

Terms of Reference of the Local Governing Bodies (LGB)

1. Introduction

- 1.1 As a charity and company limited by guarantee, the Trust is governed by a Board of Trustees who have overall responsibility and ultimate decision-making authority for all the work of the Trust.
- 1.2 To support the effective operation of the Trust and its schools, the Board of Trustees has established committees to which it has delegated certain of its powers and functions. The Local Governing Body (LGB) is a committee of the Trust Board and these terms of reference set out the constitution, membership, and proceedings of this committee.
- 1.3 Local Governing Bodies (LGBs) are established by the Board of Trustees to support the effective operation of the schools and represent the needs of their local community.
- 1.4 The Board of Trustees will review these Terms of References together with the membership of the committees on an annual basis.
- 1.5 These Terms of Reference may only be amended by the Board of Trustees.
- 1.6 When reading this document reference should also be made to the [Trust Scheme of Delegation](#).

2. Local Governing Bodies (LGB)

- 2.1 The Local Governing Body (LGB) is a committee of the Board of Trustees. The Board may appoint Local Governing Bodies for each academy (and the same Local Governing Body may be appointed for more than one academy)
- 2.2 The current list of LGBs and the academy they operate are:
 - Banwell Primary School
 - Bournville Primary School
 - Locking Primary School
 - Mead Vale Primary School
 - Mendip Green Primary School
 - Milton Park Primary School
 - Oldmixon Primary School
 - Walliscote Primary School
 - Windwhistle Primary School

3. Local Governing Body Membership

- 3.1 Each LGB operating in respect of one academy shall, unless the Board resolve otherwise, have a minimum of five members and a maximum of thirteen members.
- 3.2 The membership of each LGB (each a **LGB Member**) shall be as follows (unless the Board resolve otherwise):
 - at least two parent members (elected);
 - two staff members (elected);
 - the Head Teacher of the academy;
 - up to two persons appointed by the Board;
 - up to six other persons co-opted by members of the LGB;
- 3.3 The LGB shall recommend to the Board of Trustees up to two persons, with the skills required to contribute to the effective governance and success of the academy, to be an LGB Board appointed governor.
- 3.4 Current ELAN school-based employees can be recommended to the Board of Trustees to be an LGB Board appointed governor for an ELAN school other than their normal place of work. The Board will consider the appointment in consultation with the headteacher and LGB Chair and review any potential conflict of interest. Only one Board appointed governor position on the LGB may be filled by an ELAN employee. Current ELAN employees will not be eligible to serve as a governor on the LGB of an ELAN school where they have previously worked.
- 3.5 The LGB shall ensure suitable arrangements are in place and follow correct procedure for conducting staff and parent governor elections.
- 3.6 The LGB shall ensure that all members have the necessary skills, background and experience to properly fulfil the LGB functions.
- 3.7 The LGB shall ensure that all governor eligibility and recruitment checks are undertaken, and disclosure & barring service (DBS) checks completed and satisfactory for its members.

4. Term of Office

4.1 The term of office for any LGB governor shall be four years, save that this time limit shall not apply to the Headteacher. Subject to remaining eligible to be a particular type of governor, any governor may be re-appointed or re-elected.

5. Chair and Vice Chair of the Local Governing Body

5.1 At the first meeting of each academic year the Local Governing Body will elect a member to act as Chair of the LGB. Members will also elect a Vice Chair to provide support and assistance to the Chair and deputise for the Chair in their absence.

5.2 No person may act as Chair or Vice Chair if they are an employee of the Trust.

6. Authority, remit & responsibilities of the Local Governing Body

6.1 The LGB is authorised by the Board of Trustees to carry out any activity authorised by these Terms of Reference and the Trust Scheme of Delegation.

6.2 The LGB shall be responsible for the matters as set out in the Remit and Responsibilities of the LGB.

6.3 In the event that an urgent decision has to be taken between meetings on matters falling within the remit of the LGB, the LGB Chair shall have delegated authority to make any such decision following consultation with the Chair of the Trust Board. Any decision taken and reasons for the urgency shall be explained and ratified at the next meeting of the LGB. In exceptional circumstances an extraordinary of the LGB may be called.

7. Proceedings of Local Governing Body meetings

7.1 The LGB will meet as often as is necessary to fulfil their responsibilities but at least six times a year (once per term).

