



**Shaw
Education
Trust**

SET Governance Handbook

2023-24

Part Three: Roles and Responsibilities

Local Governance

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Part Three: Roles and Responsibilities

Local Governance

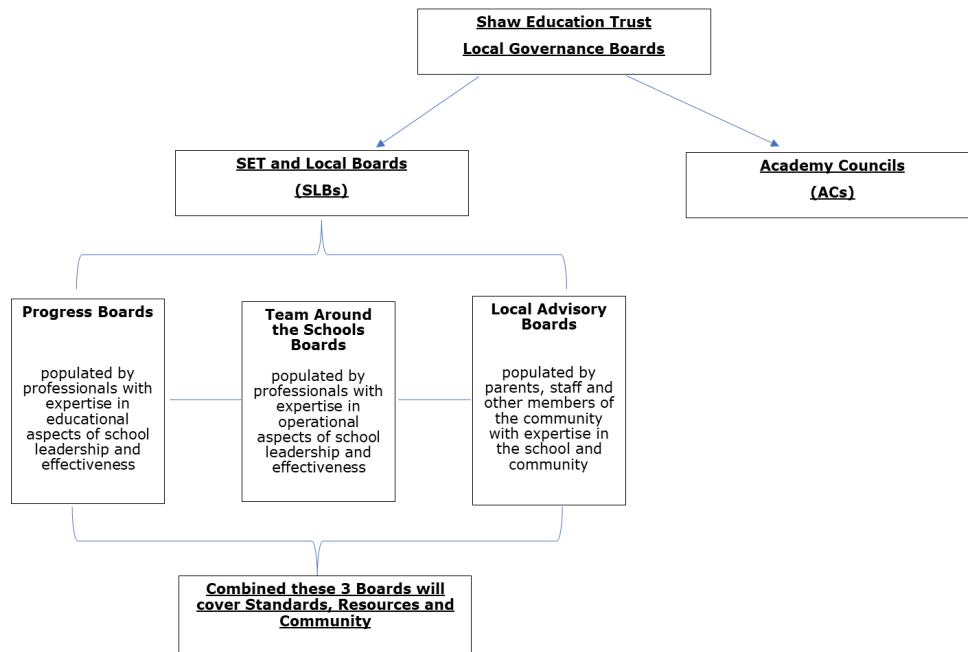
Accountability is a key part of our values and, as such, our local governance model is vital to this. We have two models operating across our schools as follows:

1. Academy Councils (ACs)
2. SET and Local Boards (SLBs)

Academy Councils offer a more traditional model of local governance, with an appointed membership board working regularly with schools under our scheme of delegation. ACs will cover both Resources and Education, Standards and Performance and also will have parents as members.

SET and Local Boards have two aspects: Education, Standards and Performance Committees (known as Progress Boards) and Resources Committees (known as Team Around the School Boards) which are run by and made up of SET Central Team specialists. Our duty to engage parents in decision making is met through the Local Advisory Boards (LABs) which are made up of school staff, parents and members of the local community.

Local Advisory Boards have been established to fulfil the requirements of the Academy Funding Agreement, which states a Local Advisory Board should be established with “a minimum of two parents of a pupil at the Academy” (paragraph 15) and, beyond meeting funding agreement requirements, we deeply value the contribution that parents and other members of the community make to our academies.



The section below will outline the functions, composition, and the procedures associated with these Boards.

1.0 Purpose

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

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 Boards

Part Four – Letters, Templates and Other Key Documents

1.4 In its Governance Handbook 2020 the DfE note that all governance boards, no matter what type of school or how many schools they govern, have three core functions:

1. Ensuring clarity of vision, ethos and strategic direction;
2. Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and
3. Overseeing the financial performance of the organisation and making sure its money is well spent.

We operate two models of local governance:

- 1) Full Academy Council, operating in the SET Scheme of Delegation
- 2) SET and Local Board

Each model ensures that the above functions are achieved so that our duty to the DfE is met.

NB All schools have Progress Boards and Team Around the School Boards, even when an Academy Council is in place. This is to ensure rigour in our accountability processes.

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 Academy Councils has been made by the Trustees of Shaw Education Trust, this document should be read alongside the Shaw Education Trust Scheme of Delegation (formerly Delegated Accountability Framework - DAF).

