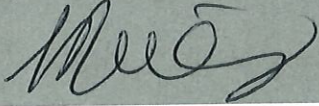




**WHERE STARS SHINE**

# Local Academy Committee

# TERMS OF REFERENCE

<b>Policy Lead Committee:</b>	Board of Trustees	<b>In consultation with:</b> Local Academy Committee
<b>Approved by:</b>		<b>Date:</b> 12 <sup>th</sup> September 2023
<b>Policy Date:</b> Autumn 2023	<b>Review Date:</b> Autumn 2024	
<b>Review Frequency:</b> Annually		



## 1. Introduction

- 1.1 The Severn Federation Academy Trust is governed by the Board of Trustees who are accountable to the Department of Education and have overall responsibility and ultimate decision-making authority for all the work of the Trust, including the establishing and running of the academies in the Trust.
- 1.2 In order to assist with the discharge of their responsibilities, the Trustees have established a Local Academy Committee for each academy, with the exception of Lydney & Aylburton, who have a federated Local Academy Committee. The Local Academy Committee shall be a committee established pursuant to Articles 100-106 (inclusive) of the Articles of Association of the Trust (the "**Articles**").
- 1.3 The Trustees may review these terms of reference at any time but shall review them at least annually.
- 1.4 These terms of reference may only be amended by the Board of Trustees.
- 1.5 A copy of the Trust governance structure is included in Annexe 4.
- 1.6 These terms of reference must be read in conjunction with the Scheme of Delegation. Where there is a conflict between the documents the Scheme of Delegation takes precedence. The Scheme of Delegation can be accessed here [Key Information | Severn Federation Academy Trust \(sfat.uk\)](https://www.sfat.uk)

## 2. Constitution & Membership of the Local Academy Committee's.

- 2.1 Members of the Local Academy Committee's shall be known as governors.
- 2.2 The Trustees have the right to appoint such persons to the Local Academy Committee's as they shall determine from time to time.
- 2.3 The composition of the Severnbanks Local Academy Committee is as follows:
  - 2.3.1 The Headteacher
  - 2.3.2 One staff governor
  - 2.3.3 Two Parent governors
  - 2.3.4 Three Community governors, co-opted by the committee.
- 2.4 The procedure for appointment and removal of governors shall be set out in Annexe 1.

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- 2.5 The Trustees reserve the right power to remove governors from office and change the governance structure, subject to the provisions of the Articles of Association. As long as governors have acted honestly, for the benefit of the academy, reasonably and within the law and terms of their delegated powers the governors cannot be held personally liable for any liabilities incurred on behalf of the company.

### **3. Proceedings of the Local Academy Committee.**

The proceedings of the meetings for the Local Academy Committee shall be set out in Annex 2.

### **4. Relationship between the Board of Trustees and Local Academy Committee.**

4.1 The Local Academy Committee shall, in carrying out its role:

- 4.1.1 promote high standards and aim to ensure that pupils are attending a successful school which provides them with a good education and supports their wellbeing;
- 4.1.2 be responsible to the Trustees for its actions and follow the expectations of governors as laid down by this document and the Scheme of Delegation;
- 4.1.3 be responsible for all areas of curriculum and standards within the school;
- 4.1.4 be responsible for ensuring that the character of the school is upheld;
- 4.1.5 establish that it is competent, accountable, independent and diverse, that promotes best practice in governance.
- 4.1.6 ensure that its governors promote and uphold high standards of conduct, probity and ethics.

4.2 The Trustees shall support the work of the Local Academy Committee by:

- 4.2.1 Setting a clear strategic vision to allow the Local Academy Committee to set and achieve its own objectives within the overarching vision;
- 4.2.2 ensuring that systems are put in place to allow the governors to be presented with timely and good data to allow the Local Academy Committee to analyse Academy

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performance in order to support and challenge the Academy Heads and the Senior Leadership Team of the school(s).

- 4.2.3 ensuring that the governors have access to high quality training.
- 4.3 Without prejudice to the Trustees' other rights to remove any governor and the Trustees' rights to amend these terms of reference at any time, where the Trustees have concerns about the performance of any Local Academy Committee they may amongst other actions:
  - 4.3.1 require the relevant Local Academy Committee to adopt and comply with a governance action plan in such form as determined by Trustees;
  - 4.3.2 suspend or remove any or all of the matters delegated to the Local Academy Committee;
  - 4.3.3 suspend or remove any or all of the governors of the relevant Local Academy Committee;
- 4.4 The Trustees may vary the matters delegated where:
  - 4.4.1 the Local Academy Committee act outside its delegated powers and limitations;
  - 4.4.2 the Local Academy Committee are in breach of these terms of reference;
- 4.5 The Trustees may remove governors where;
  - 4.5.1 The School is in material breach of its funding agreements;
  - 4.5.2 The Local Academy Committee is in material breach of these terms of reference or has persistently breached the terms of reference.

