

THE LEARNING PARTNERSHIP TRUST
ACADEMY LOCAL GOVERNING BODY
TERMS OF REFERENCE

1. POWERS OF THE TRUST BOARD OF DIRECTORS

- 1.1. The Directors of the Trust Board shall establish the Local Governing Body as a committee of the Trust as set out in the Trust's Articles of Association (Article 100a).
- 1.2. 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).
- 1.3. 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).
- 1.4. The Directors shall have the right to intervene in the governance of an academy where it has serious cause for concern, including;
 - 1.4.1. Standards of performance of pupils at the Academy are unacceptably low,
 - 1.4.2. Serious breakdown in the way the Academy is governed or managed,
 - 1.4.3. Safety of pupils or staff is threatened, or
 - 1.4.4. Financial mismanagement or failure to operate within budget.
- 1.5. The Trust Scheme of Delegation is attached as [Annex 1](#).

2. POWERS OF THE LOCAL GOVERNING 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;
- 2.2. to carry forward the Trust's vision in ways that are appropriate to the academy's status, pupils, staff and community,
- 2.3. to implement and monitor policies, plans and actions to comply with statutory regulations, the Trust's policies and procedures and the decisions of the Directors,
- 2.4. to hold to account the academy leadership for the academic performance, the quality of provision and the quality of care,
- 2.5. to develop and recommend the Academy Targets and Performance Review to the Trust Board (SoD 2.2-3) and monitor progress towards the approved targets,
- 2.6. to review, recommend and monitor the Academy Development Plan to achieve the approved Academy Performance Targets (SoD 2.4),
- 2.7. to oversee the financial governance and operation of the academy to comply with the Trust's financial regulations, policies and procedures, including proposing and monitoring the academy's annual budget (SoD 5.10-11),
- 2.8. to monitor the management of staff to comply with statutory regulation and the Trust's HR regulations, policies and procedures (SoD 3.1-2, 3.8-3.14, 4.2, 4.5-6, 4.11-17),
- 2.9. to decide the allocation of places against the approved academy admissions policy (SoD 7.18),
- 2.10. to establish the Local Governing Body working group structure and to regulate their proceedings (SoD 1.8)

3. COMPOSITION AND APPOINTMENT OF THE LOCAL GOVERNING BODY

- 3.1. The composition of the Local Governing Body shall be determined by the Trust Board of Directors as follows;
 - 3.1.1. at least two (2) but no more than three (3) Parent Governors elected by the parents or carers of registered pupils at the academy,
 - 3.1.2. at least one (1) but no more than two (2) Staff Governors elected by the staff of the academy,
 - 3.1.3. at least (4) but no more than (6) Trust Governors appointed by the Trust Board.
 - 3.1.4. the Trust CEO
 - 3.1.5. the academy Headteacher

4. TERM OF OFFICE AND RESPONSIBILITIES OF GOVERNORS

- 4.1. The Term of Office for all Governors is 4 years.
- 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. Trust Financial Regulations,
 - 4.2.3. these Terms,
 - 4.2.4. current relevant legislation and guidance for Governors.

5. MEETINGS OF THE LOCAL GOVERNING BODY

- 5.1. The Local Governing Body shall meet at least twice per term and in particular;
 - 5.1.1. The Local Governing Body shall meet at the appropriate times set out in the Trust Business Calendar,
 - 5.1.2. The Governors will receive notice of each meeting 7 clear days before the date of the meeting,
 - 5.1.3. The agenda, papers and minutes of Local Governing Body meetings will sent to the Clerk to the Directors when they are issued to Governors,
 - 5.1.4. Minutes will be signed by the Local Governing Body Chair at the next meeting to verify that the minutes are a true record.
- 5.2. Quorum for a meeting of the Local Governing Body will be one half (1/2) of a number of Governors entitled to vote.
- 5.3. 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.

6. APPOINTMENT OF THE LOCAL GOVERNING BODY CHAIR AND VICE CHAIR

- 6.1. The Local Governing Body shall elect the Chair and recommend their appointment to the Trust Board.
- 6.2. The Local Governing Body shall elect the Vice Chair of the Local Governing Body.
- 6.3. The Trust Board shall have the right to remove the Chair, specifically in circumstances outlined in item 1.4 of these Terms of Reference.
- 6.4. 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;
 - 6.4.1. The Chair and Vice Chair will be elected by a secret ballot, conducted by the Clerk to the Local Governing Body.

