



**Shaw
Education
Trust**

SET Governance Handbook

2024-25

Part Three: Roles and Responsibilities

Local Governance

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Part Three: Roles and Responsibilities

Academy Councils

1.0 Purpose

1.1 The purpose of this section of the Governance Handbook is to outline the roles, responsibilities and duties of the Academy Councils.

1.2 Further information is available from the Shaw Education Trust (SET) central team and via the SET intranet.

1.3 The Shaw Education Trust Governance Handbook outlines the various tiers and principles of governance across the Trust and is in 4 parts. These have been published separately.

Part One – Overview

Part Two – The Trust Board and Members and Reserved Matters

Part Three – Local Governance

Part Four – Letters, Templates and Other Key Documents

1.4 In its [Academy Trust Governance Guide](#) the DfE note that the purpose of governance in trusts is to provide:

- Strategic leadership
- Accountability and assurance
- Strategic engagement.

Within Shaw Education Trust, we have encapsulated these core functions into our own single core function which not only covers the DfE expectations, but rightly, in our view, incorporates the link to our stakeholders. Our core function of governance at local level is therefore:

"To be responsible for supporting and challenging our Academy and Trust leaders, ensuring that decisions made at a local level are for the benefit of pupils, and directly linked to the strategic vision of the Academy and Trust. To ensure these decisions consider the views of our other stakeholders (parents, staff and local community) and effective communication exists between all. These decisions centre

mainly around areas of educational standards & provision, and operational functions, as detailed in the Scheme of Delegation.”

2.0 Introduction

2.1 Shaw Education Trust is a charitable voluntary organisation which relies on the crucial input of a considerable number of volunteers, supported by an experienced team of staff. This constitution and terms of delegation for your Academy Council has been made by the Trustees of Shaw Education Trust Academy Trust and we ask that you please read it alongside the Shaw Education Trust Scheme of Delegation.

2.2 Academy Councillors are accountable to the Shaw Education Trust Board via the Chief Executive Officer (CEO) and Deputy CEO and Director of Governance (who are in turn accountable to the Department for Education (DfE)) as well as to the communities they serve.

2.3 The role of an Academy Councillor within our Trust is an important one. In developing governance arrangements, the Trust Board has sought to ensure that the responsibility to govern is vested in those closest to the impact of decision-making and that such responsibility matches the capacity of those assuming this responsibility.

2.4 The Shaw Education Trust Board and CEO, Deputy CEO and Director of Governance will ensure Academy Councils are appropriately established in each Academy to fulfil duties delegated by the Trust Board and requirements of the school Funding Agreement and Academy Trust Handbook.

2.5 The Academy Council will comply with any guidance issued from time to time by the Shaw Education Trust Board as to the composition of the Council, the carrying out of elections, and any other matter affecting the functioning of the Academy Council, including the removal of members of the Council. Minutes of all meetings will be made available on request to the Director of Governance (DoG) to be distributed to SET if required.

3.0 Training and Development

3.1 Academy Councillors are expected to participate actively in the induction process and undertake any relevant training and development provided by the Trust. Academy Councils are encouraged to;

- Undertake independent research and reading including use of their membership to the National Governors Association (NGA).
- Plan and participate in training in response to Skills Audits etc. using available resources, e.g. NGA website, Flick, SET colleagues etc.
- Complete and engage with their own Development Plan.
- Report back to the Academy Council regarding any training, research or learning which they have undertaken or attended, maintaining a training record for distribution to all councillors and made available on request to the SET DoG.

4.0 Composition

4.1 Local governance and accountability are secured through our system of Academy Councils, with the Trust Board retaining overall legal control of its academies in line with Department for Education and Education Funding Agency expectations.

4.2 The Shaw Education Trust operates two local governance structures within its academies:

- **Academy Council:** this is the structure in most of our academies, which governs similar to most governing bodies in all schools across the country. The composition of this board is detailed below. SET colleagues may attend to advise and support the council and on the rare occasion can also be an appointed councillor.
- **Interim Executive Board:** This type of local governance is used very rarely and only for a dedicated period of time. An IEB is formed by the Trust to support an Academy that needs specific specialised support at any given time. This may be due to a range of factors, such as, a re-structure of the Academy,

significant numbers of new senior leaders, a concern about performance, or other unique situations which the Trust feel the Academy needs a period of stability and structured support with. The composition of the IEB is not similar to the other model and the Trust decide on membership as best fits the particular needs of the Academy.

4.3 The expectation is that all appointments and re-appointments to an Academy Council must be agreed by the Shaw Education Trust before confirmation of appointment.

