



**ENDEAVOUR**  
LEARNING TRUST

Endeavour Learning Trust  
Local Academy Council  
Information Pack

September 2022 - August 2023

## **Endeavour Learning Trust**

### ***Great schools at the heart of our communities***

#### **Our Values:**

##### **Truly Collaborative**

We are a proud family of schools bonded by our Trust vision, priorities and values. We work as one team in school, across our Trust and with our wider partners for the benefit of everyone in our Trust, our families and the communities we serve

##### **People Centred**

We foster authentic, positive relationships which are based on the foundations of respect, listening, kindness, support and constructive challenge. We are approachable, open and honest

##### **Inclusive**

Equity of opportunity is central to our practice, and we will invest time, training and resources so that everyone is included and has the best chance to be their very best

##### **Unique**

We are firmly committed to recognising, celebrating and investing in the individuality of all our children and young people, each staff member across the Trust and the distinct ethos and identity of each of our schools

##### **Aspirational**

We believe in the promise of each individual across the Trust and will ensure we inspire, support and challenge in proportionate measure, so that we all thrive and are able to achieve our own individual best potential

Document reviewed and approved by Trust Board September 2022

Key amendments:

- Update Staff Local Academy Councillors and Foundation Local Academy Councillors (Ormskirk School only) to a nomination and appointment process.
- Update of reference links, Members and Trustees details and Safeguarding training.
- Inclusion of overview of Trust Standards Committee

## **Local Academy Council Information Pack**

This pack is intended to give you an overview of Governance structures and processes within the Trust, and particularly the role of the Local Academy Council (LAC).

Each of our Academies has a Local Academy Council to whom the Trustees delegate certain roles on behalf of the Trustees, so that the LAC can be the local 'eyes and ears' of the Trust. The LAC is currently delegated oversight for community presence, staff and student wellbeing and family engagement. The LAC should also be aware of, understand and advocate for, the school's progress on school improvement priorities. LAC councillors will also be required to attend panels as appropriate, such as pupil discipline and complaints appeals. Finance, school improvement and staffing are currently the direct responsibility of the Trust. Holding the school and its Senior Leaders accountable is the responsibility of the CEO and the Executive Team.

The LAC generally includes one local staff councillor (who is nominated by the school staff for appointment by the Trust), two local parent councillors (elected by the school's parent body), and appointees of the Trust who are selected on the basis that they have the skills required to contribute to the effective governance and success of the school. The Headteacher (or Executive Lead/Head of School) also sits on the Local Academy Council.

LACs meet once a term to discuss the progress being made by the school on its school improvement journey. At these meetings the Senior Leadership Team provide reports and data as appropriate.

### **The Role of the Local Academy Council**

Governance determines who has the power, who makes the decisions, how others make their voice heard and how account is rendered. In a Multi-Academy Trust, the board of Trustees is legally accountable for the decisions made in all its academies. However, this does not mean the Board is required to make them all itself; it can delegate decisions to the executive and to the non-executive – i.e. those volunteering in Local Academy Councils.

Governing at academy level within a Trust has become known as local governance and can take many forms. In our Trust this is referred to as the Local Academy Council. This term reinforces the notion that the Trustees retain overall responsibility for the whole organisation and decide what to delegate to their academy committees. What is delegated must be set out by the Trust board in a scheme of delegation (known as a SoD).

The Trust board is not restricted to sticking with any one particular model of local governance over time. As in any Trust, we have a flexible model, able to adapt to changing contexts and MAT growth. As such, what is delegated to the LAC in the beginning may not necessarily be right in two years' time.

LACs are well placed to form a view on whether the school is working within agreed Trust policies, meeting agreed school improvement targets and contributing to the local community. LACs have the ability to scrutinise delegated areas in greater depth than the

Trust board and to 'feed' information up to the Trustees in a timely and succinct manner. We do appreciate that, for those who have previously been Governors, making the transition from being a Governor to a Local Academy Councillor could be frustrating. This may be because although LACs have a role to play in local scrutiny, they do not have any significant decision-making powers, and simply referring information to the board is not fully satisfying. Over time, we have found that LACs gain a greater understanding of their specific role as the value in their contribution becomes clearer.

It is the role of the Chief Executive Officer (CEO) to hold the Senior Leaders of the Academy to account and to set the school improvement priorities, through the work of the Executive Team. This can be reassuring for LAC volunteers, especially when it comes to accountability for this scrutiny and keeping abreast of the requirements made of schools, particularly when it comes to Ofsted or statutory changes in curriculum or assessment expectations.

The LAC contributes to this in a different yet equally essential way. Given that LAC volunteers are often embedded within their local contexts, they are well situated to engage with pupils, parents, school staff and the wider school community. That "eyes and ears" role is a critical one that the Trust needs to ensure triangulation and support of the work of the CEO.

This working relationships between Members, Trustees, the Executive Team and the LACs are ultimately to ensure that our children and young people are getting the best possible education at our academies.

In governance there can be a danger of becoming very data driven and forgetting that you're talking about real children and real families. The demands around accountability, financial probity and Ofsted have become tighter. The notion of shifting that responsibility over to the Executive Team and keeping the important community voice with the LACs therefore makes absolute sense.