2.2 Local Governance Board members are accountable to the Shaw Education Trust Board via the Chief Executive Officer (CEO), 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 Local Governance Board members 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 Local Governance Boards are appropriately established in each Academy to fulfil duties delegated by the Trust Board and requirements of the school Funding Agreement and Academies Handbook.

2.5 The Local Governance Boards will comply with any guidance issued from time to time by the Shaw Education Trust Board as to the composition of the Board, the carrying out of elections, and any other matter affecting the functioning of the Local Governance Boards, including the removal of members of the Boards. 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 Local Governance Board members are expected to participate actively in the induction process and undertake any relevant training and development provided by the Trust. Local Governance Boards 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 Local Governance Board 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 Local Governance Boards, 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:

- **SET and Local Boards:** This type of local governance is used for our designated Tier 3 schools, where Ofsted and/or SET have judged the school not to be securely good OR where establishing a strong Academy Council has not been possible. The SLB is split into three Boards:
 - **A) Progress Board – focusing on the education, standards and performance element of the school, attended by SET education professionals and school leaders.**
 - **B) Team Around the School Board – focusing on finance and operations elements, attended by SET operations professionals and school leaders**
 - **C) Local Advisory Board (LAB) - focusing on parental and community engagement and consultation, attended by representatives of parents of children currently at the school (this must be a minimum of two parents) and the local community, staff representatives and school leaders**
 - **Membership of each Board is detailed in the Terms of Reference – see Appendices 1-3.**
- **Academy Council:** this is the structure in many of our securely good academies, which governs similarly 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.

4.3 The expectation is that an Academy Council will comprise of no less than seven persons and all appointments and re-appointments must

be agreed by the Shaw Education Trust before confirmation of appointment.

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

- At least two **co-opted** Academy Councillors, nominated by the Academy Council. (Whilst there is no maximum number of co-opted members, Academy Councils must ensure that they have a highly effective board. Co-opted members can increase the objectivity of a council. The recommendation is to have an Academy Council with around 9-13 members in total, but this may also depend on the size of the Academy, and the point of development the Academy may be at. It is important that any significant additions to the number of members is first discussed with the SET DoG).
- Two elected **parents** of pupils at the Academy known as Parent Academy Councillors. Two is a minimum and councils may wish to appoint more. However, it is important to note that the balance of 'types of councillor' is important and councils should be wary of this and ensure, whether serving as an elected parent representative, or being co-opted, the balance of existing parents on the council should ideally not be exceeding a third of the total number. Advice must be sought with DoG if needed.
- Two employees of the Academy. This usually comprises 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 co-opted nor be in the position of Chair or Vice-Chair.
- The Principal of the Academy (ex-officio)
- The Shaw Education Trust reserve 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 his or her 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 The governance of the Academy is delegated to the Academy Council or SET and Local Board who may exercise the powers of the Shaw Education Trust Board in so far as they relate to the Academy, subject to:

- any restrictions in the Companies Act which requires a decision of the Members or the Trust Board;
- the Articles;
- Policies and Procedures set by the Shaw Education Trust Board;
- a specific decision of the Shaw Education Trust Board;
- paragraphs (b) to (d) below; and
- the reserved matters as set out in Part 4

4.10 The Shaw Education Trust Board, SET and Local Boards and Academy Councils 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/SET and Local Board; and/ or
- to remove delegated powers from an Academy Council/SET and Local Board 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 the Shaw Education Trust Board and Local Governance Boards

5.1 The relationship between the Shaw Education Trust Board and Local Governance Boards are 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/Team Around the School Board shall assess the annual budget for the subsequent financial year prepared by the Academy's Principal and senior leadership team and submit the budget to the Shaw Education Trust's Finance Committee for approval in accordance with the timeline specified by the Trust Board.

Subject to the paragraph below, the Academy Council/Team Around the School Board 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 and SET and Local Board 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 Local Governance Members

6.1 Academy Councillors and Local Advisory Board members are expected to:

- attend meetings (sending apologies if unable to attend) and participate in questioning and discussions;
- takes responsibility for an aspect of school governance reading relevant material prior to meetings;
- participate in relevant training/knowledge enhancement;
- engage fully with expectations using GovHub 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.

