

## Local Governance Committee Terms of Reference

### Purpose of the Local Governance Committee

As set out in the Soke Education Trust's Articles of Association, the Local Governance Committee is a committee of the Trust Board which has delegated functions to ensure the effective educational performance of the trust and its pupils.

The role of the Local Governance Committee is to carry out the Trust's vision, ethos, values and principles in ways that are appropriate to the School's status, pupils, staff and community. The Soke Education Trust expect Local Governing Bodies to provide local context, challenge and support to the Headteacher and senior leaders, to ensure the best local offer is provided in each School. The committee will make appropriate comments and recommendations on such matters to the Trust Board.

The specific powers and roles delegated by Directors to the Local Governance Committee as set out in the Scheme of Delegation. The Trust Board reserves the right to de-delegate governance functions or specific elements of the Scheme of Delegation as required.

Schools entering the Trust under a sponsorship agreement may have a revised delegated authority and responsibility, which may include a Director being part of the Local Governance Committee and/or the Trust directly appointing Co- Opted Governor positions. The conditions of a sponsorship will be stated in the Agreement and will determine the Scheme of Delegation for the school. It is anticipated that this arrangement would remain in place until the school receives a Good or better OFSTED Inspection grading.

A Governor may be removed from office by the Directors where he/she becomes disqualified from acting as a Governor or where it is decided by the Trust Board that he/she is not acting in the best interests of the School, its pupils or the Trust. Consideration will also be given to upholding the Local Governance Committee Code of Conduct and the NOLAN Principles of Public Life when determining such matters.

Any major issues will be referred to the Trust Board for ratification.

### Powers of the Soke Education Trust Board

The Trustees shall determine and approve the Academy Committee Terms of Reference and shall review the Terms at the end of each academic year to take effect from 1 September

The Trustees shall determine and approve the delegation of powers, responsibilities and duties to the Academy Committee and shall review this Scheme of Delegation at the end of each academic year to take effect from 1 September.

The Trustees shall have the right to intervene in the governance of a School where it has serious cause for concern, including if:

- Standards of performance of pupils at the School are unacceptably low
- There is a serious breakdown in the way the School is governed or managed
- The safety of pupils or staff is threatened
- There is financial mismanagement or failure to operate within budget.

### **Term of Office**

The standard term of office for all governors is four years. This term of office does not apply to the Headteacher, who is expected to serve as an ex-officio Governor for as long as he/she remains in office.

### **Administration of Meetings**

The Chair of the Local Governance Committee and Headteacher will draft an Agenda two weeks prior to the meeting. The clerk will upload the final agenda and any papers for the meeting to Governor Hub at least one week prior to the meeting of the Local Governance Committee.

It is expected that all Governors will have read the papers in advance. Where paperwork has not been received within the outlined timescale, it is at the Chair's discretion whether the business is covered at the meeting.

All recommendations and decisions made at meetings will be recorded accurately in writing. The minutes and actions will be sent to the Headteacher and Chair for draft approval and will be voted upon at the next meeting of the same Committee.

### **Appointment of Governors**

#### **Parent Governors**

Parent Governors are elected by the parent body of the School. The Local Governance Committee shall make all necessary arrangements for an election of parent members. It must take all reasonable steps to ensure that every qualified candidate is informed of the vacancy, their entitlement to stand as a candidate and their right to vote. It will put procedures in place for an election via secret ballot in the event of there being more candidates than the number of vacancies and will ensure that all those entitled to vote in said secret ballot have the opportunity to do so.

Outcomes of any election process will then be published within the school in the interests of openness and transparency.

#### Staff Governor

Staff Governors are elected as representatives by the staff body of the School. The LGB shall invite nominations from all staff employed under a contract of employment at the School. If more than one nomination is received, the LGB shall put procedures in place to have an election by way of a secret ballot. All staff employed under a contract of employment at the school have the opportunity to vote.

#### Headteacher

The Headteacher of each school holds ex-officio office on the Governance Committee, aligned with their appointment to the role. They can elect not to remain as a voting member of the Governance Committee, but would still be expected to attend meetings where they were presenting paperwork or at the request of the Local Governance Committee.

#### Co-Opted Governors

Co-opted Governors are nominated and appointed by the Local Governance Committee typically based on the skills and experience that they bring to the strategic leadership of the school.

### Sub-Committees

The Local Governance Committee may establish a sub-committee and delegate some of its functions. It must inform the Board of Directors, as soon as reasonably practicable which powers and functions have been further delegated and to whom. Any sub-delegation shall be made subject to any conditions the Directors may impose, and may be revoked or altered by the Directors, as set out in article 105.

The Local Governance Committee may from time to time be required to establish ad-hoc sub-committees to hear matters relating to the Trust's Complaints Policy and Procedure (a complaint at Stage 2), or to review the Headteacher's decision to permanently exclude a child. The remit of such sub-committees shall be as set out in the relevant policy.