### **Genuine local accountability**

One of the worries that LACs sometimes have is that they won't be able to effect any real change and that there is no accountability or decision-making power. However, the LACs can see the strengths and weaknesses of the academy from another perspective. With a core group of ambassadors in place, with strong parental representation and a good working relationship with the school and Trust leadership, the LAC can contribute in a number of ways:

- On behalf of the Trust, become familiar with the day-to-day effectiveness of the Academy
- Feed back to the Trust specific strengths and potential concerns about the Academy
- Make focused visits to the Academy, as agreed at each LAC meeting on a rolling programme
- Report back, following a school visit, to Local Academy Council meetings
- Explore specific aspects within the School Improvement Plan to gain deeper understanding of relevant issues

- Attend relevant training with or signposted by the Trust
- Be involved with establishing/monitoring/evaluating relevant school based or Trust policies as detailed in the SoD
- Consider ways to encourage parental/community involvement
- Support the leadership of the school in handling escalated complaints, exclusion hearings and reviewing the impact of the Pupil Premium spending and Primary Sports (where applicable)
- Contribute to the ongoing review of safeguarding and Health and Safety in the Academy
- Sit on any panels as may be required under the MAT disciplinary/grievance policies and procedures
- Review and approve some Educational Visits (those involving overnight stays, dangerous or water-based activities, or those going to a city).

### **Communication and Training**

Overseeing a single organisation across multiple sites and contexts, is no easy task. Trust governance should enable more strategically focused governance, with the Trust Board able to decide what it delegates locally so that it can focus on the organisation's health and success. But Trustees need to establish a balance; maintaining a sharp focus on the strategic needs of the organisation as a whole, while ensuring it knows its schools and can act accordingly.

Comprehensive reporting upwards from academy level to the board should be reciprocated with reports back to local level. A brief document is therefore provided after Trust Board meetings, which includes key updates and decisions, to those at a local level. LAC chairs also complete a short report for the Trust Board following LAC meetings.

All of our meetings, at Local Academy Council and Trust level, are clerked by our in-house Governance and Compliance Officer, Catherine White. She can be reached at [c.white@endeavourlearning.org](mailto:c.white@endeavourlearning.org). All paperwork for meetings can be found on GovernorHub. This website enables paperless meetings to be held and stores lots of useful information.

Celebrating and reviewing Trust success together can be a powerful way of creating a sense of joint ownership. It is a simple way of reminding everyone they are not acting in isolation but are part of a wider organisation. To support this, we aim to hold bi-annual Trust training, where the Trust Board, Executive Team, headteachers and LAC volunteers are invited to attend. These dates are indicated on the calendar in GovernorHub.

### **Formal Documents to support the MAT**

As a Multi Academy Trust, Endeavour Learning Trust is responsible for a group of schools. More information about Governance in multi-academy trusts this may be found on [this link](#).

Multi Academy Trusts are corporate bodies that are legally responsible for the academies they operate. Individual Members and Trustees are not generally personally liable provided

they act honestly, reasonably and in good faith. Any liability will fall on the Academy Trust rather than individual Trustees. The Members (not Trustees or LAC Councillors) will be liable to contribute £10 if the academy Trust is wound up.

The Articles of Association state the arrangements agreed with the DfE on how the Trust will be run. These can be found here [Financial Documentation | Endeavour Learning Trust](#).

The delegation of responsibilities from the Trustees to the Headteachers and Local Academy Councillors is detailed here: [Scheme of Delegation | Endeavour Learning Trust](#).

We have enclosed below a selection of the most useful documents to you as you start in the role. We would also encourage you to read the new version of [The Governance Handbook](#).

It is a requirement that you read the following document [Keeping Children Safe in Education guidance](#) and undertake safeguarding training as outlined in the guidance.

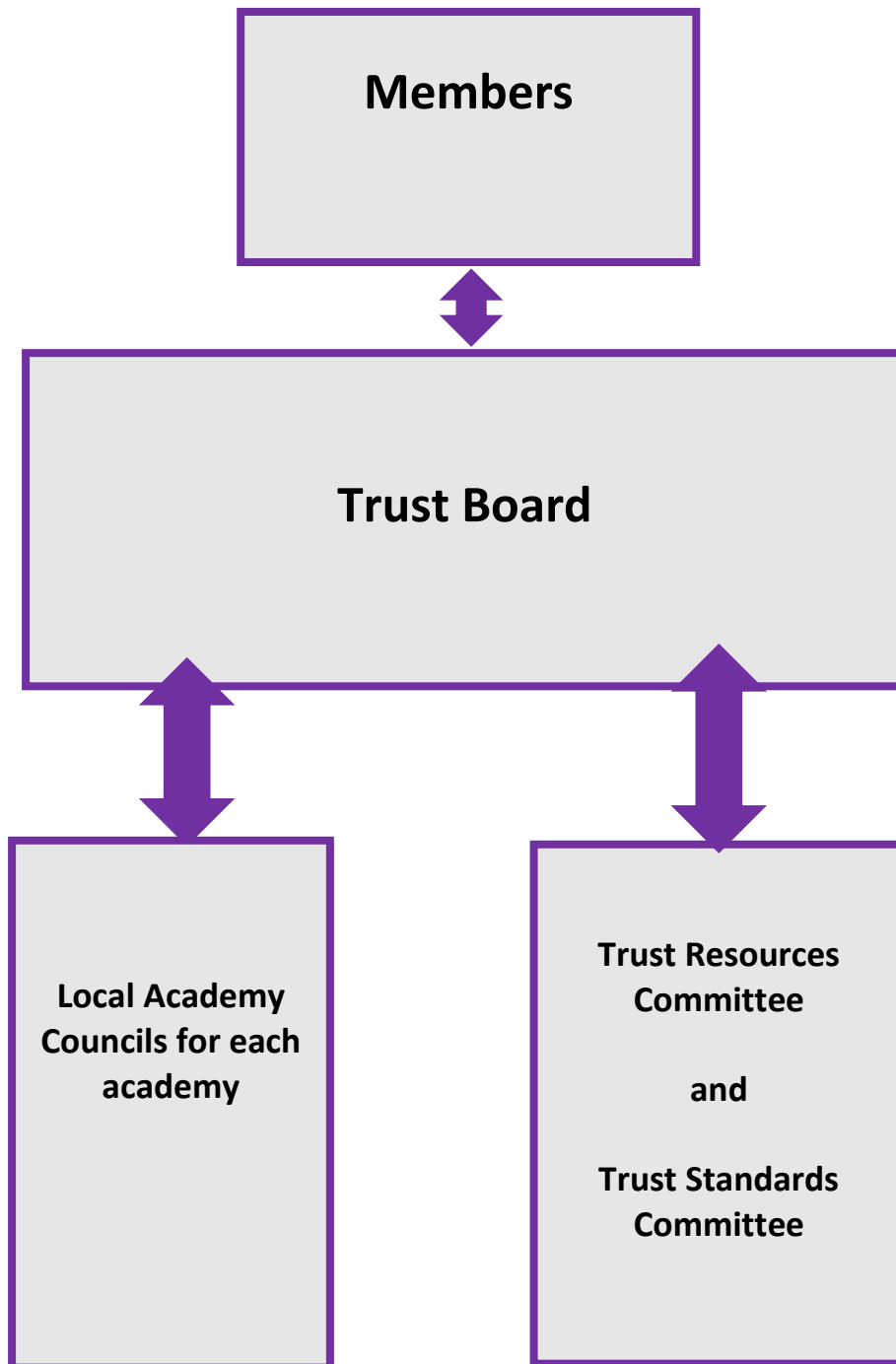
All Members, Trustees and Academy Councillors are also required to undertake a DBS check.