6.2 Progress Board and Team Around the School members are expected to:

- attend meetings (sending apologies if unable to attend) and participate in questioning and discussions;
- have the appropriate expertise to ensure informed challenge and support at a rigorous level;
- be familiar with relevant policies and legislation;
- declare any possible conflict of interest.

7.0 Stakeholder voices

7.1 As stated in our core function of governance, Local Governance Boards 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 or membership of Local Advisory Boards) 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. Local Governance 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 and Local Advisory Boards

a) Chair

The Chair is appointed by the Academy Council/Local Advisory Board. 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 of the Academy and the Governance Professional to plan the work of the Academy Council/LAB for the year. It is recommended that the Chair also meets with the Principal 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/LAB member as stated in 6.1;
- communicating with the Principal and GP to set the agenda;
- chairing meetings effectively (see related document 'Effective Meetings');
- ensuring actions set are completed on time for next meeting;
- ensuring the Academy Council/LAB follows the guidance in the SoD (Scheme of Delegation);
- supporting all members 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/LAB meeting, if requested;
- giving a verbal summary of the Academy Council's/LAB's deliberations, if requested, at meetings of the Shaw Education Trust Board;
- providing a direct link between the Academy Council/LAB 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/LAB, the Chair (or the Vice- Chair in his or her absence) in consultation with the appropriate National Director of C-Suite member, shall take appropriate action on behalf of the Academy Council/LAB. The decisions taken and the reasons for urgency shall be explained fully at the next meeting of the Academy Council/LAB. There is specific guidance available;
- communicating with the SET Director of Governance when necessary, around Academy Council/LAB matters and processes, including attendance to termly hubs.

b) Vice-Chair

The Vice-Chair is appointed by the Academy Council/LAB. 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

Councillor/LAB member. The responsibilities of the Vice-Chair include the following:

- fulfilling expectations of an Academy councillor/LAB member as stated in 6.1;
- to deputise for the Chair in his or her absence;
- to set the agenda for meetings of the Academy Council/LAB with the Chair, if requested.

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

c) Staff Academy Councillors/LAB Members

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/LAB.

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

Staff members cannot take the role of Chair.

d) Elected Parent Academy Councillors/LAB Members

For both the Academy Council and LAB, there is a requirement to appoint two parents, who shall be elected in accordance with the process set out below:

- When a vacancy arises, the Academy Council/LAB 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 a member 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 appoint all (or any) of those nominated (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/LAB in consultation with the Headteacher and Shaw Education Trust will agree the total number of parents able to be members of the board.

A Parent Academy Councillor or LAB member 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/LAB member 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 Board members 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.

Parents can be co-opted onto the Academy Council but only after consideration of paragraph 4.2 in this Document and consulting with SET CEO via SET DoG.

e) Co-opted Academy Councillors/LAB Members

Co-opted Academy Councillors/LAB members are nominated by the school or board and usually come from contacts with the wider community, but not always. It is important that boards look at a variety of sources to co-opt councillors to ensure that they strengthen the work of the board by potentially filling any gaps in skills and knowledge, which may exist in the board 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/LAB member to share their skills and expertise and encourage

applications from all ages and backgrounds who wish to bring a fresh perspective to the board.

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.
- For Progress Boards and Team Around the School, the Safeguarding Link is the SET Director of Safeguarding. Other links are provided through specialists within Shaw Education Trust as relevant to the school.
- Local Advisory Boards are not required to have link governors.

9.3 Link areas are assigned/confirmed at the start of each academic year, and every councillor **must** have at least one allocated area of responsibility, preferably one per 'meeting' (Standards & Resources) and carry out the following 4 steps each term for their chosen/assigned area:

1. Pre-read documentation uploaded onto Gov Hub, 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 Gov Hub which may be useful to AC.

10.0 Governance Professional to Local Governance Boards

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

10.2 In the absence of the Governance Professional, the Academy Council/LAB shall elect a replacement for the meeting (who may be a Board member).

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

- ensure agenda is ready on time by communicating with Chair and Principal;
- maintain GovHub 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/LAB as required on the discharge of the Governance Professional's functions;
- perform such other functions as shall be determined by the Academy Council/LAB from time to time (contact SET DoG);

10.4 Minutes of the Local Governance Board meetings must be made available to the Trustees and the ELT or their representatives on request.

