

# ABINGDON LEARNING TRUST

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## XXX SCHOOL ACADEMY BOARD

### TERMS OF REFERENCE

#### 1. POWERS OF THE TRUST BOARD OF TRUSTEES

- 1.1 The Trustees shall establish the Local Governing Body - known as Local Academy Boards – LABs for each school in the Trust, as a committee of the Trust as set out in the Trust's Articles of Association (*Article 100a*).
- 1.2 The Trustees shall determine and approve the LAB Terms of Reference and shall review the Terms at the start of each academic year (*Article 104*).
- 1.3 The Trustees have a responsibility
  - 1.3.1 to set out the Trust's vision, values, principles and goals, which shall recognise that the education, personal development and well-being of all pupils and students shall be a collective responsibility of all Trustees, governors and staff
  - 1.3.2 to support, monitor and challenge the quality of education provided by the Trust's schools and the progress and attainment of all pupils and students
  - 1.3.3 to govern the Trust on the principle of balanced autonomy that recognises the accountabilities and responsibilities of Trustees, CEO and Headteachers versus Governors' understanding of their school, pupils, students, staff and wider community
  - 1.3.4 to ensure that the Trust and its schools operates effectively, efficiently and compliantly, making best use of public funds
- 1.4 The Trustees shall determine and approve the delegation of powers, responsibilities and duties to the LAB and shall review this Scheme of Delegation at the start of each academic year (*Article 105*).
- 1.5 The Trustees 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
  - 1.5.4 Financial mismanagement or failure to operate within budget.
- 1.6 The Trustees shall set out a list of statutory, mandatory or required policies including the determination of those that are Trust policies and those that are School policies.

#### 2. POWERS OF THE LOCAL ACADEMY BODY

- 2.1 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:

- 2.1.1** to carry forward the Trust's vision, ethos, values and principles in ways that are appropriate to the school's status, students, pupils, staff and community
- 2.1.2** to govern the school in line with the Scheme of Delegation, Terms of Reference, Governance Planning Calendar and other guidance set out by the Trust Board
- 2.1.3** to implement policies, plans and actions to comply with statutory regulations, the Trust's policies and procedures and the decisions of the Trustees
- 2.1.4** to hold to account the school leadership for the academic performance, the quality of provision and the quality of care
- 2.1.5** to establish the LAB sub-committee structure and to regulate their proceedings, according to the needs of the school
- 2.1.6** to review and recommend the school performance targets and Performance Review to the Trust Board and monitor progress towards the approved targets
- 2.1.7** to review and recommend the school strategic plan to the Trust Board and monitor its continuing appropriateness
- 2.1.8** to review and approve the school 1 year development plan to achieve the approved school performance targets and monitor its implementation and effectiveness
- 2.1.9** to monitor the management of staff to comply with statutory regulation and the Trust's HR regulations, policies and procedures
- 2.1.10** to oversee and support the Headteacher's performance review and associated pay awards in line with the Trust policy
- 2.1.11** to oversee staff individual performance reviews and recommend associated pay awards
- 2.1.12** to review and propose the school staff structure and complement with the Headteacher, which shall be aligned to the school 1 year budget
- 2.1.13** to oversee the process to recruit and appoint the school Headteacher in line with the Trust recruitment policy and to recommend the appointment of the preferred candidate to the Trust Board
- 2.1.14** to be consulted on proposals, where deemed necessary, for redundancy and to recommend proposals for re-structuring to make best use of resources and/or budget
- 2.1.15** to oversee and monitor the financial governance and operation of the School to comply with the Trust's financial regulations, policies and procedures
- 2.1.16** to review and propose the school 1 year budget and monitor and respond to performance against budget
- 2.1.17** to review and propose to the Trust Board any changes to the School age range, PAN or type and range of provision
- 2.1.18** to review the School's statutory (ie Trust policies) and non-statutory policies and to monitor the School's compliance

**2.1.19** to be consulted on the School's admission criteria in compliance with the Admissions Code or any other relevant statutory or regulatory guidance