We hold our meetings after school hours, usually at 5pm, but will come into school sometimes too, to meet staff and students and to take part in some of the events happening all around school.

The rest of this document contains the following:

- Trust Governance Structure
- LAC Termly Visits
- Trust Training
- LAC agenda items
- Terms of Reference for the LAC
- Allowances Policy
- Skills audit
- Visit Report Form

The Trust Governance Structure is as follows:



The governance in MATs occurs on three levels, through Members, Trustees and Local Academy Councillors.

### **Members**

Members have an overarching responsibility for the viability and performance of the Academy Trust through the appointment of some Trustees and receiving of the annual accounts. They have the power to amend the Articles of Association that govern the way the Trust is constituted and managed. All MATs must have a minimum of three Members. In our case, the members are George Lloyd, Stephanie Stoker and Richards Sachs.

### **Trustees**

Trustees are responsible for the strategic direction, broad policy framework and oversight of the Trust and all its academies. They take decisions that are in the best interests of the MAT as a whole and are not representative of any one of the constituent academies. The Trustees are also Directors of the Academy which is a company limited by guarantee and registered as such at Companies House. Currently there are nine Trustees: Helen Dicker, Jenni Smitton, David Latham, Colin Fenny, Nick Ward, Kathie Bates, Gaynor Bahan, Andy Hammerton and Carol Gaynor.

### **Trust Resources Committee – Personnel, Finance and Premises**

The Trust Resources Committee oversees the effective and efficient deployment and management of resources and staffing across the MAT to ensure:

- Consistent policies and systems across the Trust’s academies.
- Efficiency savings.
- Opportunities, through financial economies of scale, to develop key expertise in specialist areas.
- The deployment of resources monitored to maximise impact on standards.
- Local Academy Councils are free to focus on the day-to-day provision at the Academy.

### **Trust Standards Committee – Quality of Education, Behaviour and Personal Development.**

The Trust Standards Committee oversees the educational performance of the organisation and its pupils.

### **Local Academy Councils**

Local Academy Councils are committees of the Trust Board. The Board should support and strengthen the Academy’s leadership and support the work of the CEO and other Executive Leaders.

In general terms;

***“The primary function of the Local Academy Councils, regardless of the category allocation, is to support and become familiar with the quality of the work of the Academy leadership in meeting the overall aims of the Trust, particularly in ensuring that the students and staff in the Trust are given every opportunity to thrive and achieve their best. This will be achieved primarily by supporting the triangulation of a range of evidence within the remit of the LAC in line with the aims and objectives for improvement which are set out in the Academy Improvement Plan”***



## **LAC Termly Visits**

Visiting the school allows Academy Councillors to get a feel for the day-to-day operations of the academy, to increase their understanding of the school, the students and their needs; and to triangulate whether what is seen is in line with reports received to the LAC. All Academy Councillors should be willing to engage in at least one visit per academic year.

At each LAC meeting the members present should review an area of the Academy Improvement Plan and decide on a focus for a school visit from the plan and who will be involved in the visit, along with suggestions of an appropriate date. Appropriate activities to develop familiarity with the area of focus should be discussed.

Visits should involve a school-based lead meeting with the Academy Councillors in order to provide background information and context, showing the initiative in action, and providing the opportunity for them to speak to students or staff members who are affected by it.

Examples of what a visit could focus on include:

- Meeting with staff and students to discuss the area identified
- A tour around school or a designated area of focus
- Observing progress towards specific targets from the academy improvement plan and how this translates in the day-to-day experience in school
- Gaining an understanding of how a particular issue is dealt with on a day-to-day basis

The responsibilities of Academy Councillors when visiting are as follows:

### **Before a visit**

- Understand and take into consideration that visits should be a maximum of 2 hours.
- Visits need to be arranged in advance via the Head in the first instance
- The purpose and intended outcomes need to be agreed prior to a visit.
- Plan time for informal verbal feedback to the school-based lead at the conclusion of each visit.

### **During a visit**

- The agreed plan/timetabled needs to be adhered to.
- The purpose of the visit needs to be adhered to.
- Thank the staff and students for their input.
- Academy Councillors must not make judgements about the effectiveness of the teaching they observe.
- If Academy Councillors do observe something of concern do not try to deal with this yourself, bring it to the attention of the Headteacher(s)/Head of School or the Chair of the Academy Council.