4.4 Each Academy Council comprises **of** members (known as Academy Councillors), including:

- Two elected **parents** of pupils at the Academy known as Parent Academy Councillors.
- Two **employees** of the Academy. This should be one teacher and one support staff member, elected by employees of the Academy. Any exceptions to this must be clearly identified and agreed by the CEO via DoG. Two teachers, or two support staff, are acceptable if one from each cannot be elected. There must not be more than two staff representatives and staff cannot be in the position of Chair or Vice-Chair.
- At least two other* Academy Councillors, nominated by the Academy Council. *Other in this context refers to non parent or staff Academy Councillors. (Whilst there is no maximum number of other Councillors, Academy Councils must ensure that they have a highly effective board. Other members can increase the objectivity of a council. It is important that any significant additions to the number of members is first discussed with the SET DoG).
- The Principal/Headteacher of the Academy (ex-officio).
- Shaw Education Trust reserve to the right to appoint members as they see fit, for the benefit of the Academy and its development. These individuals will be agreed by SET and may include colleagues from the SET Central Team, elected members, ex-employees or any person SET deems suitable to appoint. The Chair of the Academy Council will be included in discussions on this matter before any appointment.

4.5 On joining the Trust the terms of office of the Academy Councillors will be continuous.

4.6 Each Academy Council shall have a Chair and a Vice-Chair. These roles will be appointed in the autumn term for 12 months, unless the standing down of Chair/Vice-Chair occurs at another time of the year.

4.7 The length of service of all Academy Councillors to the Academy Council shall be four years. Subject to remaining eligible, an Academy Councillor may be reappointed or re-elected at the end of their term. Any Academy Councillor wishing to be elected for a third term of office will need to ensure that they are able to demonstrate their positive impact on the work of the Academy Council.

4.8 Every person wishing to become an Academy Councillor will be expected to accept the duties associated with the role as documented in relevant information. This includes making any relevant disclosures for the purposes of a criminal records check by the Disclosure and Barring Service.

4.9 Shaw Education Trust Board and the Academy Council acknowledge that they each play a crucial role in the governance of the Academy and commit to working together in the best interests of the Trust and the Academies. They also acknowledge that the duties and responsibilities in relation to the operation of the Trust sit with the Shaw Education Trust Board and as such the Trust Board is entitled:

- to overrule a decision of the Academy Council; and/ or
- to remove delegated powers from an Academy Council if (in their reasonable opinion) they consider it to be in the best interests of the Academy or the wider Academy Trust.

5.0 Relationship between Shaw Education Trust Board and the Academy Council

5.1 The relationship between the Shaw Education Trust Board and the Academy Council is underpinned by the principles that there should be no duplication of governance and governance should be as close to the point of impact of decision-making as possible. The Scheme of

Delegation provides further clarity as to who the decision makers are for different levels of decisions and should be read alongside the Shaw Education Trust Governance Structure document and this constitution and terms of delegation.

5.2 The Academy Council shall receive the annual budget for the subsequent financial year prepared by the Academy's Principal / Shaw Education Trust's Finance Department for review and comment through the usual communication procedures.

Subject to the paragraph below, the Academy Council shall have the power to expend funds of the Trust Board which relate to the Academy as it considers in the best interests of the Academy and in accordance with the Finance Manual and the Procurement Policy.

5.3 The Academy Council shall have regard to:

- the Objects of the Trust and the restrictions attached to any grant funding;
- the Academy's developmental priorities as set out in the Academy Development Plan;
- financial sustainability.

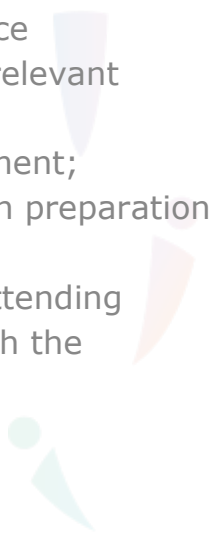
5.4 In line with their duties and responsibilities as trustees and directors, the Trustees shall be entitled to determine that a proportion of the budget in respect of the Academy be held centrally for the following reasons:

- to be allocated to the provision of central services received by the Academy;
- in pursuance of the Academy Trust's reserve policy; and/ or
- as otherwise may be determined by the Trustees acting reasonably and in the best interests of the Academy Trust.

6.0 Commitment of Academy Council members

6.1 Academy Councillors are expected to:

- attend meetings (sending apologies if unable to attend) and participate in questioning and discussions;

- 
- take responsibility for an aspect of school governance (safeguarding, SEND and Disadvantaged), reading relevant material prior to meetings;
 - participate in relevant training/knowledge enhancement;
 - engage fully with expectations using GovernorHub in preparation for meetings and in general role;
 - engage and support in the life of the Academy by attending event(s) as appropriate (with prior arrangement with the Principal);
 - champion the Academy in the local community;
 - familiarise themselves with relevant policies;
 - declare any possible conflict of interest.

