

LOCAL GOVERNING BODIES – SUMMARY TERMS OF REFERENCE

The terms of reference are intended to support the operation of matters delegated to a Local Governing Body under general and financial schemes of delegation and in any approved policies and procedures. LGB's are committees of the full board of trustees and do not have their own legal entity. The level of delegation to LGB's is kept under review by the board and may be varied through schemes of delegation, policies and procedures and amendments to the terms of reference.

Purpose

To provide advice to the trustees and assist the decision making of the trust board by enabling more detailed scrutiny and consideration to be given matters at an academy level.

Remit

To make decisions, comments or recommendations on such matters relating to the academy within the schemes of financial and general delegation and in relevant policies and procedures.

Membership

- Two parents elected or appointed in accordance with the articles of association
- Either the executive headteacher or headteacher in an ex-officio role. Where there is a head of school in addition to an executive headteacher role the ex-officio role must be filled by the 'headteacher in law' with the other party able to attend LGB meetings in a non-voting capacity
- A minimum of one staff governor elected by staff of the academy in addition to the ex-officio headteacher role
- Up to seven other local governors appointed by the local governing body - this can include other parents
- Up to 4 other co-opted governors appointed by the local governing body with or without voting rights on a period of office for up to 4 years to provide additional skills and capacity as needed.

It is recognised that where an academy joins the trust there may be a need to vary the membership to allow transition to the above. The board may therefore agree to appropriate transitional arrangements.

The LGB may invite others to join and speak at any part of their meetings in a non-voting capacity. Any such attendees do not count towards a quorum.

Terms of Office

With the exception of ex-officio and any co-opted governors, terms of office are for four years. Upon conversion to join the trust any existing terms of office are not automatically reset for a further four years and will terminate when the term would have expired prior to joining the trust.

Disqualification from Office

LGB governors may be disqualified from office in accordance with the provision within article 80 of the articles of association

Quorum

The quorum for a meeting and any vote shall be three local governors or one third of the total number of local governors in post at that time – whichever is the greater.

Election of Chair and Vice Chair

At the first meeting of the LGB in an academic year the LGB will appoint a chair and vice chair. The chair and vice chair must be local governors who are not employed by the trust.

Power for the Chair of the LGB to act in exceptional circumstances.

1. In addition to any provision within the Articles, approved policies and procedures, in circumstances where where paragraph (2) applies the chair may exercise any function of the LGB which can be delegated to an individual.
2. The circumstances are that the chair is of the opinion that a delay in exercising the function would be likely to be seriously detrimental to the interests of:
 - The trust or school(s) within the trust
 - any pupil(s) at a school in the trust, or their parent; or
 - a person who works at a school within the trust
3. In paragraph (2), "delay" means delay until the earliest date on which it would be reasonably practicable for a meeting of the LGB, or of a committee to which the function in question has been delegated, to be held or for a decision to be made in writing or via e mail
4. Where it appears to the vice-chair that—
 - the circumstances mentioned in paragraph (2) apply, and
 - the chair (whether by reason of vacancy in the office or otherwise) would be unable to exercise the function in question before the detriment referred to in that paragraph is suffered, the reference in paragraph (1) to the chair is to be read as if it were a reference to the vice-chair.
5. Wherever practicable the power for the chair or vice chair to act in exceptional circumstances should be exercised in consultation with the vice chair or another local governor

Exercise of this function shall be communicated as soon as is reasonable practicable to all local governors and recorded with the minutes of the next meeting of the LGB or relevant committee.

Clerking

The Clerk to the LGB should be independent of the management of staff within the academy and will be appointed by the LGB either as an employee of the trust in accordance with the pay and conditions of the trust or via a contract for externally provided services. The Clerk will be line managed or the external contract overseen by the Chair of Governors and/or other appointed governors. Where the Clerk fails to attend a meeting of theirs, the LGB appoint any one of their number or any other person to act as Clerk for the purposes of that meeting.

Confidentiality & Conflict of Interests

The LGB may need to meet in confidential mode where the subject for consideration is the pay or performance review of any person employed to work at the academy. In such cases any relevant person employed to work at the academy other than the headteacher in law should withdraw unless specifically invited to stay by the LGB to contribute to the consideration of the matter.

Pecuniary, Business or Conflicts of Interest

Local governors recognise the need to declare any interests in accordance with the Articles of Association, relevant regulations and the Governors Code of Conduct.

Decisions

The LGB will aim to make decisions by consensus. Where voting is necessary, a majority of votes cast will determine the outcome of any vote. In the event of a tied vote, the chair of the meeting has a deciding second vote or the right of veto.

Electronic Attendance:

Any person will be able to participate in meetings of the LGB and any committees by telephone or video conference if agreed by the chair provided that governor participation is for the whole agenda item discussion and not just the vote; and if after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting will still proceed with its business provided it is quorate.

Delegation of Powers

Subject to any restrictions within the articles of association, schemes delegation and policies and procedures the LGB may delegate functions to an individual, a committee or working group. Any such delegation shall be recorded in minutes or otherwise made in writing and may be revoked or altered. Where any power or function of the LGB has been delegated to a person, committee or group, that person, committee or group shall report to the LGB in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the LGB immediately following the taking of the action or the making of the decision

Frequency of Meeting

The Committee will meet at least termly

Terms of reference last reviewed and approved by the board of trustees on 21 June 2017