

Terms of Reference

Local Academy Committee

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Please refer to the Scheme of Delegated Authority (Local Academy Committees) in Section 5

1. INTRODUCTION

1.1 InMat (the “Trust”) is governed by a Board of Trustees (the “Trustees”) who are accountable to the Department for Education and have overall responsibility and ultimate decision-making authority for all the work of the Trust, including the establishing and running of the academies operated by the Trust.

1.2 The following academies are currently operated by the Trust:

- Falconers Hill Infant School
- St. James Infant School
- Park Infant School
- Park Junior School
- Hall Meadow Primary School
- Ashby Fields Primary School
- Kingsley Primary School
- Abbey Primary School
- Standens Barn Primary School
- Little Harrowden Primary School
- Wollaston Primary School

1.3 The Trust also operates the Leadership Academy a designated CPD arm focussed on developing leadership across the Trust

1.4 In order to assist with the discharge of their responsibilities, the Trustees have established a Local Academy Committee (“LAC”) for each of the Academies. The LAC shall be a committee established pursuant to Articles 100 to 104 (inclusive) of the Articles of Association of the Trust (the “Articles”).

1.5 On appointment, Governors are each required to familiarise themselves and to agree to comply with:

1.5.1 Trust Articles of Association

1.5.2 The Scheme of Delegation (reviewed annually)

1.5.3 These Terms of Reference

1.5.4 Current relevant legislation and Guidance for Governors, including the ‘Governance Handbook- DfE’, ‘Governor Competency Framework’ and ‘Keeping Children Safe in Education’

1.5.5 The Code of Conduct for Governors

1.6 The Trustees may review these terms of reference at any time but shall review them at least annually.

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1.7 These terms of reference may only be amended by the Board of Trustees.

2 CONSTITUTION OF THE LACs

2.1 Members of the LAC shall be known as “governors”.

2.2 The Trustees have the right to appoint such persons to the LAC as they shall determine from time to time

2.3 Subject to clause 2.2, the composition of the Local Academy Committees for the Academies shall be as follows:

2.3.1 the Headteacher of the Academy (or the Acting Headteacher if applicable);

2.3.2 1 staff governor (elected);

2.3.3 up to 2 parent governors (elected); and

2.3.4 up to 6 co-opted governors

2.4 Although the above does not stipulate a maximum size for the LAC, the Trust recommends a LAC of no more than 10 governors in total. Should the size exceed this, the number of governors should remain an odd number and not exceed 11 in total.

2.5 The procedure for the appointment and the removal of governors is as set out in Annex 1.

3. PROCEEDINGS OF THE LAC

The proceedings for meetings of the LAC shall be as set out in Annex 2.

4. RELATIONSHIP BETWEEN THE BOARD AND LAC

4.1 The LAC shall in carrying out its role:

4.1.1 promote high standards and aim to ensure that pupils are attending a successful academy which provides them with a good education and supports their well-being;

4.1.2 be responsible to the Trustees for its actions and follow the expectations of governors as laid down by the Trustees in the Code of Conduct;

4.1.3 aim to establish that it is competent, accountable, independent and diverse and promotes best practice in governance;

4.1.4 aim to ensure that its governors promote and uphold high standards of conduct, probity and ethics;

4.1.5 uphold, support and promote the vision and values of the Trust

4.2 The Trustees shall support the work of the LAC by:

4.2.1 setting a clear strategic vision to allow the LAC to set and achieve its own aims and objectives within such vision;

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4.2.2 ensuring that systems are put in place to allow the governors to be presented with timely and good data to allow the LAC to analyse Academy performance in order to support and challenge the Headteacher and the senior leadership team of the Academy;

4.2.3 ensuring that the governors have access to high quality training 'or professional development informed by a skills audit and general contribution';

4.2.4 providing each LAC with a role descriptors for Lead Governor Roles.

4.3 Without prejudice to the Trustees' other rights to remove any governor and the Trustee's rights to amend these terms of reference at any time, where the Trustees have concerns about the performance of a LAC they may amongst other actions:

4.3.1 require the relevant LAC to adopt and comply with a governance action plan in such form as determined by the Trustees;

4.3.2 suspend or remove any or all of the matters delegated to the LAC;

4.3.3 suspend or remove any or all of the governors of the relevant LAC

4.4 The Trustees may require a governance action where:

4.4.1 the Academy has a deficit budget (both revenue and capital)

4.4.2 pupil results fall below national expected attainment levels

4.4.3 the Academy has been rated by Ofsted as 'Requiring Improvement' or 'Inadequate'

4.4.4 there has been a serious breach of Trust policies.

4.5 The Trustees may vary the matters delegated where:

4.5.1 the LAC act outside its delegated powers and limitations;

4.5.2 the LAC are in breach of these terms of reference;

4.5.3 there has been a serious breach of Trust policies.