7.2 Any two committee members can request that the Chair convene a meeting by giving no less than 14 days prior notice.

7.3 The quorum for the transaction of business of the LGB and any vote on any matter, shall be three governors (excluding the headteacher), or where greater, any one third (rounded up to the nearest whole number) of the total number of governors holding office at the date of the meeting, who are in each case present at the meeting and entitled to vote on the matters to be resolved.

7.4 In the event of a tied vote the Chair has the casting vote.

7.5 Each committee member present in person shall be entitled to one vote.

7.6 If a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such time and place as the LGC may determine.

7.7 The LGB may invite attendance at meetings from persons who are not LGB members to observe, assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote. Any Trustee may, through prior arrangement with the Chair, attend any meeting of the LGB without voting rights.

7.8 The LGB shall work with the Headteacher to ensure that a Clerk is appointed and is present to take minutes at meetings of the LGB (see section 11 Clerking Arrangements). The Clerk must not be a Local Governor. In the absence of the Clerk at a meeting, the LGB shall elect a replacement for that meeting (who may be a Local Governor).

7.9 The Clerk shall circulate the agenda and any papers at least one week before a meeting of the LGB.

7.10 A register of attendance shall be kept by the Clerk for each meeting.

7.11 The Clerk shall circulate the draft minutes of the LGB meeting to the Headteacher and Chair for approval no later than 10 school days following the date of the meeting. Once the draft minutes are approved for circulation, the Clerk should distribute the minutes to all other members of the LGB.

7.12 The Clerk shall ensure that a copy of the signed minutes and meeting are held as a permanent record.

8. Conduct of Committee members

8.1 All LGB members shall observe at all times, the provisions of the Trust's Code of Governance.

8.2 LGB members are required to declare any business or other interests in any item being discussed at a meeting.

8.3 Each LGB member, if present at a meeting, shall disclose their interest and withdraw from the meeting and not vote on a matter if:

8.3.1 there may be a conflict between their interests and the interests of any of the schools or the Trust;

8.3.2 there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or

8.3.3 they have a personal interest (this is where they and/or a close relative will be directly affected by the decision of the Committee in relation to that matter) in a matter.

9. Disqualification & Removal of LGB Members

9.1 A person shall be ineligible for appointment to the LGB and, if already appointed, shall immediately cease to be a member if the relevant individual:

- 9.1.1 is or becomes disqualified from holding office as a Governor of a school;
- 9.1.2 is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
- 9.1.3 is barred from any regulated activity relating to children;
- 9.1.4 is the subject of a bankruptcy restrictions order or an interim order;
- 9.1.5 is subject to disqualification under the Company Directors Act 1986 or an order made under section 429(2)(b) of the Insolvency Act 1986 or removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and trustees Investment (Scotland) Act 2005 from participating in the management or control of any body.
- 9.1.6 is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974);
- 9.1.7 has been fined for causing a nuisance or disturbance on a school premises during the 5 years prior to or since appointment or election as a LGB member;
- 9.1.8 refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;
- 9.1.9 commits a serious breach of the Trust's Code of Governance or any standing order or protocol implemented by the Board of Trustees;
- 9.1.10 if they have failed to attend the meetings of the LGB for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the LGB and the LGB members resolve that their office be vacated;
- 9.1.11 resigns their office by notice in writing to the Chair;
- 9.1.12 in the case of a Headteacher, they cease to be the Headteacher;
- 9.1.13 in the case of a staff governor, they cease to be an employee at the school;
- 9.1.14 the term of office expires and the person is not reappointed.
- 9.1.15 the Board of Trustees shall have the right at their sole discretion to remove or suspend any LGB Member by written notice to the Chair.

10. Reporting Procedures

10.1 Following each meeting the Committee will:

- 10.1.1 produce and agree minutes of its meetings;
- 10.1.2 provide a summary document identifying (i) decisions made, (ii) recommendations to the Board, (iii) any items for the information of the Board and (iv) items for further discussion by the Board, together the **Report to the Board**.

10.2 Each Committee shall conduct an annual review of its work and the powers and functions delegated to it under these Terms of Reference and shall report the outcome and make recommendations to the Board.

11. Clerking Arrangements

11.1 The LGB shall recruit and appoint a suitably experienced and/or qualified Clerk/Governance Professional (GP) to support its governors.

