

Castle Rock Local Governing Body

Terms of Reference and Delegations

<p>Purpose</p>	<p>The Trust Board is legally responsible for the performance of each Academy. The Board requires the active support of LGBs to provide assurance of ensure effective governance at individual Academy level and to oversee and hold their schools to account for educational performance.</p> <p>The purpose of the LGB is therefore, within the scope of delegations approved by the Trust Board from time to time, to:</p> <ol style="list-style-type: none"> 1. provide assurance to the Board that the quality of education, academy improvement and strategic direction of their Academy are consistent with the educational objectives of the Trust, the Partnership Improvement Plan (PIP) and the Vision and ethos of the Trust; 2. hold school leaders to account for the quality of education and educational performance of the school; and 3. establish a termly view of the quality of education at the Academy and of the effectiveness of the educational performance and (via the minutes of termly meetings) report this to the Trust Board, through the Performance and Standards Committee, drawing attention of Trustees to any concerns or emerging trends in relation to which Governors have concerns or consider they have not received satisfactory assurance.
<p>Effectiveness of LGBs</p>	<p>Notes:</p> <ol style="list-style-type: none"> a) <i>The remit of the Performance and Standards Committee includes monitoring the effectiveness of LGBs in holding Heads to account for Academic Performance through termly review of relevant extracts from LGB minutes and considering the extent to which these demonstrate an appropriate level of insightful questioning by Governors including use of available “toolkits” developed by the Committee and/or the Executive.</i> b) <i>Governors are expected to have a good understanding of the issues set out in the termly agenda and, through their knowledge of the school, parents and carers, pupils and the local community, be well placed to assess the quality of education and the educational performance of the Academy and the impact of Academy performance on learning. Training to support Governors in this key role will be provided.</i> c) <i>Governor Training is a key aspect of LGB effectiveness. The DfE Governance Handbook states:</i> <p><i>“4.2. All boards are responsible for identifying the induction and other ongoing training and development they need – including for those with specific responsibilities such as the lead on safeguarding...They should set aside a budget for this purpose. (Academy Trusts) are required to identify and fill any skills gaps on the board* through recruitment or training. As part of induction and continuous development, effective boards* encourage everyone involved in governance, especially those new to their role, to make the most of the resources, guidance and training available to develop their knowledge and skills. Ofsted HMIs will consider the commitment of governors/trustees to their own development as judgement on the effectiveness of leadership and management.</i></p> <p><i>*includes LGBs</i></p> <p><i>For this reason, all LGBs are asked to appoint a governor Training co-ordinator for which a job-role is available.</i></p> d) <i>In monitoring LGB effectiveness, the Performance and Standards Committee will also take into account (in addition to use of the Governor “toolkits”) the outcome of the annual self-assessment of LGB effectiveness and participation by Governors in Governor training, including that recommended or required by the Board where it considers this would support the role of the LGB.</i> e) <i>By invitation of the Committee, LGB Chairs may attend meetings of the Committee to discuss LGB concerns or to review, at the request of the Committee, LGB performance and effectiveness.</i>
<p>Constitution and Membership*</p>	<p>Local Governing Bodies shall comprise:</p> <ul style="list-style-type: none"> ● a minimum of three elected Parent Governors subject to a maximum of 5;

