



# **LOCAL GOVERNING BODIES: CONSTITUTION AND TERMS OF DELEGATION**

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## Contents

1	Introduction.....	3
2	Remit.....	3
3	Provision of support and guidance.....	3
4	Intervention.....	4
5	Composition of Local Governing Bodies.....	4
6	Commitment of Local Governors.....	4
7	Stakeholder voices.....	5
8	Appointment and particular responsibilities of Local Governors.....	5
a)	Chair.....	5
b)	Vice-Chair.....	6
c)	Staff Local Governors.....	6
d)	Elected Parent Local Governors.....	6
e)	Other responsibilities.....	7
f)	Clerk to the Local Governing Body.....	7
g)	Ceasing to be a Local Governor.....	8
9	Convening meetings of the Local Governing Body.....	8
10	Voting at meetings of the Local Governing Body.....	8
11	Personal interests of Local Governors.....	9
12	Committees of the Local Governing Body.....	9
13	Minutes and feedback/ escalation to the Trust Board.....	10
14	Delegation to the LGB.....	10
a)	General.....	10
b)	Decision Making.....	10
c)	Financial matters.....	11
15	Key functions of the LGB.....	11
16	Alterations.....	15
17	Circulation list.....	15
Appendix 1	Local Governor declaration.....	16
Appendix 2	LGB Code of Conduct.....	17
Appendix 3	Parent Local Governor Appointment templates.....	19
Appendix 4	The role of champion/link Governors.....	25
Appendix 5	Sample Annual Management Plan.....	27
Appendix 6	Annual declaration of business interest form for Local Governors.....	30
Appendix 7	Reserved matters.....	32
Appendix 8	Governor visit record form.....	34

## **1 Introduction**

Thank you for agreeing to play a valuable role as a member of a ReachSouth Academy's Local Governing Body.

Reach South is a charitable voluntary organisation, which relies on the crucial input of a considerable number of volunteers, supported by an experienced team of staff. Due to the size of the organisation and the number of schools for which it is responsible for, coupled with its drive for accountability, it is also a complex organisation with various important layers of governance.

This constitution and terms of delegation for your Local Governing Body (LGB) has been made by the Trustees of Reach South Academy Trust (the Trust and Trust Board respectively) and we ask that you please read it alongside the Reach South Governance Handbook.

## **2 Remit**

The role of an LGB is an important one. It is to provide focused governance for the Academy at a local level and it is the intention of the Trust Board to ensure that the responsibility to govern the Academy is vested in those closest to the impact of decision-making. The LGB monitors the Academy's key performance indicators and acts as a critical friend to the Headteacher and the Academy's senior leadership team, providing challenge where appropriate.

The LGBs carry out their functions in relation to their respective Academy on behalf of the Trust Board and in accordance with policies determined by the Trust Board. The act of delegation from the Trust Board to the LGBs is a delegation of powers and duties, and not a delegation or shedding of responsibilities.

The Local Governing Body provides:

- overview and scrutiny of the performance of the Academy;
- policy development for the Academy where this is delegated to the LGB by the Trust;
- scrutiny of policy compliance by the Academy where policy is set by the Trustees;
- a champion for the Academy Trust, the Academy and its leaders; and
- engagement with the parents/ carers of pupils and the wider community. <sup>1</sup>

## **3 Provision of support and guidance**

The Executive Team will provide communications to the LGB at regular intervals to:

- update LGB members on wider strategic matters which might be impacting the Trust;
- share best practice amongst the Academies; and
- to provide support and guidance to the LGB on their role and areas of recommended focus.

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<sup>1</sup> Local Governors are encouraged not to add workload related to financial or personnel strategies as these are now governed centrally. However, where there are financial or HR policies Local Governors should be aware of their content for information. Local governance are asked to focus on standards and stakeholder engagement with a view to avoiding any duplication of work already conducted by the Trust Board.

## 4 Intervention

The LGB will work closely with the Executive Team and shall promptly implement any advice or recommendations made by the Executive Team in respect of standards and performance, particularly where areas of weakness have been identified (either internally within the Trust or by Ofsted).

The Trust Board reserves the right to review or remove any power or responsibility conferred on the LGB under this constitution and terms of reference, in particular, in circumstances where serious concerns in the running of the Academy are identified, including where:

- there is insufficient progress being made against educational targets (including where intervention by the Secretary of State is being considered or carried out);
- there has been a breakdown in the way the Academy is managed or governed; or
- the safety of pupils or staff is threatened, including a breakdown of discipline.

Where necessary, the Trust Board will put in place for an appropriate period of time an Improvement Board whose responsibility it will be to address the areas of weakness.

## 5 Composition of Local Governing Bodies

Each LGB comprises a maximum of twelve members (which we refer to as **Local Governors**), including:

- the Headteacher of the Academy;
- up to four members appointed by the Trust Board;
- at least two elected parents or guardians of a pupil at the Academy (**Parent Local Governors**);
- up to two employees of the Academy, usually comprising one teacher and one non-teaching staff member, elected by employees of the Academy (**Staff Local Governors**); and
- up to three members co-opted by the Local Governors.

Each LGB shall have a Chair and a Vice-Chair.

The length of service of all Local Governors and the Clerk to the LGB shall be four years. Subject to remaining eligible to be a Local Governor, any Local Governor may be reappointed or re-elected at the end of his or her term.

Every person wishing to become a Local Governor will be required to sign a declaration of acceptance and of willingness to act as a Local Governor, in the form set out in Appendix 1 or as prescribed by the Trust Board from time to time, and shall make disclosures for the purposes of a criminal records check by the Disclosure and Barring Service.

## 6 Commitment of Local Governors

Local Governors are asked to:

- prepare for and make an active contribution at meetings of the LGB;

- champion the Academy in the local community;
- familiarise themselves with the Academy's policies;
- visit the Academy both during school hours (with prior arrangement with the Headteacher) and for evening events to get to know the Academy and to be visible to the Academy community;
- attend training sessions for Local Governors, where possible; and
- sign up to the Code of Conduct which is set out in Appendix 2.