11.2 The Clerk/GP will provide the LGB with professional advice on governance procedures and compliance of the board. The Clerk/GP will ensure that the LGB meets their administrative and

procedural requirements. The [Chartered Governance Institutes competency framework for governance](#) provides a framework to help practitioners review and plan their professional development and can be used as a tool to assess governance within organisations.

11.3 The LGB has responsibility for directing the work/hours/performance management of the Clerk/GP.

11.4 The main responsibilities of the Clerk/GP will be to:

- 11.4.1 Provide advice and support to the LGB in order to meet all of its statutory duties.
- 11.4.2 Provide effective administrative support to the governing body including convening meetings, minute taking, maintaining a register of attendance, maintaining a register of governor training and producing/updating a register of the LGB's pecuniary and business interests.
- 11.4.3 Advise the governing body on governance legislation and procedural matters where necessary before, during and after meetings.
- 11.4.4 Act as the first point of contact for governors with queries on procedural matters.
- 11.4.5 Have access to appropriate advice and guidance from third parties on behalf of the governing body.
- 11.4.6 Inform the governing body of any changes to its responsibilities as a result of a change in school status or changes in the relevant legislation.
- 11.4.7 Ensure that statutory policies are in place, and are revised when necessary with the assistance of staff.
- 11.4.8 Advise on the annual calendar of governing body meetings and tasks.
- 11.4.9 Send new governor induction materials and ensure they have access to appropriate documents, including any agreed code of practice.
- 11.4.10 Contribute to the induction of governors taking on new roles.
- 11.4.11 Support the training and development of the governing board, succession planning and ongoing self-evaluation and skills audit.
- 11.4.12 Manage all governing body information effectively in accordance with legal requirements.

Remit and Responsibilities of the LGBs

Governors work together to carry out their core responsibilities:

1. ensuring there is clarity of vision, ethos and strategic direction
2. understanding and upholding the school's values
3. holding school leaders to account for the educational performance of the school and its pupils
4. ensuring the school maintains effective accountability and reporting measures, inc. appraisal of staff
5. overseeing the financial performance of the school and making sure allocated money is well spent in line with Trust policy and procedures
6. ensuring that the governing body and school complies with all legal and statutory requirements
7. representing the school and the community it serves
8. following the principles and commitments set out in the ELAN Code of Governance for School Governors.

The role of a local governor

The role of a local governor is largely a challenge and scrutiny role; they do not manage a school day-to-day, but are required to oversee its long-term development in conjunction with the Trust.

As part of the governing body, the main duties of a local governor is to:

1. Contribute to the strategic direction of the school by contributing to discussions at LGB meetings which consider:

- securing, maintaining and improving educational standards and performance
- reporting to the Trust Board on the overall performance of the school and specifically on any aspects of concern either to the LGB or to the Trust Board

- monitoring of educational outcomes in the school
- monitoring all aspects of safeguarding, SEND, equality and pupil welfare
- monitoring staff wellbeing and workload
- liaising with the Trust Board, Trust CEO and headteacher on all aspects of procedure and policy setting as they may respectively require
- monitoring complaints relating to the school
- representing the school and the community it serves

2. Hold the senior leaders to account by monitoring the school's performance, this includes:

- agreeing the outcomes from the school's self-evaluation and ensuring they are used to inform the priorities in the school's improvement plan;
- considering all relevant data about a school's performance;
- asking challenging questions of leaders;
- ensuring senior leaders have implemented the required policies and procedures and the school is operating effectively according to those policies;
- acting as a link governor on a specific issue, making relevant enquiries of the relevant staff, and reporting to the LGB;
- listening to and reporting to the school's stakeholders: pupils, parents, staff, and the wider community, including local employers;
- monitoring the financial performance of the school and ensuring that its money is well spent as appropriate to the scheme of delegation.
- ensuring compliance with all legal and statutory requirements.

3. Make a positive and meaningful contribution to the governing body by:

- attending meetings (a minimum of 6 full governing board meetings each year), reading papers and preparing questions for senior leaders in advance
- establishing and maintaining professional relationships with senior leaders and colleagues on the board
- getting to know the school, including visiting the school occasionally during school hours
- undertaking induction and statutory training and developing knowledge and skills on an ongoing basis
- maintain confidentiality about all sensitive information received in the course of the role
- serving on panels where required to appoint staff, hear disciplinary, complaints, admission and appeal cases
- supporting the school during Ofsted inspections.