**2.1.20** to develop and recommend the School branding and marketing including logo, uniform, prospectus and website.

### **3. COMPOSITION AND APPOINTMENT OF THE LOCAL ACADEMY BOARD**

**3.1** The composition of the LAB shall be as follows;

**3.1.1** up to twelve (12) Trust Governors appointed by the Board, in addition to:

**3.1.2** two (2) Parent Governors who are parents or carers of registered pupils at the Academy(ies), but not employees of the Trust working in that School;

**3.1.3** no more than two (2) Staff Governors (ALT employees) elected from within the local academy, one from the teaching staff and one from the associate staff; and

**3.1.4** the School Headteacher.

**3.2** The LAB may appoint up to three (3) other persons as Associate Members, who shall not be entitled to vote nor to count as part of a quorum.

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

**4.1** The Term of Office for all Governors except the Headteacher (an ex-officio appointment) is 4 years, except that the first Governors shall be appointed for the balance of their terms of office as Trustees had they not resigned as Trustees. Subject to remaining eligible to be appointed, any Governor may be re-appointed or re-elected.

**4.2** On appointment Governors are each required to familiarise themselves and to agree to comply with;

**4.2.1** Trust Articles of Association,

**4.2.2** Supplemental Funding Agreement,

**4.2.3** Academies Finance Handbook

**4.2.4** Trust Financial Regulations,

**4.2.5** these Terms,

**4.2.6** current relevant legislation and guidance for Governors, and

**4.2.7** Trust Code of Conduct for Trustees and Governors.

### **5. MEETINGS OF THE LOCAL ACADEMY BOARD**

**5.1** The LAB shall meet at least four times per year and at least once per term and in particular:

**5.1.1** The LAB shall meet during the date periods as per the Trust Governance Planning Calendar (from September 2019)

**5.1.2** The Governors will receive notice of each meeting seven (7) clear days before the date of the meeting

**5.1.3** The agenda, papers and minutes of LAB meetings will be sent to the Clerk to the Trustees when they are issued to Governors,

5.1.4 Minutes will be signed by the LAB Chair at the next meeting to verify that the minutes are a true record.

5.2 Quorum for a meeting of the LAB will be three or, if higher, one third (1/3) (rounded up to the next whole number) of the number of Governors entitled to vote.

5.3 Each question to be decided at a meeting of the LAB 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.

## **6. APPOINTMENT OF THE LOCAL ACADEMY BOARD CHAIR AND VICE CHAIR**

6.1 The LAB shall elect the Chair and Vice Chair.

6.2 The Trust Board shall have the right to remove the Chair, specifically in circumstances outlined in item 1.5 of these Terms of Reference.

6.3 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;

6.3.1 The Chair and Vice Chair will be elected by a secret ballot, conducted by the Clerk to the Local Governing Body.

6.3.2 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.

6.3.3 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.

6.3.4 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.

## **7. LAB SUB-COMMITTEES**

7.1 The LAB shall establish such sub-committees as it sees fit to fulfil its powers, responsibilities and duties.

7.2 The LAB will set out sub-committee Terms of Reference and membership to be agreed and reviewed at the first meeting of the LAB each school year.

7.3 The practice for LAB sub-committee management shall be;

7.3.1 Agendas will be circulated to all sub-committee members at least seven days in advance of the meeting.

7.3.2 Sub-committee papers and minutes will be available to all Governors (not just those on the sub-committee).

## **8. APPOINTMENT OF A CLERK**

8.1 The Trust Board shall appoint and remove a Clerk to the Governors.

## **9. GOVERNORS' EXPENSES**

9.1 The Trust Board shall set out a policy for payment of exceptional expenses incurred by Governors, subject to prior application to and approval by the Chair of the LAB.

**DECLARATION**

***The Trust Board of, at its meeting on 15 February 2019***

***resolved to adopt these Terms of Reference. A copy has been forwarded to the Clerk for the formal Trust Board records. These Terms of Reference will be reviewed annually at the start of the academic year.***

***Signature (Chair of Trust Board): .....***

***Date of Signature: .....***