4.6 The Trustees may remove/replace governors where:

4.6.1 the Academy is in material breach of its funding arrangements;

4.6.2 the LAC is in material breach of its delegated level of financial authority

4.6.3 the LAC is in material breach of these terms of reference or has persistently breached these terms of reference;

4.6.4 An individual governor has failed to meet the standards of honesty, integrity and objectivity required of their office.

4.7 The circumstances listed in paragraphs 4.4, 4.5 and 4.6 are illustrative only and shall not limit the rights of the Trustees to suspend or remove any or all of the matters delegated to the LAC.

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5. DELEGATED POWERS

General principles

5.1 In the exercise of its delegated powers and functions, the governors of the LAC shall:

5.1.1 ensure that the Academy is conducted in accordance with the objects of the Trust, the terms of any trust or lease governing the use of the land which is used for the purposes of the Academy, any agreement entered into with the Secretary of State for the funding of the Academy and these terms of reference;

5.1.2 promptly implement and comply with any policies or procedures communicated to the LAC by the Trustees;

5.1.3 review its local policies and practices on a regular basis, in view of any advice or recommendations made by the Trustees;

5.1.4 work closely with the Trustees and act with integrity, objectivity and honesty in the best interests of the Trust and the Academy;

5.1.5 be open about decisions and be prepared to justify those decisions;

5.1.6 keep confidential all information of a confidential nature obtained by them relating to the Academy and the Trust;

5.1.7 hold the Headteacher to account for the educational performance of the academy and its pupils, and the performance management of staff.

5.2 Each governor shall be required to take part in regular self-review and is accountable for meeting his or her own training and development needs. It is a governors responsibility to consider if, and raise any concerns where, he or she feels that appropriate training and development is not being provided – particularly with regard to safeguarding training.

5.3 Governors shall be expected to report to the Trust against KPIs, which have been set for the Academy and provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Trustees may require.

5.4 The powers retained by the Trust and delegated from the Trustees to the LACs shall be as set out in the Scheme of Delegation found in Section 6 and Section 7 that sets out the powers retained by the Trust, the powers delegated to the CEO, the LAC and the Headteacher of the Academy.

5.5 For the avoidance of doubt, where a power is not expressly delegated to the CEO, LAC or Headteacher of the Academy it will be deemed to have been retained by the Trust regardless of whether it is specified in the Scheme of Delegation

5.6 The Scheme of Delegation may be reviewed by the Trustees at any time but shall be reviewed at least annually. Trustees reserve the right to remove or alter any delegation at any time, whilst having due regard to, but not being bound by, the views of the LAC.

5.7 Notwithstanding the application of any provision of these terms of reference, if the Chair/Vice Chair of the LAC is of the opinion that a matter of urgency exists and a delay in

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exercising the function would likely be seriously detrimental to the interests of the Academy, any pupil or their parent or a person who works at the Academy, then they may exercise any function of the LAC which can be delegated to an individual or any function relating to the exclusion of pupils after consultation with the CEO and at least one Trustee.

5.8 The LAC shall conduct an annual self-review of their performance and to report their findings to the Trustees. As a minimum the self-review will be in line with the National Governor Association guidelines.

5.9 The Governance Professional to the governors shall maintain a record of governors' attendance at meetings and shall report on such attendance annually.

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ANNEX 1 – Appointment and Removal of Governors (Election process for Parent and Staff Governors can be found in Section 14)

1 Staff governors

1.1 The LAC shall invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the Academy and, where there are any contested posts, shall hold an election by a secret ballot.

1.2 All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Trustees. The Trustees may delegate the running of the election to the LAC

1.3 The LAC will report the outcome of the election, including the number of votes cast, to the Trustees, who will then appoint the Staff Governor.

2 Parent governors

2.1 Parents of registered pupils at the Academy shall elect parent governors of the LAC. He or she must be from the care-giving body of pupils at the Academy at the time when he or she is elected. Care-givers include parents, legal guardians, grandparents or adult siblings.

2.2 All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be agreed in advance by the Trustees. The Trustees will delegate the running of the election to the LAC.

2.3 Where a vacancy for a parent governor is required to be filled by election, the LAC shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.

2.4 Any election of persons who are to be the parent governors which is contested shall be held by secret ballot. The arrangements made for the election of the parent governors shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he prefers, by having his ballot paper returned to the Academy by a registered pupil at the Academy.

2.5 The LAC will report the outcome of the election, including the number of votes cast, to the Trustees, who may then proceed to appoint the required number of parent Governors.

2.6 Where the number of parents standing for election is less than the number of vacancies, the Trustees may appoint a person who is the parent of a registered pupil at the Academy or, where it is not reasonably practical to do so, a person who is the parent of a registered pupil of another Academy run by the Trust.

3 Co-opted governors

3.1 Providing a vacancy has been notified to the Trustees, the LAC can through proper and transparent advertising recruit Co-opted governors. The Trustees appoint co-opted governors. He or she must be: a) a person who lives or works in the community served by

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the Academy; or b) a person who, in the opinion of the Trustees, has the necessary skills set and is committed to the governance and success of the Academy.