## **7 Stakeholder voices**

LGBs are expected to have regard to the voices of their various stakeholders (especially pupils, parents and staff) and to put in place arrangements to receive feedback and to respond appropriately. This includes engaging stakeholders through defined governance arrangements (including elected parent and staff governors on the LGBs) and more broadly.

Accessing and responding to pupils' collective concerns is an important part of the operations and governance of Reach South Academies. All Academies have active Pupil Councils with representatives from each year group. Each LGB is expected to give due regard to issues that are raised through the Pupil Council and the management actions taken in response to the issues.

## **8 Appointment and particular responsibilities of Local Governors**

### **a) Chair**

The Chair is appointed by the Local Governors. The term of office of the Chair is two years, but the Chair is eligible for reappointment at the end of that term.

The Trust Board are entitled to remove the Chair from office at any time, although this would not necessarily affect the individual's position as a Local Governor.

The Chair and Vice-Chair will ordinarily meet with the Headteacher of the Academy and the Clerk before the start of the academic year to plan the work of the LGB for the year.

The responsibilities of the Chair include the following:

- to chair meetings of the LGB;
- to set the agenda for meetings with the Headteacher and Vice-Chair;
- to feedback to the Trust Board in writing following any LGB meeting, if requested;
- to give an oral summary of the LGB's deliberations, if requested, at meetings of the Trust Board or of the Trust Board's committees; and
- to provide a direct link between the LGB and the Trust Board.

In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the LGB, the Chair of the LGB (or the Vice-Chair of the LGB in his or her absence) in consultation with the Headteacher (or the CEO in the Headteacher's absence or if the matter relates to the Headteacher), shall take appropriate action on behalf of the LGB. The decisions taken and the reasons for urgency shall be explained fully at the next meeting of the LGB.

## **b) Vice-Chair**

The Vice-Chair is appointed by the Local Governors. The term of office of the Vice-Chair is two years, but the Vice-Chair is eligible for reappointment at the end of that term.

The Trust Board is entitled to remove the Vice-Chair from office at any time, although this would not necessarily affect the individual's position as a Local Governor.

The responsibilities of the Vice-Chair include the following:

- to deputise for the Chair in his or her absence;
- to set the agenda for meetings of the LGB with the Chair, if requested; and
- to provide a link between the LGB and the Trust Board.

In the absence of both the Chair and the Vice-Chair at a meeting, the LGB will elect a temporary chair from among their number.

## **c) Staff Local Governors**

The teaching staff at the relevant Academy shall elect the teacher member of the LGB.

The non-teaching members of staff of the relevant Academy shall elect the non-teaching staff member of the LGB.

The responsibilities of the Staff Local Governors are to represent the interests and opinions of teaching and non-teaching staff at the Academy to the LGB.

## **d) Elected Parent Local Governors**

Parent Local Governors for each LGB shall be elected in accordance with the process set out below:

- When a vacancy arises, the LGB will write to all parents (which includes any person with parental responsibility or care for a pupil, student, or child) of pupils at the Academy seeking nominees for the vacancy. Nominees will be asked to provide a short statement about why they are interested in being a Parent Local Governor and their background, skills and experience that makes them suitable for the role.
- In the event that the number of nominees equals or is less than the number of vacancies on the LGB, the LGB can choose to appoint all (or any) of those nominated.
- If the number of nominees is less than the number of vacancies, the Trustees shall appoint additional Parent Local Governors to fill the vacancies.
- If there are more nominees than places available, the LGB will write to all parents of pupils at the Academy asking them to vote for their preferred candidate.

A Parent Local Governor should be a parent or carer of a registered pupil at the relevant Academy or where this is not reasonably practical, a person who is the parent of a child within the age range of the Academy.

The following templates are included at Appendix 3 to support the election process:

- (i) A Parent Local Governor nomination invitation,

- (ii) A nomination and declaration of eligibility form for Parent Local Governors and
- (iii) An example ballot paper and covering letter.

The responsibilities of the Parent Local Governor are to represent the interests and opinions of the Parent Body of the Academy to the LGB.

**e) Other responsibilities**

Each LGB shall appoint from among its members individuals with specific responsibility for:

- special educational needs, disability and inclusion; and
- safeguarding;

The LGB may allocate further roles to individuals to champion or to link to a particular area. Appendix 4 contains further information about the role of champion/ link Local Governors.

**f) Clerk to the Local Governing Body**

The LGB in consultation with the Governance Professional shall appoint a Clerk to the LGB who must not be a Local Governor. The LGB will have regard to advice from the Clerk as to the nature of the LGB's function.

The process for appointing a Clerk may be delegated to the Headteacher or the Chair of the LGB. The Clerk will support the work of the Local Governors and attend all their meetings.

In the absence of the Clerk, the LGB shall elect a replacement for the meeting (who may be a Local Governor).

The responsibilities / functions of the Clerk to the LGB are as follows:

- convene meetings of the LGB (including preparing a draft agenda (based on the Sample Annual Management Plan set out in Appendix 5) for the Chair to discuss with leadership) including sending notices and papers of meetings;
- attend meetings of the LGB and ensure minutes are produced, together with a summary report for the Trust Board;
- maintain a register of members of the LGB including their terms of office and report any vacancies to the LGB;
- maintain attendance and training records (and report on the same to the LGB);
- ensure that the reporting requirements on the governance page of the website and on Getting Information About Schools are up to date;
- maintain a register of business interests of LGB members;
- maintain a register of Local Governors' attendance at meetings and report on non-attendance to the LGB;
- report to the LGB as required on the discharge of the Clerk's functions; and
- perform such other functions as shall be determined by the LGB from time to time.

The Clerk will be offered professional support through continued professional development and an annual appraisal.

### **g) Ceasing to be a Local Governor**

A Local Governor's term of office will be terminated if:

- any event or circumstance occurs which would disqualify him or her from the office of Trustee under the Articles were he or she to hold such office;
- he or she has, without the consent of the LGB, failed to attend LGB meetings for a continuous period of six months, beginning with the date of the first such meeting he or she failed to attend and the Chair and the Vice Chair agree that the term of office should be terminated;
- he or she resigns from office by notice to the Trust;
- he or she is removed from office by the Trust Board.