<p><i>*initial terms of office to be one year renewable for a further three years subject to performance</i></p>	<ul style="list-style-type: none"> ● up to four Community Governors to be appointed by the Trust Board; ● the Headteacher (ex – officio); ● two Staff Members (one member of teaching staff and one member of support staff); and ● up to two co-optees – appointed by the Trust Board. <p>Permitted Minimum Governors : 9 Permitted Maximum Governors : 12</p> <p>Each LGB shall annually appoint a Chair and Vice-Chair, usually at the first formal meeting of each Academic Year. The initial appointments of these individuals is subject to approval by the Board.</p> <p>LGBs shall not appoint Committees.</p> <p>The Board reserves the right to suspend or dismiss an LGB and to appoint an Interim Academy Governing Body (IGB) should, in the opinion of the Board, on recommendation of the Performance and Standards Committee, the quality of education and/or the standard of governance of the Academy or the effectiveness of the LGB warrant this.</p>
<p>Governor Eligibility</p>	<p>Appointment of all Governors is subject to:</p> <ul style="list-style-type: none"> - Trust Governor eligibility criteria; - DBS check (to be carried out by the Academy); - The Apollo Partnership Trust governor election and/or appointment process; - Annual acceptance of and compliance with the Apollo Governor Code of Conduct; - Annual self-assessment as part of the LGB; - Annual declaration of interests; and - Active participation in the Governor Training Programme and completion of those training courses designated as mandatory. <p><i>Note : A schedule of LGB membership is provided to each LGB meeting. The purpose of this is to support succession planning and to ensure that Governor attendance and vacancy issues are addressed without delay. Appointments of all Governors MUST follow established Trust procedures (advice available from the Trust Governance Officer).</i></p>
<p>Quorum</p>	<p>Any five governors shall constitute a quorum, provided always that Staff Members (including the Head Teacher) do not form the majority of those present.</p>
<p>Frequency of Meetings</p> <p>Agenda for formal meetings</p>	<p>These shall be held termly. The dates for all LGB meetings shall be set annually by the Trust Board no later than the Spring term meeting each year.</p> <p>All formal meetings of the LGB shall be minuted by the LGB Clerk who shall attend the meeting and advise the Chair and Governors throughout the meeting. Occasionally the Clerk shall present items to the meeting.</p> <p>The agenda for each LGB meeting shall be set by reference to the annual LGB Business Cycle agreed by the Performance and Standards Committee.</p> <p>The Chair and Headteacher/Head of School will be consulted on the draft agenda for each meeting by the Trust Governance Officer and/or by the Academy Clerk. It is for the Chair to liaise with the Head on the draft and to make suggestions to the Governance Officer/ LGB clerk for adjustments to the draft. Additional items of local relevance may be added, subject to prior agreement with the Governance Officer/ LGB Clerk.</p>
<p>Attendance</p>	<p>The Head Teacher or Head of School shall normally attend all formal meetings of the LGB. At the discretion of the Chair, other members of staff (non LGB members) may attend and may participate in</p>

	<p>/ present to the meeting. The Chief Executive, Chief Finance and Operations Director and Trust Governance Officer may attend and report to any LGB meeting. The LGB Clerk shall be present throughout all meetings.</p> <p>Governors are expected to attend all LGB meetings (one per term). Where a Governor is unable to attend, apologies and reasons for absence must be reported to the LGB Clerk. The Clerk will report apologies for absence to the meeting and will ask Governors formally to accept (or not) the apology. This shall be reported in the Minutes. Failure to attend at least one formal LGB meeting within a period of six months (or non-acceptance by the LGB of the reasons for absence) may lead to dismissal as a Governor.</p> <p>Any Trustee may attend (but not vote at) any LGB meeting.</p> <p>Note : the intention of the Board is to phase out dual Governor/Trustee Membership but not at the risk of destabilising current LGB Membership. Thereafter, a Trustee will be appointed by the Board as a Board “LINK” Trustee with a named LGB.</p> <p>For the avoidance of doubt, staff governors (with the exception of the Head) must (unless otherwise directed by the Chair or requested by the Head with the consent of the Chair) withdraw from any LGB meeting at which any confidential staffing matter is discussed. Refusal to do so will be regarded as a breach of the Governor Code of Conduct.</p>
Termly Reports	<p>Each term, the School Head will provide two key reports on education and related performance to the LGB for information, discussion, assurance and challenge:</p> <p><i>The Termly Report of the Head</i> – a standard template will be developed for this, the purpose of which will be to brief Governors on current and projected educational performance, developments subsequent to the previous report and to provide an update on the other issues within the remit of the LGB, as listed in the Authority and Delegated Function Section below.</p> <p>This Report will reflect Ofsted inspection criteria (i.e. Quality of Education and Curriculum Intent, Pupil Behaviour and Attitudes, Personal Development, Leadership and Management and Pupil Outcomes) and will include school performance and improvement data supported by narrative commentary.</p> <p><i>Update on the School Improvement Plan (SIP)</i> – this will present the updated SIP and evidence/report the progress made since the previous meeting against targets.</p> <p>The role of the LGB is constructively to challenge and hold the Head and leadership team of the Academy to account for the trends, educational performance and progress against the improvement priorities identified in the reports. Governors are asked to review the reports and to satisfy themselves and seek evidence:</p> <ul style="list-style-type: none"> - that tangible progress is being made against the SIP; and - of the impact on outcomes of education provision provided by school leaders. <p>Governor training including a Governor “Toolkit” will be provided to support this important task.</p> <p><i>Finance</i> – termly update reports and revisions, as the LGB considers necessary, to the LGB budget. Once agreed, no LGB budget can be increased without the express approval of the Board.</p> <p>The LGB is asked to draw the attention of the Board, through the Performance and Standards Committee, to any concerns it may have arising from discussion of these (and other) reports.</p>
Authority and detailed delegated functions	<p>The Board reserves the right to vary or withdraw any delegation to any LGB where Trustees consider that it is in the best interests of the education of students or the management, governance or resource allocation of the Trust or an individual Academy to do so.</p>