## 5. Delegated Powers

### General principles

- 5.1 In the exercise of its delegated powers and functions, the governance of the Local Academy Committee:
  - 5.1.1 ensure that the School business is conducted in accordance with the objects of the Trust, the terms of any trust governing the use of the land which is used for the

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purposes of the School, any agreement entered into with the Secretary of State for the funding of the School and these terms of reference;

- 5.1.2 promptly implement and comply with the Scheme of Delegation and any policies or procedures communicated to the Local Academy Committee by the Trustees from time to time;
  - 5.1.3 review its own policies and practices on a regular basis, in view of any advice or recommendations made by the Trustees;
  - 5.1.4 work closely with the Trustees and act with integrity, objectivity and honesty in the best interests of the Trust and the Academy;
  - 5.1.5 be open about decisions and be prepared to justify those decisions;
  - 5.1.6 keep confidential all information of a confidential nature obtained by them relating to the School and the Trust; and
  - 5.1.7 adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the Academy and are delegated to them.
- 5.2 Each governor shall be required to take part in regular self-review and is accountable for meeting his own training and development needs. It is a governor's responsibility to consider if, and raise any concerns where, he feels that appropriate training and development is not being provided.
- 5.3 Governors shall be expected to report to the Trust against KPIs, which have been set for the Academy and provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Trustees may require from time to time.
- 5.4 The powers retained by the Trust and delegated from the Trustees to the Local Academy Committees shall be as follows:
- 5.4.1 in respect of the sponsored or non- sponsored schools Local Academy Committee, the Scheme of Delegation sets out the powers retained by the Trust, the powers delegated to the CEO, Headteacher and Local Academy Committee.

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- 5.5 For the avoidance of doubt, where a power is not expressly delegated to the CEO, any Local Academy Committee or Headteacher it will be deemed to have been retained by the Trust regardless of whether it is specified in the Scheme of Delegation.
- 5.6 The Scheme of Delegation may be reviewed by the Trustees at any time but shall be reviewed at least annually. Trustees reserve the right to remove or alter any delegation at any time, whilst having due regard to, but not being bound by, the views of the Local Academy Committee.
- 5.7 Notwithstanding the application of any provision of these terms of reference, if the Chair of the Local Academy Committee, is of the opinion that a matter of urgency exists and a delay in exercising the function would likely be seriously detrimental to the interests of the School, any pupil or their parent or a person who works at the School, then they may exercise any function of the Local Academy Committee which can be delegated to an individual or any function relating to the exclusion of pupils after consultation with Chief Executive Officer and Headteacher.

## 6. Purpose of the Local Academy Committee

### Scope of responsibilities

The Board of Trustees has delegated the Local Academy Committee the following powers and functions:

#### 6.1 In relation to the Academy's curriculum offering and development to:

- a) Ensure the School achieves at least good outcomes and progress for all children and young people.
- b) Determine and approve school level policies.
- c) Ensure the School has an appropriate and effective curriculum.
- d) Ensure the School has good or better teaching.
- e) Ensure the School has appropriate and effective staffing.
- f) Make sure all children and young people are safeguarded within the School.
- g) To monitor attendance and ensure procedures are in place to improve poor attendance
- h) Monitoring the level of exclusions within the School, ensuring appropriate action has been taken to ensure exclusion is used as a last resort and pupils at risk of exclusion are appropriately supported.
- i) Provide an appropriate and effective development/school improvement plan for the school to the Board of Trustees

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- j) Perform a regular review of the School Improvement plan to ensure progress towards the set priorities.
- k) Ensure all governors are appropriately trained in education and school improvement matters.
- l) Pupil led grant funds – review and challenge the value for money/return on investment of the pupil led grants in terms of educational outcomes and narrowing the achievement gap.
- m) Admission discussions and recommendations to the Board of Trustees for change to policy.
- n) Student issues (including attendance, exclusions, punctuality and disciplinary matters)
- o) Ensure school lunches are of appropriate standards.
- p) Provide free school meals to those meeting the criteria.