7.0 Stakeholder voices

7.1 As stated in our core function of governance, Academy Councils are expected to have regard to the voices of their various stakeholders (especially pupils, parents/carers and staff) and to put in place arrangements to receive feedback and to respond appropriately. This includes engaging stakeholders through defined governance arrangements (including elected parent and staff governors on the Academy Councils) and more broadly.

7.2 Accessing and responding to pupils' collective concerns is an important part of the operations and governance of Shaw Education Trust academies. All schools have active Pupil Councils with representatives from each year group. Each Academy Council is expected to give due regard to issues that are raised through the Pupil Council and the management actions taken in response to the issues.

8.0 Appointment and particular responsibilities of Academy Councils

a) Chair

The Chair is appointed by the Academy Council. The term of office of the Chair is 12 months and the Chair is eligible for reappointment at the end of that term.

The Shaw Education Trust Board are entitled to remove the Chair from office at any time, although this would not necessarily affect the individual's position as an Academy Councillor.

The Chair and Vice-Chair will liaise with the Principal/Headteacher of the Academy and the Governance Professional to plan the work of the Academy Council for the year. It is recommended that the Chair also meets with the Principal/Headteacher at regular intervals throughout the year, either face-to-face or online.

The responsibilities of the Chair include the following:

- fulfilling expectations of an Academy Councillor as stated in 6.1;
- communicating with the Principal/Headteacher and GP to set the agenda if required;
- chairing meetings effectively
- ensuring actions set are completed on time for next meeting;
- ensuring the Academy Council follows the guidance in the SoD (Scheme of Delegation);
- supporting all Councillors ensuring they are able to, and do, engage fully in the role, including communicating between meetings as required;
- reporting to the Shaw Education Trust Board in writing following any Academy Council meeting, if requested;
- giving a verbal summary of the Academy Council's deliberations, if requested, at meetings of the Shaw Education Trust Board;
- providing a direct link between the Academy Council and the Shaw Education Trust Board;
- participating in, and leading if needed, any appropriate panel convened, e.g. complaints panel, disciplinary panel, etc.;
- in the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the Academy Council, the Chair of the Academy Council (or the Vice-Chair of the Academy Council in their absence) in consultation with the appropriate National Director or C-Suite member, shall take appropriate action on behalf of the Academy Council. The decisions taken and the reasons for urgency shall be explained fully at the next meeting of the Academy Council;
- communicating with the SET Director of Governance when necessary, around Academy Council matters and processes.

b) Vice-Chair

The Vice-Chair is appointed by the Academy Council. The term of office of the Vice-Chair is 12 months, and the Vice-Chair is eligible for reappointment at the end of that term. The Shaw Education Trust Board is entitled to remove the Vice-Chair from office at any time, although this would not necessarily affect the individual's position as an Academy Council.

The responsibilities of the Vice-Chair include the following:

- fulfilling expectations of an Academy Councillor as stated in 6.1;
- to deputise for the Chair in their absence;
- to set the agenda for meetings of the Academy Council with the Chair, if requested.

In the absence of both the Chair and the Vice-Chair at a meeting, the Academy Council will elect a temporary Chair from among their number.

c) Staff Academy Councillors

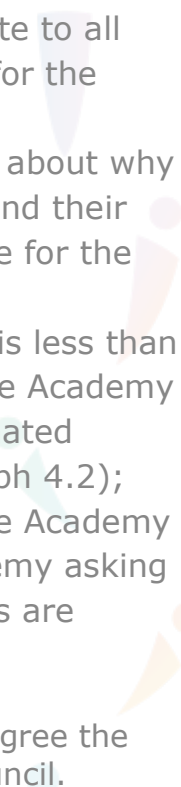
Staff Academy Councillors are elected from amongst their peers and colleagues to be a representative 'of' and not 'for' their peers and colleagues, to represent the interests and opinions of staff at the Academy to the Academy Council

The teacher and support staff member of the Academy Council shall be expected to complete expectations as stated in 6.1.

Staff Academy Councillors cannot take the role of Chair.

d) Elected Parent Academy Councillors

Parent Academy Councillors for each Academy Council shall be elected in accordance with the process set out below:

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- When a vacancy arises, the Academy Council will write to all parents of pupils at the Academy seeking nominees for the vacancy;
 - Nominees will be asked to provide a short statement about why they are interested in being an Academy Councillor and their background and experience that makes them suitable for the role;
 - In the event that the number of nominees equals or is less than the number of vacancies on the Academy Council, the Academy Council can choose to put all (or any) of those nominated forward for appointment (please see note in paragraph 4.2);
 - If there are more nominees than places available, the Academy Council will write to all parents of pupils at the Academy asking them to vote for their preferred candidate. Guidelines are available;
 - The Academy Council, in consultation with the Principal/Headteacher and Shaw Education Trust, will agree the total number of parents able to be members of the Council.

