



Local Governing Body Terms of Reference

Last updated: 08 July 2020

Contents

Statement of intent	3
1. Legal framework	4
2. The local governing body	4
3. Membership and quorum	5
4. Election/Appointment of the Chair of Governors.....	6
5. Term of office	6
6. Staff engagement.....	6
7. Pupil engagement	7
8. Meetings	7
9. Calendar of business	8
10. Duties.....	10
11. Authority.....	11
12. Monitoring and review	11

Statement of intent

In accordance with the trust's 'Articles of Association' (AoA), this document outlines the delegation of governance powers within Omega Multi-Academy Trust and those delegated to each academy within the trust, and the relevant members of the Local Governing Bodies (LGBs).

This document has been implemented to ensure the trust's governance arrangements are compliant and in accordance with statutory and regulatory guidance, and to clearly outline the responsibilities delegated by the board of trustees.

The trust is committed to providing a high standard of education and care, whilst ensuring that value for money is achieved. The governance systems outlined in this document will always be implemented with the aim of ensuring that the trust acts in an effective and transparent manner.

This Terms of Reference (ToR) has been reviewed and approved by the board of trustees and will be reviewed and updated on an annual basis.

Signed by:



Chair of the board
of trustees

Date: 14 July 2020



Chief Executive
Officer

Date: 14 July 2020

1. Legal framework

1.1 This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- ESFA (2019) '[Academies financial handbook](#) 2019'
- The Companies Act 2006
- Omega Multi-Academy Trust Articles of Association

1.2 This policy operates in conjunction with the following trust policies:

- Scheme of Delegation
- Scheme of Financial Delegation
- Local Governing Body Code of Conduct

2. The local governing body

2.1 The board of trustees in a MAT can delegate some of their functions to a committee or a local governing body. The local governing body does not assume responsibility for the academy it is installed to oversee, its role is to aid the board of trustees in fulfilling their duties by monitoring the performance of the academy.

2.2 To ensure the local governing body is fulfilling its duties and supporting the Trust Board effectively, guidelines have been created relating to how the local governing body will be formed, the duties it will carry out and a timeline for doing so. This ToR can be used to hold the local governing board to account for its performance.

2.3 The Trustees will retain ultimate accountability and will retain responsibility for all items that aren't detailed within this document.

2.4 Trustees will work closely with the local governing bodies and may request periodic reports from the LGB. This is to better understand further details about the school performance, any escalated issues, positive news, or information about best practice.

2.5 The local governing body has the following key overarching areas of focus:

- **Pupil/Staff wellbeing and safeguarding**
- **Health & Safety**
- **School performance and improvement**
- **Monitoring of Teaching and Learning**
- **Parent and community monitoring/feedback**

3. Membership and quorum

- 3.1 The members of the local governing body are appointed by the board of trustees.
- 3.2 There are to be **9** members of the LGB: **5** Co-opted governors, **2** staff governors (one of these staff roles is reserved for the Headteacher), and **2** parent governors (see 3.9).
- 3.3 The Headteacher is entitled to a staff governor role, *ex officio*, for the academy they are the Headteacher for, but a Headteacher within the trust is not permitted to be on the LGB of another academy within the trust.
- 3.4 For a school that is classified by Ofsted as 'Good' or 'Outstanding', then the LGB is free to co-opt and appoint governors themselves, but these appointments will need to be ratified by the Trustees at the next available Trust Board meeting. The Clerk will be responsible for informing the Trustees of any new appointments, for ratification, or rejection, by the Trust Board.
- 3.5 For a school that is in an Ofsted category for improvement ('Special Measures' or 'Requires Improvement'), then the members of the LGB are to be appointed by the Trust Board.
- 3.6 Employees of the trust are permitted to be members of a local governing body, but only a maximum of 2 members of staff (including the Headteacher) are permitted on a governing body. However, employees are encouraged to do it for an academy/school they do not currently work in.
- 3.7 The chair of the board of trustees should not be the chair of a local governing body.
- 3.8 Individuals with the requisite knowledge and skills to effectively engage with and challenge the trust will be appointed to the local governing board.
- 3.9 To ensure effective parental engagement, the local governing board will include two parent governors. These parent governors are to be elected from parents of any children currently in the academy. A parent governor can continue as a governor, even after their child has left the academy, until their term of office expires.
- 3.10 There are no provisions in this Terms of Reference for any associate members.
- 3.11 The quorum of the local governing board will be one half of the numbers of the board rounded up to the nearest full number – e.g. if the local governing body comprises nine members, then a minimum of five members must attend the meeting to meet the quorum.
- 3.12 A professional clerk to the local governing body will be appointed by the Trustees to minute meetings and ensure effective governance, by providing support, guidance, and advice to the board.
- 3.13 To be eligible to be a governor a person must have no convictions, have never been declared bankrupt or insolvent, or disqualified from being a company director or trustee, or removed from public office.