**After a visit**

- Complete the Academy Councillor visit report form (see appendix 1) and email to the Head, the CEO and the Chair of Trustees and the Chair of the LAC within 10 working days of the visit
- Engage in further discussion about the feedback if required to ensure the final report to the LAC is appropriate and accurate
- Submit the final report to the clerk in advance of the next LAC meeting and be prepared to embellish as appropriate on any key points from the visit to the LAC meeting

NB: Academy Councillors and staff must respect confidentiality arising from any aspect of the visit.

## **Trust Training**

In addition to attending the central training arranged by the Trust, which is usually held at a central venue, twice per academic year, we ask that the following training is completed.

### Safeguarding

We ask that all LAC members and Trustees undertake safeguarding training annually. The level of training will be on the advice of the Trust's safeguarding lead and communicated via GovernorHub.

As an additional item to inform LAC members and Trustees about the problems experienced by students, we ask that each of you watch this BBC documentary on the subject of child on child abuse [BBC iPlayer - Panorama - Who's Protecting Our Kids?](#).

### Prevent

We ask that all LAC members and Trustees undertake Prevent training annually through the gov.uk website here: [YOU HAVE ACCESSED THE E-LEARNING TRAINING ON PREVENT](#). Once in there, follow the links for New Users (assuming this is the first time you have taken the course), North West, Education (schools) and then Governor.

### Exclusions Training

For all LAC members, who are most likely to be asked to sit on any exclusions panels which are held, we ask that they complete the NGA Learning Link module on [exclusions](#).

Logging into the NGA for the first time:

- Visit [Registration - Enable \(vc-enable.co.uk\)](#) to find the online self-registration form.
- Add your details to the self-registration form
- Click the green register button to submit your application for approval.
- Approval is not immediate, and you must wait for email confirmation of approval. It can take time to receive this email particularly if your application is submitted over a weekend or in the evening.

### Recording your training

Once you have completed the training, please add it to your training log on GovernorHub. The training log is on your personal profile. To access this, click on the arrow next to your name on the top right corner of the home page and click on Profile. You can then add the title of the course by 'Adding a new training record'.

## LAC Termly Agenda Items

The termly breakdown of the LAC responsibilities is outlined below. Whilst this is the plan, in exceptional circumstances there may be changes to any of these agenda items.

<b>Autumn Term</b>
• Receive and discuss Trust updates
• Adopt Academy Councillor code of conduct
• Receive updated safeguarding policy and review other policies as appropriate
• Receive the latest Academy Improvement Plan (AIP)
• Review feedback from Academy Councillors' visits and plan AIP linked termly visits
• Receive feedback from the Trust on previous visits
• Receive and discuss the Head's Report
• Review Health and Safety report from ELT
• Review of educational impact of trips and agreement of future trips
• Review pupil premium spend and report from previous academic year
• Agree assessment of impact of LAC and points to raise for Trust Board

<b>Spring Term</b>
• Receive and discuss Trust updates
• Review progress of Academy Improvement Plan (AIP)
• Review feedback from Academy Councillors' visits and plan AIP linked termly visits
• Receive and discuss the Headteacher's Report
• Publish admissions arrangements for next autumn on the website by 28 February
• Publish admissions appeals info on website
• Review SEND policy
• Receive safeguarding audit
• Agree assessment of impact of LAC and points to raise to Trust Board

<b>Summer term</b>
• Receive and discuss Trust updates
• Chair of LAC to report on any complaints which have been received by the LAC
• Review progress of Academy Improvement Plan
• Review feedback from Academy Councillors' visits and plan AIP linked termly visits
• Receive and discuss the Head's Report
• Review Admissions policy and make recommendations to the Trust Board
• Agree assessment of impact of LAC and points to raise to Trust Board

## Terms of Reference for Local Academy Council

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## **1 INTERPRETATION**

### **1.1 In this document:-**

“Academy”	means either Tarleton Academy/ Burscough Priory Academy/ Churchtown Primary School/ Northbrook Primary Academy / Ormskirk School which is one of the Trust’s academies and to which these terms of reference equally apply;
“Articles”	means the Articles of Association of the Trust;
“Chief Executive Officer”	means the person appointed by the Trustees as an employee to oversee and co-ordinate all Trust activities;
“Clerk”	means the person appointed to act as clerk to the Local Academy Council;
“Chief Operating Officer”	means the person appointed by the Trustees as an employee, under the overall direction of the Chief Executive, to oversee the financial and operational (inc. HR) aspects of the Trust;
“Funding Agreements”	means the Master Funding Agreement entered into between the Secretary of State and the Trust for the funding of the Trust’s academies, as amended from time to time, and the Supplemental Funding Agreement entered into between the Secretary of State and the Trust for funding relating to the Academy, as amended from time to time;
“Local Academy Councillor”	means a member of the Local Academy Council;
“Parent Local Academy Councillor”	means a member of the Local Academy Council elected by the parents of that Academy;
“Staff Local Academy Councillor”	means a current member of staff at the Academy elected by the staff at that Academy;
“Foundation Trust Local Academy Councillor”	means a member of the Local Academy Council at Ormskirk School nominated by the Ormskirk School Foundation Trust;
“LA”	means the Local Authority (council) in whose area the applicable Academy is situated;
“Local Academy Council”	means the Local Academy Council of the Academy constituted pursuant to article 100 (a) of the Trust’s Articles and as provided by paragraph 4 of this document;

“Personal Financial Interest”	means any interest in the employment or remuneration of, or the provision of any other benefit to, a Local Academy Councillor as further detailed within Article 6 of the Articles (as applied to the Trustees);
“Executive Primary Lead/ Executive Secondary Lead/ Headteacher”	means an employee of the Trust appointed to have responsibility for the strategic leadership and the day to day operations of the Academy;
“Head of School”	means the employee at the Academy who has been appointed to carry out the operational day to day running of the Academy under the strategic leadership and line management of the Executive Head (as applicable);
“the Trust”	means Endeavour Learning Trust, a company limited by guarantee having registered company number 07848372 and registered address Endeavour Learning Trust, c/o Tarleton Academy, Tarleton, Preston, PR4 6AQ; and
“the Trustees”	means those persons appointed as Directors (under company law) who are also Trustees of the Trust (under charity law).