## **9 Convening meetings of the Local Governing Body**

The LGB should hold 6 meetings in each academic year. The timings of these meetings are scheduled to be consistent across the Trust and will ordinarily be held in the first two weeks 2 and 3 of September, November, January, March and May and mid to late July. The times and days within these meeting windows will be decided by each LGB.

LGBs are advised to use Sample Annual Management Plan set out in Appendix 5 in order to inform the structure of their business and the agenda for each meeting.

The Clerk to the LGB shall give written notice of each meeting and circulate the agenda and any reports or other papers to be considered at the meeting at least seven clear days in advance of each meeting. However, where the Chair determines there are matters demanding urgent consideration, it shall be sufficient if the written notice of the meeting states that fact and the notice, copy of the agenda and other papers are given within such shorter period as the Chair directs.

Any two Local Governors may call a meeting by giving written notice to the Clerk, which includes a summary of the business they wish to carry out. It shall be the duty of the Clerk to convene a meeting as soon as reasonably practicable.

The Local Governors may invite persons who are not Local Governors (such as a member of a committee, any employee, any pupil, any professional adviser and any experts of any kind) to attend the whole or part of any meeting for purposes connected with the meeting.

Trustees shall be entitled to attend meetings of the LGB, ordinarily having given notice of such to the Clerk to the relevant LGB.

The convening of a meeting and the proceedings conducted at meetings shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

## **10 Voting at meetings of the Local Governing Body**

The quorum for meetings of the LGB and for any vote on a matter at such meetings is one half of the total number of Local Governors in office at that time (rounded up to the nearest whole number).



A meeting shall be terminated if the number of Local Governors present ceases to constitute a quorum. Where a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the Clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.

A Local Governor can participate in meetings of the LGB by telephone or by any suitable electronic means agreed by the LGB and by which all those participating in the meeting are able to communicate with all other participants.

A Local Governor participating by telephone or other communication is deemed to be present in person at the meeting and will be counted in a quorum and entitled to vote. Such a meeting is deemed to take place where the largest group of those participating is assembled or, if there is no group which is larger than any other group, where the Chair is located at that time.

Every question to be decided upon at a meeting of the LGBs shall be determined by a majority of the votes of Local Governors present and voting on the question. Votes tendered by proxy shall not be counted.

Where there is an equal division of votes, the Chair has a casting vote.

The Local Governors may act notwithstanding any vacancies, but, if the number of Local Governors is less than the number fixed as the quorum, the continuing Local Governors may act only for the purpose of filling vacancies.

A resolution in writing, signed by all Local Governors entitled to receive notice of and vote at a meeting shall be valid and effective as if it had been passed at a meeting duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more Local Governors and may include an electronic communication by or on behalf of the LGB indicating his or her agreement to the form of resolution providing that the Local Governor has previously notified the LGB in writing of the email address or addresses which the Local Governor will use.

## **11 Personal interests of Local Governors**

Local Governors shall complete a register of their business interests in the form set out at Appendix 6, which shall be reviewed annually.

Any Local Governor who has any duty or personal interest that conflicts or may conflict with his or her duties as a Local Governor shall:

- disclose that fact to the LGB as soon as he or she becomes aware of it. A Local Governor must absent himself or herself from any discussions of the LGB 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 such duty or personal interest;
- withdraw from any meeting for that item unless expressly invited to remain in order to provide information;
- not be counted in the quorum for that part of any meeting; and
- withdraw during the vote and have no vote on the matter.

## **12 Committees of the Local Governing Body**

The LGB may establish committees to carry out certain functions of the LGB. The LGB must determine the constitution, membership and terms of reference of any

committee it decides to establish and review them annually.

The establishment of any new committees other than temporary, ad hoc committees required to deal with specific issues, must be agreed in advance with the Trust Board.

### **13 Minutes and feedback/ escalation to the Trust Board**

Attendance at each LGB meeting, issues discussed and recommendations for decisions shall be recorded and the minutes signed by the Chair at the next meeting of the LGB. The written record together with a summary report (once approved by the Chair of the relevant LGB meeting) shall be forwarded by the Clerk to the LGB to the Governance Professional as soon as is reasonably practicable.

The summary report (in a form prescribed by the Trust Board) will provide an opportunity for the LGB to have a direct line of communication to the Trust Board. Notwithstanding this, the Chair of the LGB will liaise directly with the CEO where they have concerns that risks of any type represent a serious concern. The Chair will liaise directly with Trustees where they consider it necessary to escalate an Academy risk to Board level.

### **14 Delegation to the LGB**

The LGB shall have the roles set out under the Key Functions of the LGB item which is in section 15 below and any other role that the Trust Board agree shall be carried out by the LGB and that is communicated in writing to the Chair of the LGB.

#### **a) General**

The functions set out in section 15 below are delegated to the LGB who may exercise the powers of the Trust in so far as they relate to these functions, subject to:

- any restrictions in the Companies Act which requires a decision of the Members or the Trust Board;
- the Articles;
- Policies and Procedures set by the Trust Board;
- a specific decision of the Trust Board;
- paragraphs b) and c) below; and
- the reserved matters as set out in Appendix 7.

The Trust Board and the LGB acknowledge that they each play a crucial role in the governance of the Academy and commit to working together in the best interests of the Trust and the Academies. They also acknowledge that the duties and responsibilities in relation to the operation of the Trust sit with the Trust Board and as such the Trust Board is entitled:

- to overrule a decision of the LGB; and/ or
- to remove delegated powers from an LGB

if (in their reasonable opinion) they consider it to be in the best interests of the Academy or the wider Academy Trust.

#### **b) Decision Making**

The relationship between the Trust Board, the Trust Board's committees and the LGB is underpinned by the principles that there should be no duplication of governance and

governance should be as close to the point of impact of decision-making as possible.

The Key Functions of the LGB, which provides further confirmation as to who the decision makers are for different levels of decisions, should be read alongside the Reach South Governance Charter and this constitution and terms of delegation.

**c) Financial matters**

The LGB shall review the annual budget for the subsequent financial year prepared by the Academy's Headteacher and will have the opportunity to provide any feedback or comments to the Executive.