### Terms of Reference

<b>Chair of committee:</b>	The chair of the committee will be appointed annually
<b>Clerk:</b>	The committee will be clerked by a suitably qualified Governance Professional appointed by the Trust Board.
<b>Membership:</b>	<p>The membership of the Committee should comprise:</p> <ul style="list-style-type: none"><li>• 1 Headteacher (Ex Officio)</li><li>• 2 Parent Governors</li><li>• 1 Staff Governor</li><li>• 4 Co-Opted Governors</li></ul>

	Local Governance Committees have the discretion to increase the number of governors beyond this minimum. The Trust Board also reserves the right to add or remove governors from Local Governance Committees as circumstances may require.
<b>Quorum:</b>	The quorum for the transaction of the business of the committee shall be a minimum of three committee members and no vote on any matter shall be taken at a meeting of the committee if it is not quorate. Each governor attending will have one equal vote. Where there is an equal split of votes, the Chair of the LGB will have the casting vote.
<b>Meetings:</b>	The Committee will meet as often as is necessary to fulfil its responsibilities but at least three times a year. Any two Committee members can request that the Chair convene a meeting by giving no less than 7 days prior notice. Each governor attending will have one equal vote. Where there is an equal division of votes the Chair shall have a casting vote. Any Director may attend any meeting of a Local Governance Committee. The Chief Executive and Chief Finance Officer hold the same privilege. If a governor does not attend and apologies are not accepted for three consistent meetings then the LGB can vote to formally remove the governor. An opportunity for the governor to explain their reasons must be provided prior to the vote being held.

### Governor Support

Information and advice can be found through the governor services subscription that the Trust subscribes to. Information and training can be found on the Governor Hub. New Governors will follow an induction process arranged by the Chair of the Local Governance Committee and the Headteacher, supported by appropriate induction materials and mentoring opportunities from other governors where this is considered necessary.

### Delegated Functions of the Local Governance Committee

Local Governance Committees have an important role to play. At the Soke Education Trust they are responsible for:

- Safeguarding
  - SCR
  - Safer Recruitment
  - Checking the checker
- Quality of Education
  - Curriculum
  - School performance inc internal & external data analysis
  - Use of resources
  - SEND implementation & impact
  - Pupil Premium implementation & impact
  - Sports Premium implementation & impact
- Compliance
  - Implementation of Trust policies
  - Review and monitoring of local policies
  - Website

- Health & Safety
- Behaviour & Attitudes
  - Wellbeing of staff & pupils
  - Behaviour
  - Exclusions
  - Attendance
  - Bullying
- Community
- Complaints
- Staffing
  - supporting with recruitment
  - supporting with appraising Headteacher

The Local Governance Committee acts as a supportive but critical friend to the leadership team.

The delegated functions are set out in the Trust's Scheme of Delegation. Local Governors exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation and, in particular;

- to carry forward the MAT's vision, ethos, values and principles in ways that are appropriate to the School's status, students, pupils, staff and community
- to monitor the School in line with the Scheme of Delegation, Terms of Reference, Governance Planner, Trustee and Governor Code of Conduct and other guidance set out by the Board of Trustees
- to monitor the progress towards priorities in the School Development Plan
- to monitor progress towards the School performance targets
- to hold to account the School leadership for the academic performance, the quality of provision and the quality of safeguarding and care, through scrutinising the Headteacher's Report and reports on progress towards achieving priorities, and through regular visits to the school
- To act as a link with parents and the community by building a knowledge of parents' views and the community context and ensuring that Trustees and the CEO are aware of parents' and community views
- to propose to the CEO or Trust Board intervention in school management in exceptional circumstances
- to support the CEO in the process to recruit and appoint the School Headteacher in line with the MAT recruitment policy (appointment to be approved by the Trust Board)
- to support the CEO in the Headteacher's performance review in line with the Trust's Pay Policy
- to review and approve the School statutory and non-statutory policies in accordance with MAT Policy Matrix and to monitor the School's compliance
- to approval of the School Contingency and Business Continuity Plan
- to receive information on the school budget through updates provided in the Headteacher's Report
- to monitor the management of staff to comply with the Trust's HR policies and procedures, particularly in relation to wellbeing
- to be consulted upon the School branding and marketing including logo, uniform and prospectus

- to be consulted upon the School Admission Policy in compliance with the Admissions Code any other relevant statutory or regulatory guidance (arrangements to be determined by the Trust Board)
- to establish Academy sub-committees to hear matters relating to pupil exclusions and complaints, in accordance with the Trust's Policies.
- To evaluate the Academy Committee's own performance annually, to draft and implement a governance development /action plan and to ensure that governor training is kept up to date in accordance with Trust Board expectations.