## **2 THESE TERMS OF REFERENCE**

- 2.1 These terms of reference are drafted and maintained by the Trust. The Trustees may make amendments to these terms of reference from time to time, pursuant to the Trust’s Articles within their absolute discretion.
- 2.2 In the event that amendments are made, the Trust shall notify the Chair of the Local Academy Council, who shall make the other Local Academy Councillors aware of such changes at the earliest opportunity.

## **3 THE TRUST AND LOCAL ACADEMY COUNCIL**

- 3.1 The Trust is a charitable company limited by guarantee. It has entered into the Funding Agreements with the Department for Education so it is the Trust that is ultimately responsible to the Department for Education.
- 3.2 The Trustees are the charity Trustees (within the terms of S.177 of the Charities Act 2011) and responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Articles.
- 3.3 The Local Academy Council shall be a committee of the Trustees established pursuant to Article 100 a) of the Articles.

#### **4 LOCAL ACADEMY COUNCIL - LOCAL ACADEMY COUNCILLORS**

4.1 The overarching principles governing the composition of the Local Academy Council are as follows:-

4.1.1 where the Academy is performing well, the Local Academy Council will have increased autonomy from the Trust;

4.1.2 where the Academy is performing less well, the Trust will have increased involvement with the Local Academy Council.

4.2 Membership of the Local Academy Council shall be determined in accordance with the following provisions :-

4.2.1 The total membership shall be not less than nine (9) nor more than twelve (12).

4.2.2 The membership of the Local Academy Council shall comprise:-

- (a) **The Executive Team representative (where applicable);**
- (b) **The Headteacher(s)/ Head of School;**
- (c) **2 Elected Parents;**
- (d) **1 Staff; nominated by staff and appointed by the Trust**
- (e) **Appointees of the Trust;**
- (f) **At Ormskirk School only, a minimum of two (in total 20% of the board) nominated Foundation Trust Local Academy Councillors appointed by Trust.**

4.3 The Local Academy Council may continue to act notwithstanding a vacancy in its composition.

#### **5 APPOINTMENT OF CHAIR AND VICE-CHAIR OF LAC**

5.1 The Chair of the Academy's Local Academy Council will be appointed by the Trustees. Nominations for the chair will be sought in the summer term prior to ratification by the Trust Board.

5.2 The term of office of the Chair of a Local Academy Council shall be one year. Further, subject to remaining eligible to be a Chair, any Local Academy Councillor may be re-appointed as Chair in accordance with paragraph 5.1.

5.3 The Vice-Chair of the Local Academy Council shall be appointed by the Local Academy Council from amongst their Councillors for a term of one year.

5.4 For the avoidance of doubt, there is no presumption that the Vice-Chair shall automatically become the Chair following the removal or retirement of the Chair. Subject to remaining eligible to be a Vice Chair, any Local Academy Councillors may be re-appointed for further terms of office as Vice-Chair by the Local Academy Councillors.

5.5 If both the Chair and the Vice-Chair are absent from any meeting of the Local Academy Council, those Local Academy Councillors present shall appoint one of their number to chair the meeting.



## **6 RESPONSIBILITIES OF TRUSTEES, CHIEF EXECUTIVE OFFICER AND LOCAL ACADEMY COUNCIL**

- 6.1 In summary, the role of the Trustees involves controlling the management and administration of the Trust. This includes developing and implementing overall strategy, vision and consistency of brand, and ensuring value for money and legal compliance of the Trust. The Trustees are responsible for ensuring the Trust is solvent, well-run and delivering the Trust's charitable objects. The Trustees must also hold the Chief Executive Officer to account.
- 6.2 The role of the Chief Executive Officer is to have delegated responsibility for the operation of the Trust including the performance of the Trust's academies. He or she manages the Executive Headteachers/Headteachers/Heads of Schools of the Trust's academies and is also the Accounting Officer with overall responsibility for the finances of the Trust.
- 6.3 The role of Local Academy Councillors (constituting the Local Academy Council) is to carry the Trust's vision forward, based on the specific qualities and community characteristics of each academy. The Local Academy Councillors are expected to question and challenge Academy leadership.
- 6.4 The Trust's [Scheme of Delegation](#) for the Academy can be found on the Trust's website. This document sets out in detail the delegation of functions between the Trustees, Executive and Local Academy Councils. It also identifies who can take decisions on specified matters.

## **7 RESIGNATION & REMOVAL OF LOCAL ACADEMY COUNCILLORS**

- 7.1 A Local Academy Councillor may at any time resign his or her office by giving notice in writing to the Clerk to the Local Academy Council.
- 7.2 A Local Academy Councillor shall cease to hold office if he or she is removed by the person or persons who appointed him or her. This provision does not apply in the case of the Parent Local Academy Councillor who may be removed by the Trustees.
- 7.3 The Trustees may terminate the appointment of any Local Academy Councillor, including Parent Local Academy Councillors, whose presence or conduct is deemed by the Trustees not to be in the best interests of the Trust or the Academy.
- 7.4 A Parent Local Academy Councillor shall not automatically cease to hold office when his or her child or children cease to be a pupil or pupils at the Academy.