10.5 The Governance Professional will be performance managed by the Chair of the Academy Council/LAB in respect of their clerking role. For Progress Board and Team Around the School, the Clerk will be performance managed by the Deputy CEO. Chairs should liaise with DoG if any issues arise with clerking duties.

11.0 Ceasing to be a Local Governance Board Member

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

- any event or circumstance occurs which would disqualify him or her from the office under the Articles;
- he or she has, without the consent of the board, failed to attend meetings for a continuous period of six months, beginning with the date of the first such meeting he or she 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;
- he or she resigns from office by notice to the Shaw Education Trust Board;
- he or she is 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).
- Membership of Progress Boards and TAS Meetings are by duty of the post being held, rather than the individual post holder. If a person's position within SET changes, they may no longer be required to be a member of the board.

12.0 Contractual authority

12.1 Local Governance Boards are 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 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 CFO has been consulted; or
- b) the contract is of a low value and short term (in the view of the board acting reasonably).

13.0 Key functions of Local Governance

13.1 To fulfil the core function of governance, board members are 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 maintaining 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 Academy Councils will conduct their duties by convening three meetings per year to cover 'Standards' (see below), and three meetings per year to cover 'Resources' (see below). Local Advisory Boards will conduct their duties by convening three meetings per year. SET Boards will meet either termly or half termly depending upon the designated Tier of the school (Tier 3, being schools judged not yet securely good by Ofsted and/or SET, will meet half termly) to cover 'Standards' and 'Resources'.

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.
- 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

- To convene a committee to review the exclusion of a pupil by the Principal; ensuring that those Academy Councillors/SET members 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 (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 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 as appropriate and all necessary safeguarding checks are in place.

RESOURCES

Staff Cohort

- To support the Principal in the development and review (from time to time) of an appropriate staffing structure for the Academy and for the appointment of Academy staff to ensure that the Academy is fully staffed in accordance with that structure.
- To participate in the process to appoint the Principal as requested by the Shaw Education Trust Executive Leadership Team (acting with the delegated authority of the Trust Board).
- To take part in the performance management/appraisal process of the Principal.
- To ensure that there is effective communication between the Principal and the Executive Leadership 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.

- To oversee arrangements for educational visits, including the appointment of a named co-ordinator.

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

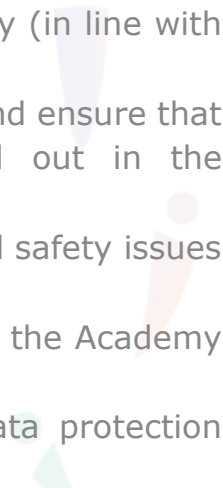
- To monitor and evaluate the impact of continuing professional development on improving staff performance.
- To ensure Academy staff are appropriately trained in aspects of safeguarding.

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 SET.
- Ensure the Trust-wide Safeguarding Audit is completed in line within 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 Director of Estates.
- To keep under review an Accessibility Plan and a Building Development Plan.

Digital Transformation

- To ensure systems are in place in line with the Trust's strategy at the Academy 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 in line with the Trust's strategy at the Academy 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.
- The AC should monitor the budget.
- The AC should ensure that school 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 board members 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 school including Ofsted and SET reviews, are acted upon by Academy leaders.
- To ratify relevant policies in line with SET Starting Point Tracker.

14.0 Meetings structures of Local Governance

14.1 As stated ACs will conduct three 'Standards' meetings and three 'Resources' meetings each year. ACs may convene a slightly different structure in consultation with DoG. SET Boards will meet either termly or half termly depending upon the designated Tier of the school (Tier 3, being schools judged not yet securely good by Ofsted and/or SET, will meet half termly) to cover 'Standards' and 'Resources'. Local Advisory Boards will conduct their duties by convening three meetings per year.

14.2 In addition, ACs and Progress Boards will convene a 'September' meeting at the start of each academic year to allow the

Principal 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 Principal's presentation.

14.3 Academy Councils and SET Boards have the option of two further meetings to take total to nine but this time may be used in lieu by boards to conduct other business, e.g. attendance at a parents' evening to fulfil duties of governance. LABs are held termly unless the Academy and LAB agree to meet more often at their own discretion.

14.4 The Governance Professional to the Academy Council/LAB shall give written notice of each meeting and circulate via Governor Hub 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.