- 3.14 It is the policy of Omega Multi-Academy Trust to provide equal opportunities without regard to race, religion, ethnicity, gender, sexual preference, age, or disability.

4. Election/Appointment of the Chair of Governors

- 4.1 For a school that is classified by Ofsted as 'Good' or 'Outstanding', then the local governing body is free to elect and appoint a Chair of Governors themselves. But this position must be ratified by the Trustees.
- 4.2 For a school that is in an Ofsted category for improvement, then the Chair of Governors will be selected and appointed by the Trust Board.
- 4.3 The local governing body is free to elect a Vice-Chair of Governors, but this is not essential. But if the local governing body wishes to appoint a Vice-Chair then they must also follow the same process, as stipulated in 4.1 and 4.2.

5. Term of office

- 5.1 The term of office for members of a local governing body will be for 4 years, and shall hold office from either the date of their appointment until their resignation, or their omission from membership of the local governing board on subsequent consideration by the board of trustees – whichever occurs first.
- 5.2 If a governor misses 4 or more meetings during a year, then it will be escalated to Trustees to decide if they are removed from office. Trustees will then review the decision and discuss the matter with the Chair of the LGB to understand if there are any exceptional circumstances for the absences. Unless the absentee is the Chair of the LGB, in which case the Trustees will review this with the Headteacher. The Trustees will then inform the Clerk of the decision, and any notification of removal will be issued in writing (email will be accepted as suitable notification) by the Clerk to the governor in question and the governing body.
- 5.3 The Trustees will have ultimate responsibility for appointing and removing members of the LGB. Trustees will exercise the right to removal of a governor if the Trustees believe there has been a breach of this terms of reference or the code of conduct. This will be done in consultation with the Chair of the LGB, unless the breach has been by the Chair of the LGB, in which case the matter will be consulted with the Headteacher.

6. Staff engagement

- 6.1 The local governing body is required to conduct regular staff-governor feedback forums. At least twice per year.

- 6.2 These forums are to be offered for all staff to attend, to feedback on any issues and suggestions they have for the local governing body to consider.
- 6.3 The Headteacher is not permitted to attend this forum, in order to give staff the ability to speak freely with the members of the local governing body.

7. Pupil engagement

- 7.1 The local governing body is required to conduct a pupil-governor feedback forum. At least once per year.
- 7.2 This forum should be attended by at least two members of the local governing body and is to be conducted with a cross-section of pupils, as identified by the Headteacher.
- 7.3 The governors should seek to understand the children's views on school life, their education, and their wellbeing. Any issues/ideas raised, should then be fed back to all members of the local governing body at the next board meeting.
- 7.4 At least one member of staff must attend the meeting.