## **8 PERSONS INELIGIBLE TO BE LOCAL ACADEMY COUNCILLORS**

- 8.1 No person shall be qualified to be a Local Academy Councillor unless he or she is aged 18 or over at the date of his or her election or appointment. No current pupil of the Academy shall be a Local Academy Councillor.
- 8.2 A Local Academy Councillor shall cease to hold office if he or she becomes incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs.

- 8.3 A Local Academy Councillor shall cease to hold office if he or she is absent without the permission of the Local Academy Councillor or Trustees from all Local Academy Council meetings held within a period of six months and the Local Academy Councillors resolve that this office is deemed to be vacated.
- 8.4 A Local Academy Councillor shall cease to hold office if he or she would be disqualified from acting as a charity Trustee by virtue of sections 178-180 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 8.5 A person shall be disqualified from holding or continuing to hold office as a Local Academy Councillor:-
- 8.5.1 If:-
- (a) his or her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
  - (b) he or she is the subject of a bankruptcy restrictions order or an interim order.
- 8.5.2 At any time when he or she is:-
- (a) included in the children or vulnerable adults barred lists maintained by the Disclosure and Barring Service;
  - (b) does not meet the requirements set out under the statutory guidance Keeping Children Safe in Education (as amended); or
  - (c) disqualified from working with section 75 of the Childcare Act 2006 and The Childcare (Disqualification) Regulations 2009.
- 8.5.3 Where he or she has, 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 sections 178-180 of the Charities Act 2011.
- 8.5.4 If he or she has not complied with the Trust's DBS policies. Local Academy Councillors are required to be familiar with the DBS policies and must act in compliance with them.
- 8.5.5 Is the subject of a direction made pursuant to section 128 of the Education and Skills Act 2008.
- 8.6 Where a person becomes disqualified from holding, or continuing to hold office as a Local Academy Councillor and he or she is, or is proposed, to become such a Local Academy Councillor, he or she shall upon becoming so disqualified give written notice of that fact to the Chair of the Trust.

## **9 LOCAL ACADEMY COUNCILLORS' TERM OF OFFICE**

- 9.1 Any Local Academy Councillor shall hold and vacate office in accordance with the terms of his or her appointment but, except in the cases of the Executive

Head/Headteacher or Head of School, the length of his term of office shall not exceed four years.

9.2 All elected Local Academy Councillors shall hold office for a term of office not exceeding four years.

9.3 Subject to remaining eligible to be a Local Academy Councillor, any Local Academy Councillor may be re-appointed for consecutive periods as Trustee appointed Local Academy Councillors as the Trustees see fit. Parent Local Academy Councillors will be able to stand for a further election if eligible. Similarly, Staff Local Academy Councillors can be re-nominated for appointment by Trustees.

## **10 CONFLICTS OF INTEREST**

10.1 The income and property of the Academy must be applied solely towards the provision of the objects as detailed in the Articles. The restrictions which apply to the Trustees regarding having a Personal Financial Interest shall also apply to the Local Academy Councillors.

10.2 The procedure detailed at Article 6 of the Articles shall apply to the Local Academy Council.

10.3 Any Local Academy Councillor who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his or her duties as a Local Academy Councillor shall disclose that fact to the Local Academy Councillors as soon as he or she becomes aware of it and it must be recorded in the Trust's Register of Interests. A Local Academy Councillor must absent himself or herself from any discussions of the Local Academy Councillors 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).

10.4 No Local Academy Councillor is permitted to use his or her connection to the Trust or Academy for personal gain, including payment under terms that are preferential to those that would be offered to an individual or organisation with no connection to the Trust.

10.5 All Local Academy Councillors must ensure that they comply with the relevant parts of the Academies Financial Handbook as amended from time to time.

## **11 MEETINGS OF LOCAL ACADEMY COUNCIL**

11.1 The Local Academy Council shall meet once in every term and shall hold such other meetings as may be necessary.

11.2 All meetings shall be convened by the Clerk, who shall send to the Local Academy Councillors written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting.

11.3 Notice of a meeting of the Local Academy Council and the agenda may be sent to the Local Academy Councillors by post or electronically.

- 11.4 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.

## **12 QUORUM FOR LOCAL ACADEMY COUNCILLORS' MEETINGS**

- 12.1 Meetings of the Local Academy Council shall be quorate if three Local Academy Councillors are present, subject to staff members not being in the majority.
- 12.2 If the number of Local Academy Councillors assembled for a meeting of the Local Academy Council does not constitute a quorum, the meeting shall not be held. If in the course of a meeting of the Local Academy Council the number of Local Academy Councillors present ceases to constitute a quorum, the meeting shall be terminated forthwith.
- 12.3 If for lack of a quorum a meeting cannot be held or, as the case may be, cannot continue, the Chair shall, if he or she thinks fit, determine the time and date at which a further meeting shall be held and shall direct the Clerk to convene the meeting accordingly.

## **13 PROCEEDINGS OF LOCAL ACADEMY COUNCILLORS' MEETINGS**

- 13.1 Every question to be decided at a meeting of the Local Academy Council shall be determined by a majority of the votes of the Local Academy Councillors present and voting on the question. Every Local Academy Councillor shall have one vote. Where there is an equal division of votes the Chair of the meeting shall have a second or casting vote.
- 13.2 A Local Academy Councillor may not vote by proxy.
- 13.3 No resolution of the Local Academy Councillors 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.
- 13.4 Any Local Academy Councillor who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Academy Council at which his or her remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- 13.5 Any Local Academy Councillor may participate in meetings of the Local Academy Council by telephone or video conference.