14.5 Any two Academy Councillors/LAB members 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.

14.6 The Chair may invite persons who are not board members (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.

14.7 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 Local Governance

15.1 The quorum for Academy Council and LAB meetings and for any vote on a matter at such meetings is one half of the total number of

members in office at that time e.g. excluding any vacancies (rounded up to the nearest whole number).

15.2 Where an Academy Council or LAB 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 member 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:

- He/she has given notice of his intention to do so detailing the telephone number on which he can be reached and/or appropriate details of the video conference suite from which he shall be taking part at the time of the meeting at least 48 hours before the meeting; and
- the member and board 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 member to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate; and
- providing that the member is in a location where they cannot be overheard.

15.4 Every matter to be decided upon at a meeting of Local Governance shall be determined by a majority of the votes of members 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 board shall have a vote, i.e. regular attendees such as members of SLT shall not have a vote.

16.0 Personal interests of Local Governance members

16.1 All members shall complete a register of their business interests, which shall be reviewed annually. Any member who has any duty or personal interest that conflicts or may conflict with his or her duties as a board member shall:

- disclose that fact to the board as soon as he or she becomes aware of it. A board member must absent himself or herself from any discussions where it is possible that a conflict will arise between his or her 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.
- Members 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/LAB meeting, issues discussed and recommendations for decisions shall be recorded, and the minutes signed by the Chair at the next meeting. The written record (once approved by the Chair of the relevant meeting) shall be uploaded onto Governor Hub for access by relevant colleagues.

17.2 There is no need to publish Academy Council/LAB 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/LAB

18.1 If required for any specific task, a board may at times establish committees to carry out certain functions. The Terms of Reference for

such a committee can be created at the relevant stage and agreed by board members.

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 members and the board 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 board will decide whether to appoint the Chair or whether the committee should do this. The headteacher cannot be the Governance Professional to a committee but a councillor can if a Governance Professional is not available.
- 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 (someone who is not the headteacher/principal).
- The draft minutes of each meeting will be circulated with the agenda for the next meeting and will be presented at that meeting by the Chair (or in his/her 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 'Standards' and 'Resources' 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. However, there are terms of reference for Progress Boards, Team

Around the School Meetings and Local Advisory Boards for the purpose of clarifying the different role of each board. These can be found at the end of this section.

19.0 Academy Local Governance Duties

19.1 The broad duties of Local Governance Boards 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 Academies and assisting in the fulfilment and communication of that vision.
- Promote the Academies and the Trust within their communities, members of the Board acting as ambassadors for the Academies and the Trust, being ready to respond to challenges and acting with honesty and integrity in the best interests of the Trust, the Academies and their pupils.
- Act as liaison with the community, including any parent groups acting to support the Academies and any third-party community organisations with whom the Academies work in partnership. This may include any foundation bodies, trustees, charitable or community trusts established to support an Academy, and the local authority. The Academy Council/Local Advisory Board will lead on any community consultation, formal or otherwise, acknowledging any guidance issued by the Trust Board.
- Actively develop partnerships with organisations who will support the Academies and with whom the Academies can collaborate, to improve teaching and learning and enrich school life including other Academies within the Trust and other local schools.
- Consider the strategic impact that the Academies have on their communities, looking also at any strategic threats and opportunities in respect of the Academies 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 Academies to support pupils and their families, providing an extra resource to the Academies' 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.
- Support the Academy Principal in the development and review of an appropriate staffing structure for the Academy, ensuring there is robust and accountable monitoring of the performance of staff and implementing all and any policies relating to staff adopted by the Trust Board.
- 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 Academies' 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 and establishing a panel to determine any exclusions and appeals against exclusion.
- To advise the Academies' leadership teams in assessing the overall suitability of the budget proposed for the Academy, contributing to any strategic discussion regarding capital expenditure, central costs, 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 Academies 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/LAB will work closely with the Executive Leadership Team and shall promptly implement any advice or recommendations made by the Executive Leadership 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 local governance boards 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, the move to SET and Local Boards instead of an Academy Council 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/Local Advisory Boards have a key role in listening and responding to pupils' collective concerns. All schools should have active Pupil/Student Councils with representatives from each year group as appropriate. Academy Councillors/LAB members 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/Local Advisory Board. However, additional methods should be

employed to gather a broader range of views about the performance of the school 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/LAB of two employees of the Academy (usually one teacher and one non-teaching staff member) by employees of the Academy. The Academy Council/LAB 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/LABs 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 and SET and Local Board members, 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.