A Parent Academy Councillor should be a parent, have parental responsibility or be a carer of a registered pupil at the relevant Academy.

The responsibilities of the Parent Academy Councillor are to represent the interests and opinions of the parent body of the Academy to aid local governance. They cannot canvass for election and must adhere, as do all Academy Councillors, with the need for confidentiality.

Parent representatives shall be expected to complete expectations as stated in 6.1.

Parent Academy Councillors can take the role of Chair.

e) Other Academy Councillors

Other Academy Councillors are nominated by the Academy or Academy Council and usually come from contacts with the wider community, but not always. It is important that Councils look at a variety of sources for councillors to ensure that they strengthen the work of the Council by potentially filling any gaps in skills and knowledge, which may exist in

the Council as a whole. Shaw Education Trust schools are diverse, inclusive, and culturally rich places. As a Trust, we want to encourage people who may have never considered the role of Academy Councillor to share their skills and expertise and encourage applications from all ages and backgrounds who wish to bring a fresh perspective to the Council.

9.0 Other responsibilities - Link Councillors

9.1 Each Academy Council shall appoint from among its members, individuals with specific responsibilities, i.e. Link Councillors.

9.2 The assigned areas to link to, will be decided on by each AC depending on what the priorities are for each Academy, e.g. attendance, curriculum, staff training, etc.

However, please note the following:

- Each AC **must** have a Safeguarding link;
- Each AC **should** have a SEND link (Special Schools may decide to have a particular aspect of SEND allocated to this councillor);
- Each AC **should** have a 'Statutory grants', i.e. Pupil Premium and/or Disadvantaged Pupils link.

9.3 Link areas are assigned/confirmed at the start of each academic year, with one Councillor allocated to each of the above areas carrying out the following 4 steps each term for their chosen/assigned area:

1. Pre-read documentation uploaded onto GovernorHub, especially comparing previous dashboards, on the assigned aspect prior to a meeting;
2. Prepare up to 3 questions to ask during the meeting;
3. Participate in one aspect of training/knowledge development on this area each term/year;
4. Share information on any relevant training/meeting attended on this aspect onto GovernorHub which may be useful to the Academy Council.

10.0 Governance Professional to the Academy Council

10.1 The Academy Council, in consultation with the Shaw Education Trust Board shall appoint a Governance Professional to the Academy Council who must not be an Academy Councillor.

10.2 In the absence of the Governance Professional, the Academy Council shall elect a replacement for the meeting (who may be an Academy Councillor).

10.3 The general responsibilities / functions of the Governance Professional to the Academy Council include as follows: (further details are available from SET DoG)

- ensure agenda is ready on time by communicating with Chair and Principal/Headteacher;
- maintain GovernorHub as required, e.g. meeting documents, meeting dates, terms of office, membership lists etc. and monitor Councillor information;
- produce accurate minutes and ensure actions have been followed up prior to next meeting;
- engage in relevant training/hub meetings/briefings as directed to assist personal CPD;
- maintain regular communications with relevant colleagues, i.e. Chair, SET Director of Gov, Principal, etc.;
- report to the Academy Council as required on the discharge of the Governance Professional's functions;
- perform such other functions as shall be determined by the Academy Council from time to time (contact SET DoG).

10.4 Minutes of the Academy Council meetings must be made available to the Trustees and C-Suite or their representatives on request.

10.5 The Governance Professional will be performance managed by the Chair of the Academy Council in respect of their clerking role. Chairs should liaise with DoG if any issues arise with clerking duties.

11.0 Ceasing to be an Academy Councillor


11.1 An Academy Councillor's term of office will be terminated if:

- any event or circumstance occurs which would disqualify them from the office under the Articles;
- they have, without the consent of the Academy Council, failed to attend Academy Council meetings for a continuous period of six months, beginning with the date of the first such meeting they failed to attend and the Chair and the Vice Chair agree that the term of office should be terminated. Chairs should in the first instance consult with SET DoG before any action is taken;
- they resign from office by notice to the Shaw Education Trust Board;
- they are removed from office by the Shaw Education Trust Board;
- the termination of any Councillor position (this does not include resignation or end of term of office) must be authorised by the CEO via DoG (as with all appointments).

12.0 Contractual authority

12.1 The Academy Council is authorised to enter into a contract on behalf of the Trust in so far as it relates to the Academy provided that:

- the contract does not exceed the value specified in the SoD;
- the contract period is not greater than 1 year;
- the contract has been procured in compliance with the Trust's procurement policy and in accordance with the Academies Trust Handbook;
- consideration is given as to whether the contract constitutes a 'related party transaction'; and the contract **does not relate** to the following services:
 - HR;
 - Payroll;
 - Accountancy;
 - Audit;
 - Education inspection;
 - Leadership and CPD;
 - Energy supplier and energy management;

- 
- Financial management systems; or management information systems;
 - ICT systems and ICT hardware supplier contracts;
 - Telecommunication systems;
 - Stationery and consumables supplier contracts;
 - Catering contracts;
 - Cleaning contracts;
 - Facilities management;
 - Capital works; and
 - Health & safety management systems

unless:

- a) in the case of leadership and CPD support, it complements rather than duplicates the Trust offer or, in any other service area, the CEO has been consulted; or
- b) the contract is of a low value and short term (in the view of the Academy Council acting reasonably).