3.2 Employees of the Trust are not permitted to be Co-opted governor.

4 Term of office

4.1 The term of office for any governor shall be 4 years, save for the Headteacher of the Academy (as applicable) who shall remain a partner until he or she ceases to work at the Academy.

4.2 Subject to remaining eligible to be a particular type of governor, any person may be re-appointed or re-elected to the LAC.

5 Resignation and removal

5.1 A person serving on the LAC shall cease to hold office if: a) their term of office expires b) he resigns his office by giving notice in writing to the Chair of the LAC; c) the Headteacher or a staff governor ceases to work at the Academy; d) the Trustees terminate the appointment of a governor whose presence or conduct is deemed by the Trustees, at their sole discretion, not to be in the best interests of the Trust or the Academy.

5.2 For the avoidance of doubt, a parent governor shall not automatically cease to hold office solely by reason of their child ceasing to be a pupil at the Academy.

5.3 It shall be the responsibility of the Chair of the LAC to inform the Trustees when a vacancy becomes available on the LAC.

6 Disqualification of governors of the LAC

6.1 A person shall be disqualified from serving on the LAC if he or she would not be able to serve as a Trustee in accordance with Articles 68-80 of the Articles. They must complete the Trust Disqualification Form.

7 Appointment and removal of Chair and Vice Chair

7.1 The Chair and Vice Chair of the LAC shall be elected by the LAC Governors and approved for appointment by the Trustees and may be removed from office by the Trustees at any time.

7.2 The term of office of the Chair and Vice Chair shall be 2 years. Subject to remaining eligible to be a governor, any governor may be re-appointed as Chair or Vice Chair of the LAC.

7.3 Subject to re-election, the maximum term of continuous office for the Chair and Vice-Chair shall be 4 years.

7.4 The Chair and Vice Chair may at any time resign his office by giving notice in writing to the Trustees. The Chair or Vice Chair shall cease to hold office if: a) he/she ceases to serve on the LAC; b) he/she is employed by the Trust whether or not at the Academy; or c) in the case of the Vice Chair, he/she is appointed to fill a vacancy in the office of the Chair.

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7.5 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice Chair shall act as the chair for the purposes of the meeting. Where the Vice Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice Chair, the governors of the LAC shall elect one of their number to act as chair for the purposes of that meeting.

ANNEX 2 – Proceedings of the LAC

1. Meetings

1.1 The LAC shall meet at least once in every term and shall hold such other meetings as may be necessary.

1.2 The Governance Professional shall convene meetings of the LAC, who shall send the governors and the Trust Governance Lead Professional written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting. Where there are matters demanding urgent consideration, the Chair or, in his absence, the Vice-Chair, may waive the need for seven days' notice of the meeting and substitute such notice as he thinks fit.

1.3 Any governor shall be able to participate in meetings of the governors by telephone or video conference provided that he has given reasonable notice to the Governance Professional of the LAC and that the governors have access to the appropriate equipment.

1.4 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof or any defect in the election, appointment or nomination of any person serving on the LAC.

1.5 All LAC meetings will be convened by the Governance Professional according to the Trust annual calendar.

2. Quorum

2.1 The quorum for a meeting of the LAC, and any vote on any matter at such a meeting, shall be at least 5 LAC governors.

3. Voting

3.1 Every matter to be decided at a meeting of the LAC shall be determined by a majority of the votes of the governors present and entitled to vote on the matter. Every governor shall have one vote. Where there is an equal division of votes, the Chair of the meeting shall have the casting vote. A governor may not vote by proxy.

3.2 Any governor who is also an employee of the Trust shall withdraw from that part of any meeting of the LAC at which his / her remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.

4 Conflicts of Interest

4.1 Any governor who has or may have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest (as defined below)) which

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conflicts or may conflict with his or her duties as a governor of the LAC shall disclose that fact to the LAC as soon as he or she becomes aware of it. A person must absent him or herself from any discussions of the LAC in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).

4.2 A governor of the LAC has a Personal Financial Interest if he or she, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the governor or any person living with the governor as his or her partner, is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the Academy.

5 Minutes of meetings

5.1 Within 7 working days of the LAC meeting the Governance Professional to the LAC must ensure the minutes are issued to the governors.

5.2 At every meeting of the LAC the minutes of the last meeting shall be taken as the first agenda item after any apologies and, if agreed to be accurate, shall be signed as a true record.

5.3 The Governance Professional to the LAC shall ensure that a copy of the minutes of every LAC meeting is reasonably practicable, made available to the Trust Governance Lead Professional within 7 working days of the meeting

5.4 The Governance Professional to the LAC shall ensure that a central record, available for inspection, of all meeting agendas, minutes and supporting papers is maintained and kept up to date at the Academy. All paperwork is also to be uploaded onto GovernorHub.