Local Governance Committees make Recommendations to the Trust Board on the following:

- Local Governance Committee Terms of Reference
- Removal of the Chair of the Local Governance Committee
- School Management intervention
- Appointment a Chair and Vice Chair of the Local Governance Committee
- Remove the Vice Chair of the Local Governance Committee
- Appoint Members of the Local Governance Committee

Local Governance Committees propose:

- Proposal of School Performance Targets
- Propose and monitor School Strategic Vision (aligned with MAT Strategic Plan)

Local Governance Committees are able to approve the following;

- Non-statutory policies for their school
- Return of children after school exclusion
- Permanent Exclusions of children at their school

Local Governance Committee monitor and report to the Board on the following;

- School Staff Development Plan
- HR, Employment and Staff related policies
- School Improvement Plan/Strategic School Overview
- Compliance of the School Website for their school
- Pupil Premium Strategy
- School's Estate strategy
- Health & Safety compliance
- Safeguarding
- Data Protection compliance
- Change of School Age Range
- Expansion of School PAN
- Extension of School Provision
- Admissions Policy
- School Prospectus for their school, in accordance with Trust and School agreed branding
- School logo and branding for their school (if compliant with Trust branding)
- School uniform for their school
- Local marketing plan focussed on demographics and projected numbers
- Extended services on-site at their school

Local Governance Committees will be consulted on the following;

- The removal of members of the Local Governance Committee
- The appointment and removal of the LGB Clerk
- Headteacher Appointment (alongside the Trust Chief Executive)
- Senior Leadership Appointments
- Headteacher's performance review and progression on the pay scale
- Suspension of the Headteacher
- Return of Headteacher after suspension
- Dismissal of the Headteacher
- Return of teaching and support staff after suspension

## **Appendix A**

### **Process for Electing Chair and Vice-Chair of any trust Boards**

1. The Clerk invites written applications which are to be submitted to the Clerk within the time period specified by the Clerk.

Any applications received after the stated date cannot be considered (unless no applications have been received, in line with point 3 below).

2. The Clerk circulates the expression of interests to all Trustees prior to the meeting at which the voting will occur, normally with the other materials for the Trust Board meeting.

#### **At the meeting**

The business of appointing the new Chair has been described below as being coordinated by the Clerk. In the event the incumbent Chair is at the meeting and not standing for re-election, the Clerk and Chair will decide who performs this role.

If no applications have been received, the Clerk seeks applications at the meeting. If no such applications are received, the formal application process will need to be repeated and another meeting of the Board arranged.

The Clerk confirms to the Board that expressions of interest have been received, and invites each applicant in turn to provide a short verbal presentation to the other attendees. After each presentation attendees may ask questions of points of clarification from the applicant.

Once all presentations have been heard, the candidates are requested to leave the meeting whilst the remaining attendees discuss and debate the merits of each candidate.

The Clerk then conducts the voting process, in order to identify the preferred candidate:

- The decision is made by a simple majority.
- Attendees can abstain from the vote if they wish.
- Only those holding a voting position and attending the meeting can vote.
- In the event of a tie, the vote is re-run.
- In the event that voting is still tied, Attendees will need to reconvene a meeting to re- run the process

The candidates are invited back to the meeting, and the Clerk confirms the outcome of the voting process.

#### **Process for selecting the Vice-Chair**

The process for selecting the Vice-Chair is identical to the above.

## **Process for selecting the Chair and Vice-Chair at the same meeting**

Since it is more typical that the Chair and Vice-Chair will be appointed at the same meeting, additional procedural detail is needed:

- Separate applications are required for each of the positions.
- If candidates are applying for the position of Chair, they need to state on their application whether they would also like to be considered for Vice-Chair in the event that they are not successful in their application as Chair.  
They do not need to prepare a separate supporting statement for Vice-Chair.  
The Clerk will make it clear at the start of the process at the meeting, if the candidates for Chair have made this declaration.
- The presentations for the position of Chair are performed first, and for the vote all candidates for the position of Chair leave the meeting. [Note that any candidates solely for the position of Vice-Chair remain in the meeting].  
Once the vote has been completed, the candidates are invited back and the outcome is announced.
- The presentations for the position of Vice-Chair are then conducted (note any unsuccessful applicants for Chair are not required to present again), and for the vote all candidates for this position leave the meeting.  
Once the vote has been completed, the candidates are invited back and the outcome is announced.
- In the event of a tie in the vote for Chair, if at least one of the candidates for Chair has also expressed a desire to be considered for Vice-Chair then the vote for Vice-Chair must also be postponed to the next meeting until the Chair has been appointed.

However, if no such issue exists, the vote for Vice-Chair can be conducted in line with the normal procedures