## **14 MINUTES AND PUBLICATION**

- 14.1 At every meeting of the Local Academy Council the minutes of the last meeting shall be presented for the Local Academy Councillors present to consider and agree to be accurate and shall be signed as a true record by the Chair of the meeting.
- 14.2 At least annually in the Autumn Term the Local Academy Council shall review and note the Academy's safeguarding policy and a minute to this effect shall appear in the minutes of the meeting.

- 14.3 The Clerk shall ensure that a copy of the agenda for every meeting of the Local Academy Councillors, 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 Local Academy Councillors.

## **15 DELEGATION OF FUNCTIONS AND COMMITTEES**

- 15.1 The Local Academy Council may establish Committees and the powers of any such Committees, their terms of reference and membership shall be determined by the Local Academy Council in accordance with any guidance or policies of the Trust.
- 15.2 The Committees may include members who are not Local Academy Councillors in line with policies.
- 15.3 Except where it is otherwise constrained within its terms of reference, a Committee may invite attendance by persons who are neither Local Academy Councillors nor committee members where such attendance is considered by the members of the Committee to benefit its deliberations.
- 15.4 Copies of the minutes of Committee meetings are to be circulated to all Local Academy Councillors and those who are entitled to attend Local Academy Council meetings.
- 15.5 The Trustees within their absolute discretion may veto a proposed Committee.

## **16 RESPONSIBILITIES OF THE HEADTEACHER/ EXECUTIVE LEAD**

- 16.1 Subject to responsibilities of the Local Academy Council and the policy statements of the Trust, the Executive Head/Headteacher/Head of School shall be responsible to the Local Academy Council for:-
- 16.1.1 implementing the agreed policies and procedures laid down by the Local Academy Council, including the implementation of all statutory regulations;
  - 16.1.2 advising the Local Academy Council on strategic direction, forward planning and quality assurance;
  - 16.1.3 the leadership and management of the Academy;
  - 16.1.4 the operational admission of pupils;
  - 16.1.5 managing the delegated budget and resources;
  - 16.1.6 advising the Local Academy Council of the appointment of the Vice Principal and such other senior posts;
  - 16.1.7 the appointment of all other staff and (except to the extent directed otherwise by the Trustees), the salary grading proposal to the Trust board, allocation of duties, appraisal and discipline of all staff;
  - 16.1.8 the maintenance of good order and discipline by the pupils including their fixed term or permanent exclusion within the framework laid down by the Local Academy Council; and

16.1.9 all such additional functions as may be assigned under the job description or contract of employment.

## **17 CONDUCT OF STAFF**

17.1 The Trust (as employer) is responsible for determining the human resource policies, procedures and terms and conditions of service for all employees including the setting of appropriate rules for the conduct of staff, in each case as developed with each Academy. The local Joint Consultation and Negotiation Committee will also be consulted, as appropriate.

## **18 RULES AND BYELAWS**

18.1 The Local Academy Council shall have the power to make rules and byelaws in respect of the governance and conduct of the Academy as it shall think fit. Such rules and byelaws shall be subject to the provisions of this document and to approval by the Trustees.

## **19 AMENDMENT OF TERMS OF REFERENCE**

19.1 As described in paragraph 2.1, this document may be modified or replaced by the Trust.

## **20 COPIES OF INSTRUMENT AND RULES OF GOVERNMENT**

20.1 A copy of this document, and of any rules and bye-laws, shall be given to every Local Academy Councillor and shall be available for inspection upon request by members of staff during normal office hours at the offices of the Academy and the Trust.

## **21 EFFECTIVE DATE**

21.1 These terms of reference shall come into effect on the date they are determined and approved by the Trustees.

## **Local Academy Councillors' Allowances Policy**

1. Academy Councillors/ Trustees/ Members may claim allowances in respect of actual expenditure incurred whilst attending meetings of the Academy Council, Trust Board or Members' board and its committees, undertaking training or development and otherwise acting on behalf of the relevant board in accordance with the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013, Part 6.
2. Academy Councillors/ Trustees/ Members cannot be paid attendance allowance or for any loss of earnings.
3. All Academy Councillors/ Trustees/ Members and associate members are eligible to claim allowances in accordance with this scheme.
4. All such payments will be paid from the Academy's delegated budget, and therefore subject to the same budgetary control, authorisation, and audit arrangements as other items of official expenditure.

### **Eligible Expenses**

5. Categories of eligible expenditure are as follows:
  - Care arrangements: Childcare or babysitting expenses, where these are not provided by a relative or partner; Care arrangements for an elderly or dependent relative, where these are not provided by a relative or partner.
  - Telephone calls and postage.
  - Travel.
  - Subsistence.

### **Allowance Rates/Reimbursement**

6. Rates at which allowances/reimbursements are payable are as follows:

Care Arrangements: Actual costs incurred, up to a maximum of £4 per hour for the care of a child (under 14 years) or an elderly or dependent relative requiring full time care. For the purposes of this policy, a carer is identified as anyone other than an existing or former spouse or partner, a responsible person who normally lives in the family home.

Travel Rates: Where the return journey from home to school by the shortest practicable route exceeds 5 miles, but less than 15 miles, travelling expenses for the excess mileage will be payable at the approved teachers' mileage rate determined by the LA.

If travel is undertaken by means of public transport, actual expenditure will be reimbursed. However, where more than one class of fare is available, the rate shall be limited to standard-class fares.

**Subsistence:** Under normal circumstances no expenses will be provided for subsistence. However, if additional expenses are incurred because work requires taking meals (ie breakfast, lunch or dinner) away from school reimbursement will be made for the food/drink items bought on the day claimed up to a maximum of £2.50.

