsibilities;
- To review any significant variances from the budget and take appropriate action including reporting to Trust Board Finance, Business and Audit Committee.;
- To approve any virement decisions (transfers within budget headings) within the agreed limits;
- In line with Trust guidance to set a charging and remissions policy, for activities and for lettings of the academy premises and grounds;
- To monitor and review efficacy of the academy ordering and payment system;
- To enter into academy-specific contracts within agreed limits;
- To monitor all expenditure relative to non-grant/ GAG income;
- To monitor the budget to ensure that sufficient funds are available for pay increments as recommended by the Principal / Headteacher or the Principal / Headteacher's Performance Management Group;
- To provide guidance to the Trust Board regarding the effectiveness and impact of Trust-wide SLAs and have responsibility for oversight of additional school-specific SLAs.
- To receive and where appropriate, respond to reports from Auditors;
- To receive reports from the Trust CFO and academy Business Manager or Finance Officer;
- To ensure that all of the above actions remain within financial guidelines and requirements of the, ESFA and Auditors;
- To support the identification of and implement efficiency savings;
- To support the identification of and to implement opportunities for generating income;

- To ensure all LGB decisions are made in line with the academy Equality Policy and legislation; and
- To work with the Trust Board to establish and review a five-year ICT Strategy and determine incremental goals for achieving these aims.

### **Premises**

- To work with the Trust Board to establish and review Business Continuity Policy and procedures;
- To monitor the condition of the academy buildings and grounds, which will include playgrounds, fields and boundaries and to take appropriate action within delegations, and or report findings to the Trust Board with recommendations;
- To review and monitor all Health and Safety arrangements;
- To review and monitor all risk assessments and Codes of Practice dealing with security; This will include fire regulations, alarms and other hazards;
- Contribute to and work within the premises and Health and Safety aspects of the Academy Development Plan;
- To ensure that buildings insurance and personal liability are in place;
- Contribute to and take account of the Trust Strategic Asset Management Plan; and
- To ensure that a fire drill is held at least once a term.

### **Pupil Appeals**

- To make appropriate comments and recommendations on admission appeals to the Trust Board;
- To participate, as requested by the trust board, in admission appeal hearings on behalf of the academy;
- To implement guidance on the conduct of appeals issued by the Secretary of State as it applies to Academies.

### **Pay**

- To support and review implementation of the Trust's Performance Management Policy;
- To support and review the application of the Trust Pay Policy;
- To contribute to performance management review and associated pay awards for the Leadership team;
- To ensure review and approve pay awards for all staff based on performance.

### **Special Roles**

The LGB has flexibility to deploy Local Governors to perform a range of roles as;

- Link Governors (must include a Safeguarding and an SEN Link Governor).
- Special Responsibility Governors
- Sub-committee memberships
- Working Party memberships

Each deployment must be accompanied by a comprehensive individual role remit / group terms of reference. The LGB Clerk will provide guidance on draft Role Remits with reference to a bank of Role Remits in place across the Trust. These roles are advisory - individual or sub-groups of the LGB may make recommendations for LGB review for approval (within the overall delegations for LGB responsibilities) but only the LGB can make decisions and direct actions.

The LGB will appoint a Performance Management Review and Pay Panel comprising of 3 local governors.

The CEO and the Chair of the LGB will carry out annual performance management of the Principal.

### **LGB Sub-committees**

Where an LGB establishes standing sub-committees to conduct governance oversight and monitoring, arrangements must be established to ensure effective operation and report-back - including with regard to the following principles :

- Clear terms of reference for a sub-committee must be agreed by the LGB
- A sub-committee Chair is appointed by the LGB



- An annual programme of work including expectations on frequency of sub-committee meetings / other activities, must be approved by the LGB. The programme timelines will support effective written report-back to LGB meetings
- Sub-committee meetings must be effectively administered: the LGB Clerk will provide guidance and support concerning sub-committee administration. The trust will work with LGBs to identify relevant clerking support where this is needed.

End