13.0 Key functions of the Academy Council

13.1 To fulfil the core function of governance, the Academy Council is asked to carry out the general following function:

Governance

- To champion the Shaw Education Trust vision and values in the Academy and to ensure the spiritual wellbeing and safety of the pupils;
- To determine the educational character, mission and ethos of the Academy reflecting the wider character, mission and ethos of the Shaw Education Trust;
- To ensure that the school has a medium to long-term vision for its future and a robust strategy for achieving it;
- To appoint (and remove) from its number, the Chair, Vice-Chair and Academy Councillors with specific responsibilities as stated in paragraph 9.1;
- To appoint a Governance Professional;
- To review and amend the policies of the Academy (in line with any Trust prescribed policy);
- To implement a means whereby the Academy can receive and react to pupil, parental and staff feedback;

- To establish and maintain a relationship with the members of the local community.

13.2 The Academy Council has, of course, more specific duties to carry out and under the structure of meetings as set out below, tasks can be carried out at specific meetings. If needed, the Council may at any time create a temporary or longer-term Sub-Committee and delegate set tasks. Those tasks should remain with the full Academy Council.

13.3 From 1st September 2024, Academy Councils will conduct their duties by convening four meetings per year to cover 'Standards' and 'Resources' (see below).

STANDARDS

Admissions

- To undertake consultation, publish admissions and determine arrangements as required in accordance with the School Admissions and Appeals Codes.
- To make arrangements for determining admissions and hearing admission appeals as applicable.
- To ensure effective arrangements are in place for pupil recruitment.

Attendance

- To support and challenge Academy leaders on actions taken to maintain or improve pupil attendance.
- To review attendance and pupil absences.

Behaviour

- To review and maintain a behaviour policy for the Academy.
- To support with any disciplinary panels where relevant.

Exclusions

- In liaison with the DoG, to convene a committee to review the exclusion of a pupil by the Principal/Headteacher; ensuring that those Academy Councillors have undertaken appropriate training and that the Governance Professional to the Panel is cognisant of the legislation pertaining to exclusions.

Curriculum

- To approve the curriculum proposed by the Principal/Headteacher (to the extent that it is consistent with the Trust-wide policy).
- To ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Academy.
- To consult on the relative funding priorities necessary to deliver the curriculum.
- To support the Trust and the Principal/Headteacher in the extended school provision in the Academy.

Progress

- To monitor the KPI figures reported from the Principal relating to standards.
- To ensure processes are in place for Academy leaders to monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups.
- To monitor and evaluate provision for all groups of vulnerable children (e.g. looked after children) and ensure all their needs have been identified and addressed, and to evaluate their progress and achievement.
- To ensure that the Academy's Assessment Policy is operating effectively.

SEND

- To appoint an Academy Councillor responsible for SEN and inclusion.
- To review and maintain the Academy's SEN policy.
- To provide oversight of the implementation of the policy within the Academy and compliance with the Disability Discrimination Act requirements.

Pupil Premium (& other grant funded aspects)

- To monitor the impact of the pupil premium in the Academy.
- To monitor the impact of other ring-fenced grants such as the Sports Premium.

Teaching & Learning

- To ensure processes are in place for Academy leaders to ensure quality teaching impacts on rates of pupil progress and standards of achievement.

Alternative Provision (if relevant)

- To ensure effective arrangements are in place for pupil support and representation at the Academy.
- To ensure any external provision used is appropriate and all necessary safeguarding checks are in place.

RESOURCES

Staff Cohort

- To participate in the process to appoint the Principal/Headteacher as requested by the Shaw Education Trust C-Suite Team (acting with the delegated authority of the Trust Board).
- To take part in the performance management/appraisal process of the Principal/Headteacher.
- To ensure that there is effective communication between the Principal/Headteacher and the C-Suite Team
- To ensure that the Trust's policies on all HR matters are implemented in the Academy.
- To monitor the implementation of the Trust's policies at the Academy for HR matters including the appointment, induction and performance management/appraisal process of staff, pay review process and procedures for dealing with disciplinary matters, grievances and dismissal.

Staff Attendance

- To support and challenge Academy leaders on actions taken to maintain good rates of staff attendance
- To review systems in place to monitor attendance and absences.