- 6.4.2. 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.
- 6.4.3. 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.
- 6.4.4. 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. LOCAL GOVERNING BODY WORKING GROUPS

- 7.1. The Local Governing Body shall establish Working Groups as it sees fit to fulfil its powers, responsibilities and duties.
- 7.2. The Local Governing Body will be able to invite up to two non-Governors to serve in Working Groups, subject to the approval of the Trust Board.
- 7.3. The Local Governing Body will set out Working Group Terms of Reference and membership to be agreed and reviewed at the first meeting of the Local Governing Body each school year.
- 7.4. The current Working Group structure, Terms of Reference and membership shall be detailed by the Local Governing Body and attached as [Annex 2](#).
- 7.5. The practice for Working Group management shall be;
 - 7.5.1. Agendas will be circulated to all Working Group members at least seven days in advance of the meeting.
 - 7.5.2. Working Group papers and minutes will be available to all Governors (not just those on the Working Group).

8. APPOINTMENT OF ACADEMY HEADTEACHER

- 8.1. 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 of which one shall be a Director, the Chief Executive and a further Director.
- 8.2. This Appointment panel shall manage the appointment process and make a recommendation for the appointment of a candidate to the Trust Board giving the views of the Chief Executive and Trust Directors reasonable weight in this process.
- 8.3. The Trust Board shall not unreasonably withhold their approval for the appointment of a recommended candidate as the Headteacher or Head of School.
- 8.4. In the event the Trust Board does not approve the appointment of a recommended candidate as Headteacher or Head of School, they shall provide a clear explanation to the Local Governing Body.

9. APPOINTMENT OF A CLERK

- 9.1. The Trust Board shall appoint a Clerk to the Governors.

10. GOVERNORS' EXPENSES

- 11. 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

DECLARATION

The Trust Board, at its meeting on 21st November 2018 resolved to adopt these Terms of Reference. A copy has been forwarded to the Clerk to the Directors for the formal Trust Board records. These Terms of Reference will be reviewed annually at the start of the academic year.

Signature
(Chair of the Trust Board)

Date of signature

ANNEX 1: Trust Scheme of Delegation

ANNEX 2: Local Governing Body Committee structure, Terms of Reference and membership

THE LEARNING PARTNERSHIP TRUST SCHEME OF DELEGATION

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Multi Academy Trust and member academies.

The bodies may include:

1. Trust Members
2. Trust Board of Directors
3. Trust Finance & Audit Committee
4. Local Governing Body
5. Trust Chief Executive Officer & Executive Headteacher
6. Leadership group of Headteachers and Heads of School
7. Headteacher of individual academies

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education Funding Agency, Charities Commission, HMRC and Companies House.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Propose (P)
- Develop (D)
- Monitor & Report (M)
- Consulted (C)
- Implement (I)

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme is designed to be comprehensive it will not cover every task.

Trust Policies

A key task for the Trust is to develop and monitor a range of policies that member academies are expected to adopt. These policies may include those listed below.

Academy & Pupil Policies	Employment & Staff Policies
Curriculum	Pay & Remuneration
Teaching & Learning	Performance Management & Appraisal Review
Sex Education	Disciplinary
Religious Education	Re-structuring and Redundancy
Child Welfare & Safeguarding	Job Role, Grade & Salary
Attendance	Grievance
Pupil Behaviour & Exclusions	Capability
Pupil Premium	Whistleblowing
Health & Safety	Employee Health & Safety
Academy Trips	Financial Policies
Complaints	Financial Regulations & Procedures
SEN & Inclusion	Asset Management
Admissions	