8. Meetings

- 8.1 The local governing body will meet as often as is necessary to fulfil its responsibilities, but at least once per half-term (i.e. six meetings a year).
- 8.2 The chair of the local governing body or any three members may, by giving notice in writing to the clerk, call unscheduled meetings as long as appropriate notice of at least seven days is given to the other members of the local governing body.
- 8.3 The frequency and dates for local governing body meetings will be considered before the first Autumn term of the academic year.
- 8.4 The clerk to the local governing body will circulate an agenda, copies of minutes of the previous local governing board meeting, and any papers to be considered, no fewer than seven working days prior to the meeting.
- 8.5 Local governors will withdraw from the meeting if there is an identified or potential conflict of interest, or there is a motion to question their ability to remain impartial. Conflicts of interest are declared before the start of each academic year and at the beginning of each local governing body meeting.
- 8.6 The clerk will take minutes of the meeting. This will be approved, by the chair of the local governing body, as accurate representations of the meeting before they are handed to local governing body members for final approval at the next local governing body meeting. Following approval, the clerk will distribute the minutes to the board of trustees.

- 8.7 Confidential minutes will only be shared with local governors who were present at the meeting where the confidential item was discussed.
- 8.8 The local governing body may invite visitors to meetings to assist or advise on a particular matter or issue. Visitors will not be entitled to vote on any matters.
- 8.9 Every matter to be decided upon will be determined by a majority vote – where there is an equal division of votes, the chair will have the deciding vote. Each member of the local governing body who is present at the meeting will be entitled to one vote.
- 8.10 A register of attendance shall be kept for each meeting and will be published on the trust's website on an annual basis.

9. Calendar of business

- 9.1 While the Trust Board has the overarching responsibility for ensuring the tasks and duties below are carried out, these have been delegated to the local governing body.
- 9.2 The local governing board will meet at least six times per year – the items of business that may be discussed and when are outlined below in items 9.4, 9.5, and 9.6.
- 9.3 The items of business and proposed terms are given as a guide and it is up to each LGB to determine the most appropriate term for each item.

9.4 Autumn term

- Elect a chair and vice chair of the local governing board.
- Ensure all declarations and contact details on Governor Hub are up to date and accurate.
- Ensure all LGB members have signed the Code of Conduct on Governor Hub.
- Ensure the members of the LGB are informed of any changes/updates to this ToR, the scheme of delegation, or the articles of association.
- Ensure, as a minimum, all local governors have level one safeguarding training and have completed annual refresher training, and that all LGB members have read and signed the latest edition of 'Keeping children safe in education'.
- In partnership with the board of trustees, agree the members of the headteachers' performance management panel (for each individual academy) and set a date for the meetings to take place.
- Review the accessibility plan.
- Review the annual monitoring plan with the Trust Board and agree on review timescales for the upcoming year.
- Discuss the curriculum offer and ensure it is broad and balanced – and meets the needs of all pupils.

- Receive and consider the pupil premium report and impact statement.
- Review validated school performance data.
- Review and analyse national test outcomes against internal predictions.
- Ensure all local governors have familiarised themselves with, and pay due regard to, any updates to the '[Academies Financial Handbook](#)'.
- Review the asset management plan.
- Receive the budget for each individual academy from the Trust Board that the LGB are responsible for.
- Review the academy's risk registers.

9.5 Spring term

- Review the complaints logs from the academy and identify any trends.
- Undertake an annual review of the work and impact of the local governing board.
- Receive and consider the termly SEND report to the governing board.
- Review the individual academy's self-evaluation documents.
- Receive information and review the Spring term census data.
- Receive a report on and review service level agreements and traded services as appropriate, in accordance with the trust's Financial Scheme of Delegation.