In line with their duties and responsibilities as trustees and directors, the Trustees shall be entitled to determine that a proportion of the budget in respect of the Academy be held centrally for the following reasons:

- to be allocated to the provision of central services received by the Academy;
- in pursuance of the Academy Trust's reserve policy; and/ or
- as otherwise may be determined by the Trustees acting reasonably and in the best interests of the Academy Trust.

**15 Key functions of the LGB**

The LGB is asked to carry out the following functions:

Governance	<p>To champion the Reach South vision and values in the Academy and to ensure the wellbeing of the pupils</p> <p>To determine the educational character, mission or ethos of the Academy (to the extent that it is not inconsistent with that of the Reach South vision and values) in collaboration with the Headteacher and other school leaders</p> <p>To ensure that the school has a medium to long-term plan for its future and that there is a robust strategy in place for achieving its vision</p> <p>In accordance with its Terms of Reference, to appoint (and remove) from its number: Chair, Vice-Chair and Local Governors with specific responsibilities.</p> <p>To appoint a clerk to the Local Governing Body</p> <p>To review and tailor the policies of the Academy (in line with the Key Functions of the LGB section and the Policies Schedule)</p> <p>To implement a means whereby the Academy can receive and react to pupil, parent and staff feedback</p> <p>To establish and maintain a relationship with members of the local community</p> <p>To carry out and review a skills audit of the LGB</p> <p>With the support of the clerk, to provide a summary report to the Governance Professional to bring certain matters to the attention of the board as required.</p>
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Finance	<p>To receive a report on the annual budget for the Academy</p> <p>To maintain a register of business and pecuniary interests (of the LGB)</p> <p>To ensure provision of free school meals to those pupils meeting the criteria</p> <p>To approve staff expenses for the Headteacher</p>
Audit and risk	To review the risk register of the Academy
Contracts	To support the Academy Trust Board in its monitoring and evaluation of the delivery of any central services and functions provided or procured by the Academy Trust for the Academy
Curriculum and standards	<p>To provide oversight of the balanced and broadly based curriculum in the Academy</p> <p>To ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Academy</p> <p>To monitor the KPI figures reported from the Headteacher relating to standards</p> <p>To develop, monitor and approve the Academy Development Plan</p> <p>To review and monitor the implementation of the Academy's policies on :</p> <ul style="list-style-type: none"> <li>• attendance; and</li> <li>• relationships education (primary) and/or relationships and sex education (secondary)</li> </ul> <p>To review attendance and pupil absences (as part of the KPIs)</p> <p>To monitor the impact of the pupil premium in the Academy</p> <p>To support the Academy Trust and the Headteacher in the extended school provision in the Academy</p> <p>To ensure effective arrangements are in place to obtain the views of parents, pupils and staff.</p>
Special Educational Needs and Disability	<p>To appoint a Local Governor responsible for SEND and inclusion</p> <p>To review and monitor the Academy's SEND policy and SEN information report, to reflect the local needs of the pupil cohort at the Academy and the local procedures</p> <p>To provide oversight of the implementation of the SEND policy within the Academy and compliance with the SEND Regulations, SEND Code of Practice and Equality Act 2010 requirements</p>
Safeguarding	<p>To appoint a designated governor for safeguarding to:</p> <ul style="list-style-type: none"> <li>• meet termly (where possible) with the DSL;</li> <li>• provide feedback from those visits to the Designated Trustee; and</li> </ul>

	<ul style="list-style-type: none"> <li>carry out routine checks of the single central register (ideally at least one unannounced per year) or review checks/ recommendations carried out by the Executive.</li> </ul> <p>To review and maintain the safeguarding and child protection policy for the Academy to reflect local arrangements and Academy specific risk factors</p> <p>To review and monitor the implementation of the Academy's safeguarding and child protection policy and risk assessment to ensure that they are tailored to local arrangements and Academy specific risk factors</p> <p>To ensure all LGB members have an enhanced Disclosure and Barring Service check and a section 128 check</p>
Behaviour	<p>To adopt and ensure the implementation of a behaviour policy for the Academy</p> <p>To provide oversight of any trends or patterns in behavioural issues at the Academy and monitor the implementation and effectiveness of the policies</p> <p>To convene a Governors' Discipline Committee with at least three members to carry out statutory reviews of decisions made by Headteachers to exclude pupils from school for a fixed term or permanently</p>
Admissions	<p>To provide feedback to the Executive on the implementation of the admissions arrangements and any desired changes when requested</p> <p>To appoint an Admission Committee to implement the Academy's admission arrangements for the relevant intake, and to make decisions on:</p> <ul style="list-style-type: none"> <li>Determining if oversubscription criteria are met by applicants (e.g. exceptional social and/or medical need)</li> <li>Determining whether to agree or refuse requests for admission outside normal age group</li> <li>To coordinate and arrange admission appeal hearings in accordance with the Appeals Code</li> </ul> <p>To ensure effective arrangements are in place for pupil recruitment and induction.</p> <p>To contribute to the development of the Academy prospectus</p>
Complaints	<p>To oversee the implementation of the Academy Complaints policy</p> <p>To appoint an independent Complaint Panel consisting of at least three members, at least one of which must be independent of the running and management of the Academy, to hear complaints at the relevant stage</p>
Staffing	<p>To participate in the process to appoint the Headteacher as requested by the CEO and to take part in the performance management of the Headteacher</p> <p>To support the Headteacher in the development and review (from time to time) of an appropriate staffing structure for the Academy and for</p>

	<p>the appointment of Academy staff to ensure that the Academy is fully staffed in accordance with that structure</p>
Information management and communication	<p>To ensure the effective implementation of the data protection policies and procedures of the Academy Trust and Academy</p> <p>To ensure systems are in place in line with the Academy Trust's strategy at the Academy for effective communication with pupil, parents or carers, staff and the wider community including the support of a local parent teacher association (if established)</p>
Health and safety	<p>To appoint a Local Governor responsible for health and safety</p> <p>To adopt a health and safety policy for the Academy to reflect local practices and Academy specific risk factors (in line with the Academy Trust prescribed policy)</p> <p>To review the implementation of the health and safety policy and ensure that appropriate risk assessments are being carried out in the Academy</p> <p>To conduct site inspections to review any health and safety issues and the security of premises and equipment</p> <p>To consider the need to escalate risks to the Trustee Risk and Audit committee in terms of any health and safety issues and the security of premises and equipment</p>
Estates	<p>To review and comply with the Academy's buildings strategy and asset management planning arrangements</p> <p>To adopt a lettings policy for the Academy to reflect local practices and Academy specific risk factors (in line with the Academy Trust prescribed policy), where applicable, and review its implementation</p> <p>To adopt an accessibility plan for the Academy in accordance with the requirements of the Equality Act 2010</p>

## **16 Alterations**

This constitution and these terms of reference may be altered by a majority resolution of the Trust Board.