**6.2 In relation to financial and risk management and reporting requirements, to:**

- a) Maintain a Register of Business Interests for all governors.
- b) Adhere to procedures to deal with any conflicts of interest/connected party transaction.
- c) Monitor the provision of risk assessment within the school
- d) Ensure all instances of loss/theft are notified to the Trust Chief Executive Officer to ensure compliance with the Academy Trust Handbook reporting requirements.
- e) Monitor the upkeep and maintenance of the school, reporting any issues to the Board of Trustees.
- f) Ensure building and grounds remain Health & Safety compliant, reporting any issues to the Chief Executive Officer.
- g) Ensure the security of the school site.

**6.3 In relation to staffing and performance management, to:**

- a) Participate in interviews and advise the Chief Executive Officer/ Board of Trustees of a suitable candidate for the post of Headteacher.
- b) Participate in interviews and advise the Chief Executive Officer/ Board of Trustees of a suitable candidate for the post of Deputy Headteacher.
- c) Participate in interviews and advise the Headteacher of a suitable candidate for the appointment school level staff within the schools approved structure.
- d) Advise the Chief Executive Officer/Board of Trustees of the requirement of dismissal of the Headteacher.
- e) Investigate staff disciplinary matters as needed.
- f) Monitor staff attendance.
- g) Support and challenge the Headteacher.



#### 6.4 In relation to governance;

- a) To uphold the Governance Code of Conduct.
- b) Ensure annual skills audits are undertaken.
- c) Complete an annual self-review of governance and report to Trustees.
- d) Ensure the website governance area is compliant with statutory requirements and details are correct.
- e) Ensure details on GIAS are up-to-date.
- f) Compile a governor action plan at the start of the academic year to be reviewed mid and end of academic year.
- g) Ensure statutory training is completed.
- h) Maintain the confidentiality of governance.
- i) To complete a regular cycle of monitoring visits.
- a) To ensure the policies listed annexe 3 are in place and reviewed as per schedule.

## Annex 1: Appointment & Removal of Governors

### 1. Staff Governors

- 1.1 The Headteacher will invite nominations from all staff employed under a contract of employment within the school(s).
- 1.2 Contested nominations will be resolved by the holding of a secret ballot.
- 1.3 All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Trustees.
- 1.4 The Trustees may delegate the running of the election to the Headteacher.

### 2. Parent governors

- 2.1 Parent governors of the Local Academy Committee shall be elected by parents of registered pupils at the school. He or she must be a parent of, or have parental/guardianship responsibility for, a pupil at the school at the time when he or she is elected.





- 2.2 The Trustees shall make all necessary arrangements for, and determine all other matters relating to, an election of the parent governors. The Trustees may delegate the running of the election to the Local Academy Committee.
- 2.3 Where a vacancy for a parent governor is required to be filled by election, the Headteacher shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the school is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.
- 2.4 Any election of persons who are to be the parent governors which is contested shall be held by secret ballot. The arrangements made for the election of the parent governors shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or by having his ballot paper returned to the school office.
- 2.5 Where the number of parents standing for election is less than the number of vacancies, and the election will be retaken to fill the remaining vacancy. If there is no response to the second election the Trustees may appoint a person who is the parent of a registered pupil at the Academy or, where it is not reasonably practical to do so, a person who is the parent of a registered pupil of another School within the Trust.

### **3. Community governors**

- 3.1 Community governors of the Local Academy Committee shall be elected by the committee. He or she must be: a) a person who lives or works in the community served by the Academy; or b) a person who, in the opinion of the committee, has the necessary skills set and is committed to the governance and success of the School.
- 3.2 The Committee may not appoint an employee of the Trust as a community governor.

### **4. Associate Members**

The Local Academy Committee can appoint Associate Members. Associate Members must have a specific role to fulfil.



## 5. Term of office

- 5.1 The term of office for Community and Parent governors shall be four years. Shorter terms of office may be assigned for Community governors with approval of the Board of Trustees.
- 5.2 The term of office for staff governors shall be two years.
- 5.3 The Headteacher remains a governor until he or she ceases to work at the School.
- 5.4 Subject to remaining eligible to be a particular type of governor, any person may be re-appointed or re-elected to the Local Academy Committee.
- 5.5 Associate Members have a term of one year.

## 6. Resignation and removal

- 6.1 A person serving on the Local Academy Committee shall cease to hold office if:
  - a) they resign their office by giving notice in writing to the clerk of the Local Academy Committee;
  - b) the Headteacher or a staff governor ceases to work at the School;
  - c) the Trustees terminate the appointment of a governor whose presence or conduct is deemed by the Trustees, at their sole discretion, not to be in the best interests of the Trust or the School;
  - d) he/she fails to attend 3 consecutive meetings without prior consent been given by the Chair.
- 6.2 For the avoidance of doubt, a parent governor shall not automatically cease to hold office solely by reason of their child ceasing to be a pupil at the Academy.