9.6 Summer term

- Complete the local governing body skills audit and analyse the results ready for the Autumn term.
- Review the number of pupils on roll for September.
- Undertake a 360° appraisal of the chair of the local governing board.
- Propose and agree meeting dates for the next academic year.
- Receive the annual pupil voice and collaboration report.
- Review attendance figures for the academy, scrutinising trends and identifying any necessary actions.
- Receive a report on predicted pupil performance and outcomes and discuss any mitigation.
- Consider pupil mobility data.
- Review the impact of link local governor roles and monitoring activities over the year.
- **[Primary schools]** Receive the PE and Sport Premium Impact Report.
- In accordance with the Gatsby Benchmarks, the LGB member responsible for careers education should review the impact of careers advice and enrichment activities.

- Review progress towards achieving the outcomes of the School Development Plan (SDP).
- Receive information from the Summer term census data.

10. Duties

- 10.1 To maintain and support the vision, ethos, and strategic direction of Omega Multi-Academy Trust.
- 10.2 To review the draft budget and submit requirements and recommendations (via the Headteacher) to the Trust Board for consideration during the annual budget setting process.
- 10.3 To oversee the educational performance of its academy, pupils, and the effective and efficient performance management of staff (excluding the Headteacher, as this will be managed by the CEO of the trust).
- 10.4 To develop and review the long-term vision of the academy in line with the MAT's overarching vision and strategy.
- 10.5 To agree priorities, aims and objectives, and ensure these are in line with the MAT's strategic plan.
- 10.6 To sign off academy specific policies, plans and targets for achieving the goals that have been set for the academy, ensuring these reflect the trust's vision and values.
- 10.7 To decide how and when progress of improvement priorities will be checked.
- 10.8 To monitor compliance with the trust Health & Safety Policy and any academy specific health & safety related policies and report any concerns/breaches to the Trustees.
- 10.9 To ensure the academy is run in accordance with the MAT's articles of association and ethos statement, and the mission statement of the academy.
- 10.10 To act as the escalation point for any complaints, appeals, or disciplinary processes, for staff, pupils, or parents, and to form any such panels to do this.
- 10.11 To convene a panel to review and approve or reject any performance related pay progression, on behalf of the Trust Board, for any eligible members of staff.
- 10.12 Any panels for items 10.11 or 10.12 must be made up of at least 3 governors, none of whom can be an employee of the trust, nor any governor with a pecuniary interest.
- 10.13 There are no requirements for the LGB to operate any sub-committees, however, this is an optional decision for each LGB to decide upon for how they wish to operate.
- 10.14 To ensure all governors adhere to the Local Governing Body Code of Conduct, as issued by the Trust Board.

11. Authority

The local governing board is authorised by the board of trustees to:

- 11.1 Regularly review the wellbeing and safeguarding of all pupils and staff at the academy.
- 11.2 Be responsible for the monitoring of compliance with the trust Health & Safety Policy and any academy specific health & safety related policies and report any concerns/breaches to the Trustees.
- 11.3 Hold the Headteacher and senior leaders to account for the educational performance of the academy and its pupils, and the performance of staff.
- 11.4 Undertake the role to monitor the teaching and learning at the school, to ensure compliance with all national curriculum requirements, and that the highest quality of teaching and learning is in place within the academy.
- 11.5 Ensure there are robust parent and community feedback reviews, to understand the views of wider stakeholders.
- 11.6 Undertake reviews and reports and offer feedback to the Trust Board to help inform their decisions.
- 11.7 Obtain any external legal or independent professional advice, where necessary, and subject to delegated budget as approved by the Trust Board.

12. Monitoring and review

- 12.1 This document is reviewed annually by the board of trustees, or sooner if updates to the ['Academies Financial Handbook'](#) require changes to be made.
- 12.2 Any changes to this policy will be communicated to Chairs of the local governing bodies by the Chair of the Trust Board.
- 12.3 This document will be issued to all members of all local governing bodies via Governor Hub and/or via Compliance Manager.
- 12.4 All members of the local governing bodies will be required to sign (via Governor Hub or Compliance Manager) to say they have read and accepted this document. Any governor who does not sign will not be eligible to continue as a governor.
- 12.5 The scheduled review date for this policy is July 2021.