Staff Training

- To monitor and evaluate the impact of continuing professional development on improving staff performance.
- To ensure academy staff are appropriately trained in aspects of safeguarding.

Safeguarding

- To appoint a designated councillor for safeguarding who at least termly, communicates with the Academy DSL in assisting to produce a report for the Academy Council.
- To ensure implementation of the Trust-wide Safeguarding and Child Protection Policy, ensuring that additions are made to the policy to reflect individual Academy and local arrangements, reviewing these aspects annually.
- To ensure all relevant Safeguarding Policies are enacted and reviewed when necessary.
- To ensure the completion of the single central record noting the guidance in 'Keeping Children Safe in Education' and Ofsted's 'Education Inspection Framework' and to follow any directions from the C-Suite team.
- Ensure the Trust-wide Safeguarding Audit is completed in line with deadlines and actions to improve practice are implemented by Academy safeguarding staff.
- To ensure the DSL is supported in their work including implementation of 'supervision'.

Health & Safety

- To review the risk register of the Academy and assist in preparation of a Risk report for the Shaw Education Trust Board.
- To adopt a health and safety policy for the Academy (in line with the Trust-wide policy).
- To review the implementation of the above policy and ensure that appropriate risk assessments are being carried out in the Academy.
- To conduct site inspections to review any health and safety issues and the security of premises and equipment.
- To understand that in relation to health and safety the Academy Council's role is of a strategic nature.
- To ensure the effective implementation of the data protection policies and procedures in the Academy.

Premises

- To participate in any project committee where necessary to oversee any major developments if requested by the SET Infrastructure Team.

- To keep under review an Accessibility Plan and a Building Development Plan.

Digital Transformation

- To ensure systems are in place at the Academy, in line with the Trust's strategy, for effective communication with pupil, parents, staff and the wider community including the support of a local parent teacher association (if established).
- To ensure all statutory requirements for reporting and publishing information are met and the school website content is fully compliant and presented in an accessible way.
- To ensure systems are in place at the Academy, in line with the Trust's strategy, for the effective development and/or extension of a digital strategy linked to education, technology and broader philosophical curriculum commitment and beliefs.

Finance

- To approve the annual budget for the Academy for submission to the Shaw Education Trust Finance and Resources Committee.
- To monitor the budget.
- To ensure that Academy leaders balance their budget in-year, noting that all overspends will need to be referred to the Finance Business Partner Team who will seek approval via the appropriate route of the SoD.
- To monitor income and expenditure of the Academy.
- To ensure proper financial controls are in place at the Academy.
- To maintain a register of Academy Council members' business interests.
- To ensure provision of free school meals to those pupils meeting the criteria.
- To enter into contracts up to the limits of delegation and within an agreed budget.
- To support the Shaw Education Trust Board in its monitoring and evaluation of the delivery of any central services/functions provided/procured by the Academy Trust.

Other Duties

- To appoint Academy Councillors responsible for link roles where applicable.

- To adopt an Academy Complaints policy (consistent with the Trust-wide policy) and to hear complaints at the relevant stage.
- To ensure that all children have equal opportunities.
- To identify and celebrate pupil achievements.
- To develop, monitor and approve the Academy Development Plan in tandem with the Self-Evaluation Form.
- To monitor and evaluate the impact of Academy improvement plans which relate to duties stated within the SoD.
- To ensure recommendations from reviews of the Academy, including Ofsted and SET reviews, are acted upon by Academy leaders.
- To ratify relevant policies in line with the SET policy review process.

14.0 Convening Meetings of the Academy Council

14.1 As stated each Academy Council will conduct four meetings to cover 'Standards' and 'Resources' each year. ACs may convene a slightly different structure in consultation with DoG.

14.2 Each AC will convene a 'September' meeting (the first of the four annual meetings) at the start of each academic year to allow the Principal/Headteacher to give an overview of the previous academic year and also outline priorities and action plans for upcoming year. This meeting also gives the AC the opportunity to update their own Development Plan in light of the Principal/Headteacher's presentation.

14.3 The Governance Professional to the Academy Council shall give written notice of each meeting and circulate via GovernorHub an agenda and any reports or other papers to be considered at the meeting at least seven clear days in advance of each meeting. However, where the Chair determines there are matters demanding urgent consideration, it shall be sufficient if the written notice of the meeting states that fact and the notice, copy of the agenda and other papers are given within such shorter period as the Chair directs.

14.4 Any two Academy Councillors may call a meeting by giving written notice to the Governance Professional, which includes a summary of the business they wish to carry out. It shall be the duty of

the Governance Professional to convene a meeting as soon as reasonably practicable.

14.5 The Chair may invite persons who are not Academy Councillors (such as any employee, any pupil, any professional adviser and any experts of any kind) to attend the whole or part of any meeting for purposes connected with the meeting.