## **17 Circulation list**

This constitution and these terms of reference shall be circulated to the Trust Board, all Local Governors, the Clerk to the LGB, and others at the discretion of the Chair of the Trust Board or the Chair of an LGB. This constitution and these terms of reference were approved and adopted by a resolution of the Trust Board.

**Appendix 1 Local Governor declaration**

The  
Trustees[•  
address]

[• 00 month year]

Dear Sirs

Reach South Academy Trust (**Academy Trust**) - appointment as aLocal  
Governor

I confirm that I wish to be a Local Governor in respect of [• name of academy] in  
accordance with the Terms of Reference for Local Governing Bodies prescribed by  
the Trustees of the Academy Trust from time to time.

I confirm that I am not disqualified from becoming a Local Governor byreason of  
any provision in the Terms of Reference for Local Governing Bodies (and by  
extension the Articles of Association of the Academy Trust).

I also confirm that I understand that I must disclose any personal interestI may  
have in any matter to be discussed at a meeting of the Local Governors in  
accordance with paragraph 11 of the Constitution and Terms of Reference for  
Local Governing Bodies (or as prescribed by the Trustees of the Academy Trust  
from time to time).

Yours faithfully

Signed .....

Name .....

Date .....



## Appendix 2 LGB Code of Conduct

### Introduction

The purpose of the Code of Conduct is to ensure Local Governors have a clear understanding of their role, which whilst voluntary comes with expectations and commitment.

The Clerk to the Local Governing Body (LGB) will ask all new Local Governors to sign this document at the commencement of their term of office and all Local Governors will make an annual commitment. The signed declaration will be kept with LGB records.

### Local Governors must: -

- a) Support the aims and objectives of the school and safeguard the interests of Reach South and its students in the wider community.
- b) Work co-operatively with other Local Governors in the best interests of Reach South placing a high priority on attending and contributing to meetings, sending apologies to the Clerk to the LGB in advance of the meeting when unavoidable absence is necessary. Without prior agreement of the LGB Local Governors are expected to attend at least 4 of the 6 meetings planned per annum.
- c) Remain loyal to the consensus decisions reached, even if these go against personal preference.
- d) Base opinion on matters before the LGB on an impartial assessment of the available facts.
- e) Take due account of views of parents, pupils, staff and other interested parties.
- f) Complete work as set out in the Reach South Scheme of Delegation, which will be reviewed annually as legally required.
- g) Not act or speak on behalf of the LGB without delegated authority to do so. In exceptional circumstances the Chair may act on behalf of the LGB but must report these actions to fellow Local Governors as soon as possible after action has been taken.
- h) Treat each other with respect at all times, valuing each other's contributions to the work of the Governing Body, accepting that all Local Governors have equal status, and although appointed or elected by different groups (e.g. parents, staff, LGB) the overriding concern will be the welfare of the school and Reach South as a whole.
- i) Be confident that the CEO will respect the Local Governors' monitoring and oversight role and will provide the LGB with the information it needs to hold Reach South to account for the standards achieved.
- j) Refer parents to the school's complaints procedure in the event of receiving complaints relating to any aspect of Reach South.
- k) Resist the temptation or outside pressure to use their position of Local Governor to benefit himself or herself or other individuals or agencies. Local Governors will make known any personal or pecuniary interest that might affect their ability to participate in particular discussions or decisions. This will be done through an annual declaration of interest, and also through the standard declaration on each agenda.

- l) Visit the academy, with all visits arranged in advance with the staff.
- m) Involve themselves actively in the work of the LGB, and accept a fair share of responsibilities.
- n) Be mindful of the criteria disqualifying individuals from being a Local Governor and will immediately stand down if any of the criteria should apply.
- o) Observe the confidentiality of any matters deemed confidential by the LGB.
- p) Seek to be good ambassadors for Reach South in the wider community particularly considering the impact of any use of Social Media on the academy, Reach South, pupils, staff and overall reputation.
- q) Make every effort to get to know the academy well and respond to opportunities to involve themselves in school activities.
- r) Take or seek to participate in training and development opportunities.
- s) Accept that in the interests of transparency, the names, terms of office, roles on the LGB and category of Local Governor will be published on the academy's website.
- t) Agree to declare all business interests – including any relationships between Local Governors and members of the school staff including spouses, partners and relatives and will offer information about other governorships of other schools so that it can be published on the website. Any Local Governor failing to reveal information to enable the LGB to fulfil its responsibilities will be in breach of this Code of Conduct and as a result will be bringing the LGB into disrepute.

**Breach of this code of conduct**

- If it is believed that a Local Governor has breached this code, Local Governors will raise this issue with the Chair and the Chair will investigate; the LGB will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the Chair that Local Governors believe has breached this code this will be reported to Reach South who will investigate.

**Safeguarding**

I confirm that I have read and understood the latest versions of the DfE publications

- Keeping Children Safe in Education
- Working Together to Safeguard Children

**New Local Governors**

I confirm I will complete a DBS application before taking up the position of Local Governor.

**All Local Governors – annual declaration**

I confirm that there has been no change to my DBS certification in the past 12 months

Signed by: .....

Date: .....

## Appendix 3 Parent Local Governor Appointment templates

(i) A Parent Local Governor nomination invitation

*Sample Parent Nomination Paper*



### Name of academy

Dear Parent

I am writing to advise you that there is a vacancy for **(insert number)** parent governor**(s)** on the academy's Local Governing Body and to invite parents who are interested in taking up this role to put their names forward, or to nominate another parent. If you nominate a fellow parent please ensure the parent countersigns the attached nomination paper.

We would draw your attention to the reverse of the nomination form – Declaration of Eligibility which lists the criteria for qualifications and disqualifications. Please ensure the declaration is signed by the nominee.