### **Criteria for Claims**

7. All claims must be authorised by the chair or Head of School/ Headteacher and submitted to the Academy by the end of each term. Claims for travel and subsistence expenses outstanding for more than six months will not be accepted.
8. Receipts/Invoices must be supplied to support claims for reimbursement.
9. In the case of telephone calls, an itemised phone bill should be provided identifying the relevant calls.

### **Financial Systems**

10. The school's normal systems for authorising and processing payments will apply to claims made under this scheme.



## Skills Audit for Local Academy Councillors 2022-2023

Name of Local Academy Councillor:

School:

### How to use it

This exercise is designed to enable all Academy Councillors to set out their skills and experience whatever their backgrounds and make clear that the essential and desirable skills for governance can be acquired through a range of life experiences. The skills and knowledge sought are those which enable councillors to ask the right questions, analyse data and have focussed discussions which create robust accountability for school leaders.

Each knowledge, experience, skill or behaviour should be rated on a scale of 1-5, with 1 indicating no experience or knowledge in this area, and 5 indicating strong expertise.

Those areas highlighted in green are those areas which are most pertinent to the role of the Local Academy Councillor.

Knowledge, experience, skills and behaviours	Level of knowledge or skills/behaviour, rate on scale of:				
	No	→	→	→	Yes
	1	2	3	4	5
<b>1. Strategic leadership</b>					
I am committed to improving education and welfare for all pupils.					
I understand current national education policy and the local education context.					
I have experience of charity law and governance.					
I have previous experience of being a governor/Trustee in another school or being a board member in another sector					
I have experience of chairing a board/academy council or committee.					
I have experience of strategic planning and applying this to set and preserve the culture of the organisation.					
I am committed to the organisation's vision and ethos.					
I am able to question and challenge, working as part of a team to identify viable options through collective decision making.					
I am able to work in a professional manner, avoiding conflicts, acting with transparency and integrity.					
I am confident I can identify when to seek independent/professional advice.					
I have experience of stakeholder management and engagement including communicating with and taking account of the views of parents and pupils.					
I have experience of promoting community cohesion.					
I am proficient in prioritising, assessing and mitigating risk.					
I have experience of school sector risk management, including managing conflicts of interest/loyalty.					
<b>2. Accountability</b>					
I understand the importance of collecting high quality data and have expertise using data to interpret/evaluate performance and identify trends to target improvement.					
I have expertise in curriculum development, school assessment and progress/attainment.					
I have experience of working with leaders to establish expectations for improvement and outcomes.					
I have experience of agreeing the range and format of information and data needed in order to hold leaders to account.					
I have experience of providing challenge to leaders on strategies for monitoring and improving behaviour and safety.					
I have an understanding of the board's duties in relation to safeguarding including Prevent.					
I have an understanding of special education needs and disabilities (SEND).					
I have financial management expertise, with experience of funding allocation/budget monitoring and contributing to financial self-evaluation and efficiency drives.					

I have experience of basing funding decisions on organisational priorities and the ability to interpret financial data and question financial performance against strategic priorities.					
I have experience of procurement/purchasing.					
I have experience of property and estate-management.					
I have experience of HR policy and processes, including employment legislation, recruitment, performance management and pay.					
I have experience of school sector HR policy and processes.					
I have experience of change management (overseeing a merger or an organisational restructure).					
I have experience of preparing for and responding to external oversight.					
I have experience of inspection and oversight in the school sector.					
<b>3. People</b>					
I am willing to devote time, enthusiasm and effort to the duties of and responsibilities of an academy councillor.					
I am a strong communicator and committed to building strong collaborative relationships.					
I am able to discuss sensitive issues with experience of conflict resolution and influencing consensus.					
I am able to demonstrate a commitment to ethical behaviour and values, honesty, independence of thought and sound judgement.					
I am committed to equal opportunities and the promotion of diversity.					
I am willing to reflect, listen and learn from a diversity of views, to receive and provide feedback and accept impartial advice.					
<b>4. Structures</b>					
I am familiar with the strategic nature of the Trust board's functions and how this differs from and works with others including senior leaders.					
I have experience of reviewing governance structures.					
<b>5. Compliance</b>					
I have experience of complying with legal, regulatory and financial frameworks and statutory guidance.					
I understand and accept the legal duties, responsibilities of a councillor.					
I have experience ensuring legal compliance and a commitment to understanding the full range of legal responsibilities.					
I understand the importance of adhering to organisation policies e.g. on parental complaints or staff-discipline issues.					
I have the confidence and ability to speak up when concerned about non-compliance.					
<b>6. Evaluation</b>					
I am aware of my own strengths and weaknesses and committed to personal development.					
I have experience of evaluating board decisions and am willing to contribute to board self-review.					

**Existing Academy Councillors (or previous governors) only**

What contribution do you feel you have made to the Academy Council/ Governing Body over the past year?

Please give brief details of courses you have undertaken in the past year - include governance training, work-based training/development and/or any other development/training activities.

Are there any additional areas of the Academy Council's responsibilities to which you would like to contribute in the future?

**Appendix 1**

**Academy Councillor/ Trustee Visit Report**

<b>School:</b>	
<b>Name:</b>	<b>Date:</b>
<b>Focus of Visit as agreed with school-based lead before visit</b>	
<b>Summary of activities undertaken e.g. talking to staff and students, looking at specific resources, lunch etc:</b>	
<b>What have I learned as a result of my visit? (relate this back to the focus of the visit)</b>	
<b>Aspects I would like clarified/questions that I have:</b>	
<b>Actions for the LAC/Trust board to consider:</b>	
<b>Any other comments /ideas for future visits:</b>	
<b>Signed _____ (Academy Councillor)</b>	