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

15.0 Voting at meetings of the Academy Council

15.1 The quorum for meetings of the Academy Council and for any vote on a matter at such meetings is one half of the total number of Academy Councillors in office at that time e.g. excluding any vacancies (rounded up to the nearest whole number).

15.2 Where a meeting does not reach quorate numbers, it can still proceed with minutes taken but be simply for 'information only' to attendees. The group present cannot ratify any policy or make a decision on any matter. The meeting must be quorate for this to occur and where a decision is needed, a further meeting shall be convened by the Governance Professional as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.

15.3 Any Academy Councillor shall be able to participate in, and be counted as present at for the purposes of the quorum, meetings by telephone or video conference provided that:

- they have given notice of their intention to do so detailing the telephone number on which they can be reached and/or appropriate details of the video conference suite from which they shall be taking part at the time of the meeting at least 48 hours before the meeting; and
- the Academy Council has access to the appropriate equipment and there is adequate bandwidth and a strong, e.g. not intermittent, internet signal; and

- provided that, if after all reasonable efforts it does not prove possible for that Academy Councillor to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate; and
- providing that the Academy Councillor is in a location where they cannot be overheard.

15.4 Every matter to be decided upon at a meeting of the Academy Council shall be determined by a majority of the votes of Academy Councillors present and voting on the question. Votes tendered by proxy shall not be counted. Where there is an equal division of votes, the Chair has a casting vote. Only members of the Academy Council shall have a vote, i.e. regular attendees such as members of SLT shall not have a vote.

16.0 Personal interests of Academy Councillors

16.1 All Academy Councillors shall complete a register of their business interests, which shall be reviewed annually. Any Academy Councillor who has any duty or personal interest that conflicts or may conflict with their duties as an Academy Councillor shall:

- disclose that fact to the Academy Council as soon as they become aware of it. An Academy Councillor must absent themselves from any discussions of the Academy Council in which it is possible that a conflict will arise between their duty to act solely in the interests of the Academy and such duty or personal interest;
- withdraw from any meeting for that item unless expressly invited to remain in order to provide information;
- not be counted in the quorum for that part of any meeting and withdraw during the vote and have no vote on the matter;
- Academy Councillors with governance roles either within the Trust or any other school or Academy Trust must declare these roles.

The Trust's Conflict of Interest Policy should be referred to where councils need clarification.

17.0 Minutes

17.1 Attendance at each Academy Council meeting, issues discussed and recommendations for decisions shall be recorded, and the minutes signed by the Chair at the next meeting of the Academy Council. The written record (once approved by the Chair of the relevant Academy Council meeting) shall be uploaded onto GovernorHub for access by relevant colleagues.

17.2 There is no need to publish minutes on the Academy website, but minutes must be made available for inspection as requested. This excludes confidential minutes unless the request is from SET. For further advice please contact the DoG.

18.0 Committees of the Academy Council

18.1 If required for any specific task, the Academy Council may at times establish Committees to carry out certain functions of the Academy Council. The Terms of Reference for such a Committee can be created at the relevant stage and agreed by the Academy Council.

18.2 The establishment of any new Committees other than temporary, ad hoc Committees required to deal with specific issues, must be agreed in advance with the CEO via DoG.

18.3 If a Sub-Committee is established for a period of time, it must abide by the following:

- The Committee should have at least 3 Councillors and the Academy Council should decide on membership number;
- The quorum is one half of all membership (rounded up to nearest whole number), e.g. a Committee containing 5 members must have 3 to be quorate;
- The Committee must have a Chair and a Governance Professional – the Academy Council will decide whether to appoint the Chair or whether the Committee should do this;
- In the absence of the Chair, the Committee shall choose an acting Chair for that meeting from among their number;
- In the absence of the Governance Professional the Committee shall choose a Governance Professional for that meeting from among their number (this can not be the Principal/Headteacher);

- The draft minutes of each meeting will be circulated with the agenda for the next meeting of the full Academy Council and will be presented at that meeting by the Chair (or in their absence another member of the Committee);
- Any decisions taken must be determined by a majority of votes of Committee members present and voting – but no vote can be taken unless a majority of those present are Councillors. All votes must be ratified by full Council.

Terms of Reference

The four standard meetings do not need separate Terms of Reference and information contained in this document would be adequate. However, Councils may choose to do so if they wish and where a Sub-Committee is in place, separate ToRs should be created.