The timescale for electing the new governor(s) is as follows:-

- Nominations to the Headteacher by **(date at least 7 days in advance)**

If more nominations are received than there are vacancies:

- The election will be held on **date(recommend at least 12 days after the nomination deadline) at time (usually noon)**

If the number of nominations received are equal to or less than the number of vacancies there will be no need to hold a ballot. If a ballot is necessary one voting paper per parent will be sent to you via your child.

Should you mislay this nomination paper, a further copy may be obtained from the academy.

For further information please contact **[the Clerk to the Governing Body]**.

Yours faithfully

### *What is the role of Local Governing Bodies?*

Local Governing Bodies are responsible for monitoring a wide range of matters, which include ensuring that pupils receive a high quality education. Local parent governors play an important role as Members of the Local Governing Body and are welcomed as valued members of the team. The Local Governing Body works together – Governors do not make decisions individually.

Local Governors will support and, at the same time, challenge Heads by gathering views, asking questions and working with stakeholders. The Governing Body is answerable to parents, pupils, the Reach South Academy Trust and the wider community.

Local Governing Bodies comprise of various types of Governors. The Governing Body will include:

- Local parent Governors elected by other parents at the academy
- Local staff Governors elected by their colleagues
- Co-opted Governors appointed by the Local Governing Body
- Trust appointed Local Governors

### *Commitment*

Our meetings are held (**describe frequency – usual day and time**). Meetings should last no more than 2 hours. Governors are encouraged to visit the academy to learn more about the way the academy works.

### *What will you gain as a Local Governor?*

- The opportunity to make a real difference and the chance to contribute to the good of the community, leading to real satisfaction and a sense of achievement. You will gain an understanding of the decision making process of Local Governing Bodies and an awareness of the education system as a whole;
- Working as an academy Governor will give the opportunity to work with a wide variety of people and pupils from a variety of social, cultural and religious backgrounds;
- You will develop new skills and strengthen existing ones. You will be offered training on various aspects of the Governor role.



Provisions) (Scotland) Act 1990, from being concerned in the management or control of any body;

**I am not** included in the list (List 99) of teachers and workers with children or young persons whose employment is prohibited or restricted;

**I am not** disqualified from being the proprietor of any independent school or for being a Teacher or other employee in any school;

**I am not** disqualified from working with children;

**I have not**, in the five years prior to becoming a Governor, received a sentence of imprisonment, suspended or otherwise, for a period of not less than three months without the option of a fine;

**I have not**, in the twenty years prior to becoming a Governor, been convicted as aforesaid of any offence and had passed on me a sentence of imprisonment for a period of not less than two and a half years;

**I have not**, at any time, had passed on me a sentence of imprisonment for a period of not less than five years;

**I have not** been fined, in the five years prior to becoming a governor, for causing a nuisance or disturbance on education premises;

**I am not** subject to a disqualification order under the Criminal Justice and Court Services Act 2000.

I am willing to serve as a Parent Governor should I be elected. I am not disqualified from serving as a local Parent Governor. I give permission for an application to be made to the Disclosure and Barring Service for a DBS certificate. If I become disqualified I will notify the Clerk to the Local Governing Body.

Signature \_\_\_\_\_ Date \_\_\_\_\_

*In the event of an election details supporting candidature are invited. Please complete the personal statement below in support of your nomination – no more than 60 words please.*

This nomination paper should be returned to the Headteacher no later than noon on **date (allow at least 7 days)**

- (iii) An example ballot paper and covering letter.

*Example Ballot paper letter - Local Parent Governors*



**Dear Parent,**

*Name of Academy*

I am writing to advise you that there were more nominations than vacancies for the recently advertised post of local Parent Governor.

Therefore a ballot will take place.

Overleaf you will find a ballot paper (one per parent).

*How to vote:*

Place an X in the right hand column against the candidate(s) of your choice. No other distinguishing marks of any kind should be made on the ballot paper.

- You may not vote more than once per candidate but if you have **(no.)** votes you may vote for **(no.)** candidates
- Only parents/guardians of registered pupils at the academy are eligible to vote.
- No parent/guardian is entitled to complete more than one ballot paper (irrespective of the number of children at the academy).
- Please return the ballot paper by **time** on **date**

Ballot papers should be placed in a sealed envelope and should not contain the name of the sender.

The results of the ballot will be publicised immediately after the count.

Yours faithfully



**ELECTION OF LOCAL PARENT GOVERNOR(S)**

Number of votes available - **insert number**

Name of Candidate	Supporting Statement	Place Your X Here

*How to vote:*

Place an X in the right hand column against the candidate(s) of your choice. No other distinguishing marks of any kind should be made on the ballot paper.

- You may not vote more than once per candidate but if you have two votes you may vote for **(no.)** candidates
- Only parents/guardians of registered pupils at the academy are eligible to vote.
- No parent/guardian is entitled to complete more than one ballot paper (irrespective of the number of children at the academy).
- The ballot paper must be returned to the head teacher, in a sealed envelope, no later than **time** on **date**. The name of the voter must not be written on the envelope. All envelopes will be placed in a sealed ballot box.



## **Appendix 4            The role of champion/link Governors**

Local Governors, collectively, strategically improve our academies by holding the Headteacher to account for providing high quality teaching and learning, which will lead to the highest possible levels of attainment and progress for our children, in a safe, caring environment that allows them to develop spiritually, morally, socially and culturally.

The purpose of a champion is to take a lead monitoring role on a specific strategic area for development and improvement. The priorities for Governor champions are a reflection of the annual Academy Development Plan, and also ensure the academy's longer-term vision and aims are being achieved.

Local Governors play an important role in knowing their academy well and working with parents, children and staff. However, there is also an expectation that Governor champions will develop their skills by communicating, and where possible visiting, their partner champions in the other Reach South academies to ensure clarity and consistency of approach.