## 7. Disqualification of governors of the Local Academy Committee

- 7.1 A person shall be disqualified from serving on the Local Academy Committee if he would not be able to serve as a Director in accordance with Articles 68-80 of the Articles.
- 7.2 All members of a Local ~~Governing Body~~ <sup>ACADEMY COMMITTEE</sup> shall upon their appointment or election, and before exercising any duties as a member of the Local ~~Governing Body~~ <sup>ACADEMY COMMITTEE</sup>, give a written undertaking to the Directors and Members to uphold the Object of the Company. If they

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refuse to give such an undertaking they shall immediately be disqualified from holding office.

## 8. Appointment and removal of Chair

- 8.1 The Chair of the Local Academy Committee shall be nominated by the Local Academy Committee and appointed by the Trustees and may be removed from office by the Trustees at any time.
- 8.2 The term of office of the Chair shall be 1 year. Subject to remaining eligible to be a governor, any governor may be re-appointed as Chair of the Local Academy Committee.
- 8.3 The Chair may at any time resign his office by giving notice in writing to the Trustees. The Chair shall cease to hold office if:
- He/she ceases to serve on the Local Academy Committee;
  - He/she fails to comply with clause 5.1
  - He/she is employed by the Trust whether or not at the School.
- 8.4 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Local Academy Committee shall elect one of their numbers to act as Chair for purposes of the meeting.

## Annex 2 – Proceedings of the Local Academy Committee

### 1. Meetings

- 1.1 The Local Academy Committee shall meet at least once in every term and shall hold other meetings as may be necessary.
- 1.2 Meetings of the Local Academy Committee shall be convened by the clerk to the Local Academy Committee, who shall send the governors written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting. Where there are matters demanding urgent consideration, the Chair may waive the need for seven days' notice of the meeting and substitute such notice as he thinks fit.
- 1.3 Any governor shall be able to participate in meetings of the governors by telephone or video conference by prior arrangement; provided that reasonable notice has been

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provided to the Chair and Clerk of the Local Academy Committee and that the governors have access to the appropriate equipment.

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

## **2. Quorum**

- 2.1 The quorum for a meeting of the Local Academy Committee, and any vote on any matter at such a meeting, will be one half of the number of members within the committee, rounded up to the nearest full number.
- 2.2 One Trustee shall be entitled to attend any meetings of the Local Academy Committee.

## **3. Voting**

- 3.1 Every matter to be decided at a meeting of the Local Academy Committee shall be determined by a majority of the votes of the governors present and entitled to vote on the matter. Every governor shall have one vote. Where there is a division of votes, the Chair of the meeting shall have the casting vote. A governor may not vote by proxy.
- 3.2 Any governor who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Academy Committee at which their remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- 3.3 A resolution in writing, signed by all the governors shall be valid and effective as if it had been passed at a meeting of the governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the governors.
- 3.4 Associate Members have no voting rights.

## **4. Conflicts of Interest**

- 4.1 Any governor who has or may have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest (as defined below) which conflicts or may conflict with their duties as a governor of the Local Academy Committee shall disclose that fact to the Local Academy Committee as soon as they become aware

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of it. A person must absent themselves from any discussions of the Local Academy Committee in which it is possible that a conflict will arise between his duty to act solely in the interests of the School and any duty or personal interest (including but not limited to any Personal Financial Interest).

- 4.2 A governor of the Local Academy Committee has a Personal Financial Interest if he, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the governor or any person living with the governor as his or her partner, is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the School.
- 4.3 All governors must register business interests annually in line with the Academy Trust Handbook.
- 4.4 In the interests of transparency and in line with clause 2.5 of the Academy Trust Handbook the Trust will publish up to date information on its website regarding each governor.

## 5. Minutes of meetings

- 5.1 At every meeting of the Local Academy Committee the minutes of the last meeting shall be an agenda item and, if agreed to be accurate, shall be signed as a true record.
- 5.2 Any confidential items should be minuted separately and agreed under a separate item of business.
- 5.3 The clerk to the Local Academy Committee shall ensure that a copy of the agenda for every meeting of the governors, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, are available on the Local Academy Committee secure area for oversight by Trustees.