Appendix 1

Terms of Reference – Progress Board Meeting

Aims

The Progress Board meeting forms the Education, Standards and Performance element of local governance to hold leaders to account for outcomes and provision in this area. This ensures that professionals with the right knowledge and experience are able to support and challenge schools to achieve best practice, focusing on the education of pupils and the outcomes they achieve.

The Progress Board Meeting provides opportunities to:

- Allow SET colleagues to support and challenge schools around educational aspects, fulfilling the local governance function on behalf of the Trust Board.
- Enable a strategic focus on KPIs established through the 'School on a Page' (SOAP) document.
- Hold leaders to account (SET to the school but also the school to SET)
- Raise any issues/concerns that are arising and plan solutions through agreed actions and sprints.
- Ensure cross-functional collaboration with schools so that communication is strong and partnerships working from different operational areas of the Trust are promoted.
- Inform Trust Board reporting.
- Enable strategic planning and longer-term development monitoring.

Membership/Attendance

SET Colleagues

- National Director (Chair) or delegated SET colleague
- Representative from the Institute of Education
- Subject Directors (as required)
- Director of Safeguarding (if a concern is to be addressed)
- Other SET representatives at the invitation of the National Director

School Colleagues

- Principal/Headteacher
- Other school representatives at the invitation of the Principal/Headteacher

Logistics

- Progress Board Meetings are held termly, unless required more frequently due to concerns (Tier 3 schools).
- A Progress Board Planning Meeting with SET colleagues is undertaken prior to the meetings so that information can be shared and agendas agreed.
- The agenda is informed by the KPIs contained within the SOAP and linked to the DfE Trust Quality Descriptors, Ofsted inspection handbook and SET-specific KPIs.
- Meetings are formally minuted, actions are then recorded onto the school planner board for follow-up and tracking.
- Meetings are held face to face on-site at the school.
- All members of the Progress Board are expected to attend the whole meeting, those attending by invite may leave after their input.

Operational Matters

We are proud of the strong professional relationships which exist between SET Central and school colleagues. Headteachers work closely with the SET Education, Standards and Performance team on a regular basis and address matters directly during this time. Urgent issues would be raised prior to the Progress Board with the National Director/Headteacher.

Quality Assurance

The Deputy CEO will attend a range of Progress Board meetings during the course of the year to quality assure processes. In addition, attendees will report outcomes and impact of Progress Board meetings to their C-Suite line manager through monitoring of the school planner board. This will then be shared at C-Suite meetings each term.

Sharing information with Academy Councils (where relevant)

A copy of the minutes from Progress Board meetings will be shared with academy councils and added to their meeting agenda for discussion.

Appendix 2

Terms of Reference – Team Around the School (TAS) Meeting

Aims

The TAS meeting forms the Resources & Operations element of local governance to hold leaders to account for performance in this area. This ensures that professionals with the right knowledge and experience are able to support and challenge schools to achieve best practice, focusing operational elements on the education of pupils.

The TAS Meeting provides opportunities to:

- Allow SET colleagues to support and challenge schools around operational aspects, fulfilling the local governance function on behalf of the Trust Board.
- Enable a strategic focus on KPIs established through the 'School on a Page' (SOAP) document.
- Hold leaders to account (SET to the school but also the school to SET).
- Raise any issues/concerns that are arising and plan solutions through agreed actions and sprints.
- Ensure cross-functional collaboration with schools so that communication is strong and partnership working from different operational areas of the Trust are promoted.
- Inform Trust Board reporting.
- Enable strategic planning and longer-term development monitoring.

Membership/Attendance

SET Colleagues

- National Director (Chair) or delegated SET colleague
- Representative from Finance
- Representative from People
- Representative from Infrastructure & Digital
- Data Protection Officer (as required)
- Other SET representatives at the invitation of the National Director

School Colleagues

- Principal/Headteacher
- Other school representatives at the invitation of the Principal/Headteacher

Logistics

- TAS Meetings are held termly, unless required more frequently due to concerns (Tier 3 schools)
- A TAS Planning Meeting with SET colleagues is undertaken prior to TAS meetings so that information can be shared and agendas agreed
- The agenda is informed by the KPIs contained within the SOAP and linked to the DfE accountability framework
- Meetings are formally minuted, actions are then recorded onto the school planner board for follow-up and tracking
- Meetings are held face to face where possible, or online.
- All members of the TAS are expected to attend the whole meeting, those attending by invite may leave after their input.