19.0 Academy Council Duties

19.1 The broad duties of the Academy Council are to:

- Support the Shaw Education Trust Board in developing a clear educational vision, ethos and direction for the Academy within the context of the vision for the Trust as a whole, recognising the uniqueness of each Academy and the contribution it makes to the Trust and to the communities served by the Academy and assisting in the fulfilment and communication of that vision;
- Promote the Academy and the Trust within their community, members of the Academy Council acting as ambassadors for the Academy and the Trust, being ready to respond to challenges and acting with honesty and integrity in the best interests of the Trust, the Academy and their pupils;
- Act as liaison with the community, including any parent groups acting to support the Academy and any third-party community organisations with whom the Academy works in partnership. This may include any foundation bodies, trustees, charitable or community trusts established to support an Academy, and the local authority.
- Actively develop partnerships with organisations who will support the Academy and with whom the Academy can collaborate, to improve teaching and learning and enrich school life including other Academies within the Trust and other local schools;

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- Consider the strategic impact that the Academy has on their community, looking also at any strategic threats and opportunities in respect of the Academy and working with and supporting the Trust Board in taking any necessary action. No expansion or contraction of any Academy will be permitted without the Trust Board's consent;
 - Promote pupil welfare and safety and ensure there are systems within the Academy to support pupils and their families, providing an extra resource to the Academy's leadership teams;
 - Implement and review from time to time the strategic plan for the Academy, focusing on the Academy's performance and achieving sustained school improvement and having regard to any locally agreed priorities identified by the Trust Board;
 - Act as a critical friend to the Academy's senior leadership team, being ready to challenge and hold senior leaders to account for all aspects of the Academy's performance;
 - Promote within the organisation and externally the benefits of collaboration with the other Academies and to actively seek opportunities to work together either with the aim of improving economic efficiencies within the Academies or identifying and implementing best practice;
 - Develop effective links within the Academy's community, communicating openly and frequently as appropriate and ensuring that the Academy meets its responsibilities to the community and serves the community's needs in relation to the safeguarding and education of its pupils;
 - Engage fully and openly with any inspection of the Academy, whether by the Trust Board, Ofsted or any other appropriate public body to whom the Academy is accountable;
 - Determine the Academy's admissions policies within the constraints of the Admissions Code, ensuring there are systems in place for the hearing of any appeal against an admission refusal where applicable and establishing a panel to determine any exclusions and appeals against exclusion;
 - Contribute to any strategic discussion regarding capital expenditure, reserves and contingencies, shared resources with other Academies within the Trust and threats to income, recognising that at all times any funds held by the Trust in respect of the Academy are safeguarded;

- Monitor Academy staffing and Human Resources in line with the Scheme of Delegation and Trust-wide policies and procedures.

19.2 The Academy Council will work closely with the Deputy CEO and Director of Governance (representing the C-Suite Team) and shall promptly implement any advice or recommendations made by the C-Suite Team in respect of standards and performance, particularly where areas of weakness have been identified (either internally within the Trust or by Ofsted).

20.0 Intervention

20.1 The Shaw Education Trust Board reserves the right to review or remove any power or responsibility conferred on the Academy Council under this constitution and terms of reference, in particular, in circumstances where serious concerns in the running of the Academy are identified, including where:

- there are concerns about financial matters;
- there is insufficient progress being made against educational targets (including where intervention by the Secretary of State is being considered or carried out);
- there has been a breakdown in the way the Academy is managed or governed; or
- safety of pupils/staff is threatened, including discipline breakdown.

20.2 Where necessary, the Shaw Education Trust Board will put in place, for an appropriate period of time, an intervention board (known as an Interim Executive Board) whose responsibility it will be to address the areas of weakness. This may not include any of the existing Academy Councillors.

21.0 Active Listening – Stakeholder Engagement

21.1 Academy Councils have a key role in listening and responding to pupils' collective concerns. All Academies should have active Pupil/Student Councils with representatives from each year group as appropriate. Academy Councillors should ensure there is a management response to matters raised.

21.2 Parent voice is formally built into the governance structure with the election by parents of two parent Governors to each Academy Council. However, additional methods should be employed to gather a broader range of views about the performance of the Academy e.g. surveys, questionnaires, reference groups and the like.

21.3 Staff voice is similarly built into the governance structure with the election to each Academy Council of two employees of the Academy (usually one teacher and one non-teaching staff member) by employees of the Academy. The Academy Council should also ensure that all staff have the opportunity, on an annual basis, to have their thoughts and opinions heard, in a confidential manner. Academy Councils should ensure a management response to matters raised.

22.0 Alterations

22.1 This constitution and these terms of reference may be altered by a majority resolution of the Shaw Education Trust Board.

23.0 Circulation list

23.1 This constitution and these terms of reference shall be circulated to the Shaw Education Trust Board, all Academy Councillors, the Governance Professional to the Academy Council, and others at the discretion of the Chair of the Trust Board or the Chair of an Academy Council.

23.2 This constitution and these terms of reference were approved and adopted by a resolution of the Shaw Education Trust Board.



Shaw Education Trust

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**Pupil &
people
centred**

**Act with
integrity**

**Be
innovative**

**Be best
in class**

**Be
accountable**