## Annexe 3: Policies

The Trustees have delegated the revision of some school-led policies to the Local Academy Committee. All Trust policies are published on the website [www.sfat.uk/policies](http://www.sfat.uk/policies); individual school policies will be on the individual school.

List of delegated policies:

- Accessibility Plan

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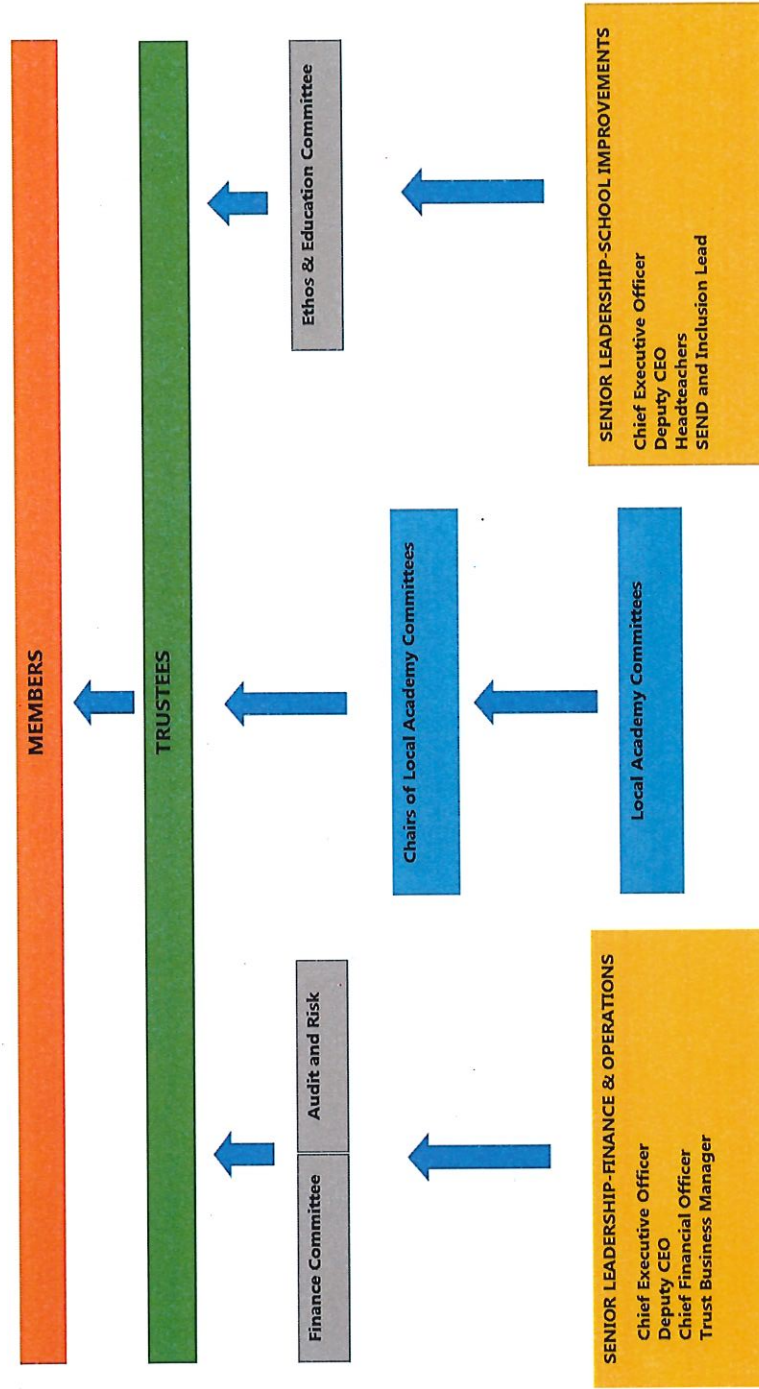
- Admissions\*
- Assessment
- Attendance
- Behaviour
- Collective Worship
- Feedback & Marking
- Handwriting
- Homework
- Religious Education
- Spirituality
- Spiritual, Moral, Social, Cultural
- Teaching & Learning

\*\*\*\* Additional school level policies may be adopted by the individual school\*\*\*\*

\*Admissions Policy has been delegated for renewal; any changes to the admissions criteria is agreed at Board level in conjunction with the GCC Admissions Authority.

**These Terms of Reference are available on the school website: [Severnbanks Primary School - Introduction](#). Paper copies are available on request from the School Office.**

# Annexe 4: Governance Structure for the Severn Federation Academy Trust



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Severnbanks Primary School  
 Local Academy Committee Terms of Reference  
 2023-2024