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Implement (I)	Notes	Board	Fin Cttee	LGB	CEO/EHT	Ldr Grp	HT
1.	Governance							
1.1.	Approve Trust Articles of Association	Members only	R					
1.2.	Approve Trust Board Terms of Reference		A			P		
1.3.	Approve Trust Scheme of Delegation		A			P		
1.4.	Approve new convertor or sponsored academies joining MAT		A					
1.5.	Establish Trust Committees		A					
1.6.	Approve Trust Committee Terms of Reference		A					
1.7.	Approve Local Governing Body (LGB) Terms of Reference		A		P	P		
1.8.	Establish LGB working groups				A			R
1.9.	Appoint Chair of Trust Board		A					
1.10.	Appoint Chair of LGB		A		R			
1.11.	Remove Chair of LGB	In exceptional circumstances	A		A			
1.12.	Appoint (and remove) Vice Chair of LGB				A			
1.13.	Appoint (and remove) LGB members	As per agreed composition	A		R			
1.14.	Appoint (and remove) Chair(s) of Trust Committees		A					
1.15.	Appoint (and remove) Trust Committee members	As per agreed composition	A					
1.16.	Appoint (and remove) Clerk to Trust Board		A					
1.17.	Appoint (and remove) Clerk to LGB		A					
1.18.	Organise calendar of Trust Board and LGB meetings		A			R		
1.19.	Approve Directors Expenses Policy		A					
2.	Trust & Academy Performance, Curriculum and Teaching							
2.1.	Trust Strategic Plan		A	C		R	C	
2.2.	Academic Performance Targets		A		RM	P	C	D
2.3.	Academy Performance Review <i>e.g. SEF</i>		A		RM	P	C	D
2.4.	Academy 1 Year Plan		A		RM	P	C	D
2.5.	Teaching & Learning Policy		A		C	R	C	
2.6.	Curriculum Policy		A		C	R	C	
2.7.	Sex Education policy		A		C	R	C	
2.8.	Religious Education policy		A		C	R	C	
2.9.	SEN & Inclusion policy		A		C	R	C	
2.10.	Trust Staff Development Plan					A	C	
2.11.	Academy Staff Development Plan					A	C	R
2.12.	Trust Inset Days					A	C	
3.	Staff Policies and Pay							
3.1.	Pay & Remuneration Policy		A	R	M	P		
3.2.	Job Role Salary & Grading Policy		A	R	M	P		
3.3.	Changes to Employee Terms & Conditions or Collective Agreements		A			R		
3.4.	Adoption of Transferring Policies and Collective Agreements		A			R		

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3.5.	Teachers Annual Pay Award		A	R		P		
3.6.	Support Staff Annual Pay Award		A	R		P		
3.7.	Individual Performance Pay Awards	As per agreed budget				A		RI
3.8.	Performance Management & Appraisal Review Policy		A		M	R		I
3.9.	Disciplinary Policy		A		M	R		I
3.10.	Grievance Policy		A		M	R		I
3.11.	Capability Policy		A		M	R		I
3.12.	Whistleblowing Policy		A		M	R		I
3.13.	Re-structuring & Redundancy Policy		A		M	RI		
3.14.	Employee Health & Safety Policy		A		M	RI		
4.	Staff Management							
4.1.	Trust staff structure		A	C		RI	C	
4.2.	Academy staff structure		A	C	C	R	C	PI
4.3.	CEO/Exec Headteacher appointment		AI					
4.4.	Trust leadership structure		A		C	R	C	
4.5.	Headteacher appointment	As per agreed process	A		RI	C		
4.6.	Senior leadership appointments				C	A	C	RI
4.7.	Teaching and support staff appointments	As per agreed structure and budget				C		AI
4.8.	Suspension of CEO/Exec Headteacher		AI					
4.9.	Return of CEO/Exec Headteacher after suspension		AI					
4.10.	Dismissal of CEO/Exec Headteacher		AI					
4.11.	Suspension of Headteacher	As per agreed policy	A		C	RI		
4.12.	Return of Headteacher after suspension		A		C	RI		
4.13.	Dismissal of Headteacher	As per agreed policy	A		C	RI		
4.14.	Suspension of teaching and support staff	As per agreed policy			C	A		RI
4.15.	Return of teaching and support staff after suspension				C	A		RI
4.16.	Redundancy of staff		A		C	RI		P
4.17.	Restructuring of staff		A		C	RI		P
5.	Financial Governance & Management							
5.1.	Trust & Academy Financial Regulations		A	RM	M	P		
5.2.	Trust & Academy Financial Procedures		A	RM	M	P		
5.3.	Appoint Trust auditors		A	R				
5.4.	Trust 1 year Budget		A	RM		P	C	
5.5.	Trust Interim Year End Accounts			A				
5.6.	Trust Annual Accounts		A	R				
5.7.	Trustees Report		A	R		I		
5.8.	Trust Academies Accounts Return to EFA			A		I		
5.9.	Response to Auditor's Management Letter		A	R				
5.10.	Academy 1 year Budget		A	RM	CM	P	C	D
5.11.	Academy YTD reports		A	RM	CM	P	C	D