### **The responsibilities of a champion/link Governor**

- Building a trusting, professional working relationship with the member of academy staff responsible for the identified curriculum/priority area, so that the Governor champions can become true 'critical friends'.
- Investing in the identified curriculum/priority area and attend occasional team meetings / visit with the relevant academy staff regularly.
- Regularly reviewing and evaluating the strategies in place to improve outcomes for all children within the identified curriculum/priority area.
- Scrutinising the data/information used for self-evaluation within the identified curriculum/priority area.
- Ensuring that the Reach South policies are followed in the identified curriculum/priority area and highlight any concerns about shortcomings in policy/practice.
- Reporting back to the local governing body and via Minutes.
- Being an advocate for the identified curriculum/priority area within the local governing body meetings.

The champion/link role works more effectively if succession planning is built in from the start. Therefore, each Local Governor should be the lead champion in one subject and play a supporting role in another. This also helps new Governors develop their skills and confidence.

### **Being a Governor champion / link**

- ✓ Take a special interest in your champion area
- ✓ Ensure that your champion area remains high on the academy's and Reach South agenda
- ✓ Attend in-school training where possible
- ✓ Meet with the subject/area Lead termly to discuss strengths and areas for further development
- ✓ Be involved in the school's work with parents
- ✓ Ask about resourcing of your subject/area
- ✓ Attend external training in order to keep up to date with developments.

## **Monitoring and reporting schedule**

Governor champions will need to meet with the relevant Teacher/staff member at least three times a year, or more where necessary, and will formally report to the Local Governing Body three times a year.

## **What should champions/ link Governors ask?**

In order to support this function of the LGB, the Trust has devised sample questions to ask and a form to complete for reporting findings to the LGB.

## **Writing your report as a champion Governor**

Whilst you are expected to report three times a year, the number of visits/activities is not prescribed. Therefore, your report might cover more than just one visit with the Co-ordinator and may include a visit to a lesson and/or a parent event. Your report is a summary of any engagement.

All reports must be shared with the Headteacher before being shared with staff or being presented at any Governors' meeting.

Weeks 2 and 3 of September	Weeks 3 and 4 of November
<p><u>Procedural</u> Welcome, consider apologies and confirmation of quorum Declarations of interest Annual Review of membership Complete annual pecuniary interest forms, Code of Conduct and complete skills audit bi-annually Minutes of the last meeting Matters arising of the last meeting Chair's and Head's urgent business</p> <p><u>Academy Improvement, overview and scrutiny</u> Questions on Headteacher's report Receive report on summer testing results and trends Presentation on pupil tracking system Consider progress on Strategic Improvement Plan Update from Headteacher on people and finance at start of academic year Safeguarding update Health &amp; Safety update GDPR update Barriers to progress Reach South Board Update</p> <p><u>Local Governance monitoring and development</u> Clerk's Update – membership, local and national strategies inc. confirmation that the website and GIAS is up to date Governor training LGB Action Plan</p> <p><u>Policy Review</u> Adopt the Trust H&amp;S policy</p> <p><u>Closing</u> Impact – what difference have we made by our meeting today? Reminder of reports due for next meeting</p>	<p><u>Procedural</u> Welcome, consider apologies and confirmation of quorum Declaration of interests Minutes of last meeting Matters arising of the last meeting Chair's and Head's urgent business</p> <p><u>Academy Improvement, overview and scrutiny</u> Questions on School Improvement Adviser report Review report on the quality of teaching Review progress on Strategic Improvement Plan ASP/Data dashboard review Report on planned use of pupil premium, catch-up premium and sports premium Report on staff appraisal Note the annual budget and review the closing budget from the previous year Review variations in budget spend and re-forecasts Admissions update Safeguarding update Health &amp; Safety update GDPR update Barriers to progress Reach South Board Update</p> <p><u>Local Governance monitoring and development</u> <b>Report from Governors</b> <b>Maths</b> <b>English</b> <b>Early Years/KS3 and 4</b> <b>Safeguarding/CP/LA</b> <b>CSEND</b> <b>Pupil premium</b> Other Governor visits Governor training</p> <p><u>Closing</u> Impact – what difference have we made by our meeting today?</p>

Weeks 3 and 4 of January	Weeks 3 and 4 of March
<p><u>Procedural</u> Welcome, consider apologies and confirmation of quorum Declaration of interests Minutes of the last meeting Matters arising of the last meeting Chair's and Head's urgent business</p> <p><u>Academy Improvement, overview and scrutiny</u> Questions on Headteacher's report Monitor the success of the phonics programme Review progress on Strategic Improvement Plan Review Parent View and plan parent surveys Review variations in budget spend and re-forecasts Review the academy emergency plan Review the risk register Plan survey of staff/pupils (as required) Admissions update Review of academy website Safeguarding update Health &amp; Safety update GDPR update Barriers to progress Reach South Board update</p> <p><u>Local Governance monitoring and development</u> Governor visits Clerk's Update – membership, local and national strategies inc. confirmation website and GIAS is upto date Governor training LGB Action Plan</p> <p><u>Policy Review</u> Review and maintain Behaviour policy Review and maintain the SEN policy Review SEND Information Report</p> <p><u>Closing</u> Impact – what difference have we made by our meeting today? Reminder of reports due for next meeting</p>	<p><u>Procedural</u> Welcome, consider apologies and confirmation of quorum Declaration of interests Minutes of last meeting Matters arising of the last meeting Chair's and Head's urgent business</p> <p><u>Academy Improvement, overview and scrutiny</u> Questions on School Improvement Adviser report Performance Management update Review parent survey results Report on impact of pupil premium Report on quality of teaching and pupil progress Report on predicted outcomes for cohorts and years Review variations in budget spend and re-forecasts Safeguarding update Health &amp; Safety update GDPR update Barriers to progress Reach South Board update</p> <p><u>Local Governance monitoring and development</u> <b>Report from governors</b> <b>Maths</b> <b>English</b> <b>Early Years/KS3 and 4</b> <b>Safeguarding/CP/LA</b> <b>CSEND</b> <b>Pupil premium</b> Other Governor visits Governor training LGB Action Plan</p> <p><u>Policy Review</u> Review and maintain Complaints policy</p> <p><u>Closing</u> Impact – what difference have we made by our meeting today?</p>