Operational Matters

We are proud of the strong professional relationships which exist between SET Central and school colleagues. Headteachers work closely with the SET operations business partners on a regular basis and address operational matters directly during this time. Urgent issues would be raised prior to the TAS with the business partner.

Quality Assurance

The Deputy CEO will attend a range of TAS meetings during the course of the year to quality assure processes. In addition, attendees will report outcomes and impact of TAS meetings to their C-Suite line manager through monitoring of the school planner board. This will then be shared at C-Suite meetings each term.

Sharing information with Academy Councils (where relevant)

A copy of the minutes from TAS meetings will be shared with academy councils and added to their meeting agenda for discussion.

Appendix 3

Terms of Reference – Local Advisory Board

Aims

The Local Advisory Board forms the parental/community engagement and consultation element of local governance to support school leaders with decision making, the strategic direction of the school and working with parents and the wider community. This ensures that people with the right knowledge and experience of the school community and local area are able to support and challenge schools to achieve best practice, focusing on the education of and provision for pupils.

The Local Advisory Board Meeting provides opportunities to:

- Allow school leaders to share school strategic planning and operational issues as appropriate with parents and members of the local community for consultation and debate, fulfilling the local governance function on behalf of the Trust Board.
- Enable the school to successfully meet the needs of the community by formally seeking advice and guidance in terms of local need.
- Hold leaders to account for the quality of provision within their remit.
- Raise any issues/concerns that are arising and plan solutions through agreed actions.
- Ensure collaboration with schools, parents and the local community so that communication is strong and partnership working is promoted.
- Inform Trust Board reporting.
- Enable longer term development planning.

Membership/Attendance

The Headteacher is responsible for the set up and running of Local Advisory Boards. The Board will be attended by:

- Headteacher (or nominated Senior Leader)
- Parents of children currently at the school, with the aim to secure a good range of members (eg from different year groups, backgrounds, needs etc). Please note there must be at least two elected parent members.
- Members of the local community with an interest in school development (eg local councillor, business people, community representatives etc)
- Staff representatives as appropriate

Focus Areas

Local Advisory Boards (LABs) will be responsible for focusing on:

- How well the school meets the needs of the pupils on roll in terms of the curriculum and enrichment opportunities provided.
- Feedback on relevant school policies (eg behaviour, attendance, uniform) and support developing these as appropriate.
- Opportunities for the school to develop strong links with local employers, further and higher education providers, community groups etc for the benefit of the pupils and the community the school serves.
- Positive promotion of the school to support pupil and staff recruitment activities and community events.
- Membership of disciplinary panels as required.
- Participation in fundraising opportunities.
- Consultation regarding capital investment expenditure.
- Ensuring school leaders are aware of any parent/community concerns in a productive manner and seeking to support the school in finding resolutions.

Logistics

- Local Advisory Board Meetings are held termly, unless the school and the LAB agree to meet more frequently at their own discretion.
- A parent or community member is elected as Chair through vote by members of the LAB.
- The agenda is set by the Chair and Headteacher, items may be required to be included by SET, this will be communicated by the Director of Governance.
- Meetings are formally minuted by the school and stored on Governor Hub.
- Meetings are held face to face on-site at the school.

Operational Matters

We are proud of the strong professional relationships which exist between our schools, parents and their communities. The Chair and Headteacher may agree it is necessary to be in contact outside of LAB meetings if an issue arises.

Quality Assurance

The Director of Governance will review a sample of minutes to ensure meetings are of good quality, raising concerns with the National Director if needed.

Sharing information with Shaw Education Trust

A copy of the minutes from Local Advisory Board meetings will be shared with National Directors and issues raised through Progress Boards and/or TAS Meetings as appropriate.





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**Pupil &
people
centred**

**Act with
integrity**

**Be
innovative**

**Be best
in class**

**Be
accountable**