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Implement (I)	Notes	Board	Fin Cttee	LGB	CEO/EHT	Ldr Grp	HT
5.12.	Academy Interim Year End Accounts			A	C	P		D
5.13.	Academy Accounts Return to EFA			A		I		
6.	Financial Authorisation							
6.1.	Expenditure or contracts up to Lower Limit (£10k)					A		A
6.2.	Expenditure or contracts from Lower Limit to Upper Limit (£25k)					A		P
6.3.	Expenditure or contracts from Upper Limit to OJEU limit			A		R		P
6.4.	Expenditure over OJEU limit		A	R		P		
6.5.	Disposals or write off of stock, assets or debts up to Lower Limit					A		A
6.6.	Disposals or write off of stock, assets or debts from Lower Limit to Upper Limit			A		R		
6.7.	Disposals or write off of stock, assets or debts over Upper Limit (up to AFH limit)		A	R		P		
6.8.	Compensation payments up to £50,000		A	C		R		
7.	Academy Policies & Procedures							
7.1.	Academy times, terms and holidays		A		C	R	C	P
7.2.	Change of Academy Age Range		A		C	R	C	P
7.3.	Expansion of Academy PAN		A		C	R	C	P
7.4.	Extension of Academy provision (EYFS)		A		C	R	C	P
7.5.	Child Welfare & Safeguarding Policy		A		CM	R	C	P
7.6.	Attendance Policy & Plan		A		CM	R	C	P
7.7.	Pupil Premium Policy		A		CM	R	C	P
7.8.	Pupil Premium Plan		A		CM	R	C	P
7.9.	Academy Trips Policy		A			R	C	PI
7.10.	Pupil Behaviour & Exclusions Policy		A		CM	R	C	PI
7.11.	Short-term Exclusion	As per agreed policy			A	C		I
7.12.	Return after short-term exclusion	As per agreed policy				C		A
7.13.	Permanent Exclusions	As per agreed policy			A	R		P
7.14.	Appeals against Permanent Exclusion				I			
7.15.	Complaints Policy		AM		C	R	C	
7.16.	Complaints Appeals	Independent panel	I					
7.17.	Admissions Policy		A		CM	R	C	P
7.18.	Allocation of places against Admissions Policy				I			
7.19.	Admissions Appeals	Independent panel			I			
7.20.	Academy prospectus					A		
7.21.	Academy website		AM			RI		
7.22.	Academy logo & branding		A		C	R	C	
7.23.	Academy uniform		A		C	R	C	
7.24.	Extended services on-site					A	C	R
8.	Premises & Assets							
8.1.	Asset Management Policy		A	RM		PI		
8.2.	Health & Safety Policy		A	RM	M	PI		

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8.3.	Asset Management Plan			AM	C	R	C	P

ANNEX 2: Local Governing Body Committee structure, Terms of Reference and membership

Hatfield Heath Local Governing Body

Chair of Governors: Mrs Diane Hancock

Vice Chair: Mr Allan Wilton

Ex-officio: Mrs Elisabeth Gelston & Mr John Clements

Local Governors:

Mr Christopher Hancock

Mrs Claire Atherton

Dr Iain Gilchrist

Miss Michelle Gardner

Mrs Michelle Dawson

Mrs Sarah de Souza-Ingle

Mrs Victoria Marrow

Roseacres Local Governing Body

Chair of Governors: Dr Iain Gilchrist

Vice Chair: Mr Allan Wilton

Ex-officio: Mrs Isobel Barron & Mr John Clements

Local Governors:

Mrs Diane Hancock

Miss Natasha Whates

Mrs Tracy Adams

Mrs Victoria Marrow

Parent Governor vacancy

Takeley Local Governing Body

Chair of Governors: Mrs Diane Hancock

Vice Chair: Mr Neil Cobbe

Ex-officio: Mr Andy Cosslett & Mr John Clements

Local Governors:

Mr Allan Wilton

Miss Jacqueline Castle

Mrs Nicola Russell

Mrs Victoria Marrow

Mrs Angharad Sherrin

Mr Crispin Homer

Mr Mark MacLean