Weeks 3 and 4 of May	Mid to late July
<p><u>Procedural</u>  Welcome, consider apologies and confirmation of quorum  Declaration of interests  Minutes of the last meeting  Matters arising of the last meeting  Chair's and Head's urgent business</p>	<p><u>Procedural</u>  Welcome, consider apologies and confirmation of quorum  Declaration of interests  Minutes of last meeting  Matters arising of the last meeting  Chair's and Head's urgent business</p>
<p><u>Academy Improvement, overview and scrutiny</u>  Questions on Headteacher's report  Review progress on Strategic Improvement Plan  Review variations in budget spend and re-forecasts  Review staffing structure for following year  Review of staff CPD/shared expertise  Safeguarding update  Health &amp; Safety update  GDPR update  Barriers to progress  Reach South Board update</p>	<p><u>Academy Improvement, overview and scrutiny</u>  Questions on School Improvement Adviser report  Review progress on Strategic Improvement Plan and adopt a new plan for the coming year  Academy self-evaluation report  Safeguarding update  Health &amp; Safety update  GDPR update  Barriers to progress  Review variations in budget spend and re-forecasts  Reach South Board update</p>
<p><u>Local Governance monitoring and development</u>  Clerk's Update – membership, local and national strategies inc. confirmation that the website and GIAS is up to date  Governor training  LGB  Action Plan</p>	<p><u>Local Governance monitoring and development</u>  <b>Report from governors</b>  <b>Maths</b>  <b>English</b>  <b>Early Years/KS3 and 4</b>  <b>Safeguarding/CP/LA</b>  <b>CSEND</b></p>
<p><u>Closing</u>  Impact – what difference have we made by our meeting today?  Reminder of reports due for next meeting</p>	<p><b>Pupil premium</b>  Other Governor visits  Governor training  Election of chair and vice chair (<i>Every second year</i>)  Appoint Governors with specific responsibilities for the year ahead  Set up a hearings Committee (staffing, exclusions and complaints)  Appoint Performance Management Governors and secure training</p> <p><u>Closing</u>  Impact – what difference have we made by our meeting today?</p>

**Appendix 6 Annual declaration of business interest form for Local Governors**

**Annual Declaration of pecuniary and personal interest – Local Governors**

Name.....

Academy:.....

Please complete this form in ink, not pencil

**Pecuniary interests**

**Please provide details of the interest and date commenced**

Current employment	
Businesses (of which I am a partner or sole proprietor)	
Company directorships – details of all companies of which I am a director	
Charity trusteeships – details of all companies of which I am a trustee	
Membership of professional bodies, membership organisations, public bodies or special interest groups of which I am a member and have a position of general control or management	
Gifts or hospitality offered to you by external bodies while acting in your position as a Local Governor and whether this was declined or accepted in the last 12 months	
Contracts offered by you for the supply of goods and/or services to the trust/school	
Any other conflict	

<b>Personal interests</b>	<b>Name</b>	<b>Relationship to me</b>	<b>Organisation</b>	<b>Nature of the interest</b>
Immediate family/close connections to Local Governor				
Company directorships or trusteeships of family/close connections to Local Governor				

Are you a Governor of another school or a Local Governor on another LGB?

<b>If yes, please give details</b>	
<b>Name of school/school:</b>	
<b>Position held:</b>	
<b>Date appointed/elected</b>	
<b>Date of termination</b>	

To the best of my knowledge the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to myself or any relation in any contract, proposed contract or other matter when present at a meeting at the academy where such contract or matter comes under consideration. I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with Reach South policy.

Signed \_\_\_\_\_ . Date \_\_\_\_\_

## Appendix 7 Reserved matters

The Reserved Matters are:

### **Members**

(subject to such other consents/ requirements as might be required by law)

- 1 to change the name of the Academy Trust
- 2 to change the Objects (which would require Charity Commission and Secretary of State consent)
- 3 to change the structure of the Trust Board
- 4 to amend the Articles of Association
- 5 to pass a resolution to wind up the Academy Trust
- 6 to appoint the auditors (save to the extent that the Trustees may make a casual appointment)

### **Trustees**

(subject to such other consents/ requirements as might be required by law or the Funding Agreement)

- 7 to change the name of the Academies
- 8 to determine the educational character, mission or ethos of the Academies
- 9 to adopt or alter the constitution and terms of reference of any committee of the Trust Board
- 10 to terminate a supplemental funding agreement for an Academy
- 11 to establish a trading company
- 12 to sell, purchase, mortgage or charge any land in which the Academy Trust has an interest
- 13 to approve the annual estimates of income and expenditure (budgets) and major projects
- 14 to appoint investment advisors
- 15 to sign off the annual accounts



- 16 to appoint or dismiss the Chief Executive Officer, the Finance Director, the Company Secretary or the Governance Professional;
- 17 to settle the division of executive responsibilities between the Trustees on the one hand and Executive Team on the other hand, on the other hand, and to settle the division of executive responsibilities between those individuals
- 18 to do any other act which the Funding Agreement expressly reserves to the Trust Board or to another body (including for the avoidance of doubt, terminating the Funding Agreement or any part of it)
- 19 to do any other act which the Articles expressly reserve to the Trust Board or to another body or
- 20 to do any other act which the Trust Board determine to be a Reserved Matter from time to time.

**Appendix 8**

**Governor visit record form**

**GOVERNOR VISIT RECORD**

Governor:	
Link Responsibility:	
Date of Visit:	
Visiting – Who did you see?	

What was the nature of the visit?	
Did you talk with pupils?	
Did you visit the classroom/playground?	
Did you meet parents?	
Other....(describe)	

Was the visit linked to the Ofsted judgements or the School Improvement Plan?		
<b>Quality of Education</b>		
<b>Personal Development;</b>		
<b>Behaviour and Attitudes;</b>		
<b>Leadership and management</b>		

Impact of visit and questions asked

**SAFEGUARDING Please tick which were observed**

All staff were wearing ID badges		<b>Comments on safeguarding practice</b>
The schools' safeguarding rules were available		
Doors to the school were secure		
Signage indicated who children/adults should speak to re Child Protection concerns		
Evidence of electrical safety checks was observed		
Mobile phone signage was displayed		
All visitors had badges		

Signed  
Date:

Thank you for making this visit – please forward your completed form to the Headteacher

<b>Headteacher</b> –	<b>LGB Review</b> –
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