Subject to that, the LGB is responsible for providing assurance to the Trust Board that the quality of education and academy improvement are consistent with the educational objectives and Vision of the Trust. The Governor Toolkit will support the LGB in doing this.

School Performance and Improvement

The Headteacher is responsible for school performance and improvement and is accountable to the Chief Executive, Trust Board and LGB.

Governors are asked to focus on:

- constructive challenge to the Headteacher and Academy leadership to account for actions and outcomes;
- understanding and reviewing progress in relation to Academy improvement targets, attainment and progress data and the comparison of these with outcomes elsewhere within the Trust and locally and nationally;
- understanding the issues facing the school, the parents and carers of children attending the school and the local community; and
- seeking assurance, and satisfying themselves that, appropriate and timely actions are being taken to deliver high quality education and academy improvement targets in addition to adherence to and delivery of the values, vision and ethos of the Trust, in a manner appropriate to the specific qualities and community characteristics of their Academy.

The LGB is also required to take oversight, provide assurance to the Board and hold the Headteacher to account for:

Safeguarding, SEND and other vulnerable groups

For this purpose, the LGB shall appoint a lead Governor(s) (i.e. a Named Governor(s)) with responsibility for oversight and assurance to the LGB as to the quality of education and performance of these groups). Training and a description for this role will be provided.

Complaints

All complaints must be dealt with strictly in accordance with the Trust Complaints Policy and procedure. Governors receiving a complaint shall, in the first instance, refer the matter to the Head (or to the Chair of the LGB if the complaint relates to the Head). Governors should bear in mind that they may be asked to serve on Complaints Panels: a Governor with prior involvement in a complaint will not be eligible to serve on a Panel appointed to consider that complaint. (LGBs must not discuss any complaint – it is for the Chair and/or the Head to follow established procedures).

Lead (“LINK”) Governors

In addition to lead governor(s) for safeguarding, SEND and other vulnerable groups, the LGB is required to appoint lead (or “LINK”) governors for Pupil Premium and for Governor Training. The LGB may appoint lead governors for other issues. The role of all “LINK” governors must be agreed between the LGB Chair, Head and Governance Officer in order to ensure that the role does not encroach on the operational/delegated authority of the Head. Role descriptions for each “LINK” Governor will be developed.

People and Personnel Issues

People /Staffing Matters - are operational issues for which the Head is wholly responsible and accountable to the Executive. Governors may however be called upon to participate in staff-related Panels – see below. The Headteacher will include in the termly report, for information only, relevant staffing developments. This will include arrangements for teaching.

Staff Appointments - the Headteacher has delegated authority to appoint staff within the constraints of the budget and the staffing structure agreed by the Board.

Normally, the Chair (or the Chair's (non-staff) governor nominee) shall be invited by the Headteacher to participate in the interview process for appointments to all permanent teaching posts at or above SLT level. However, whilst a governor present at an interview may comment on the merits of candidates, they shall not have a vote on the appointment. All governors present at interviews shall follow agreed HR procedures.

Teacher Performance Related Pay (PRP) – the Head of School/Headteacher is responsible for implementation of the Trust Teacher PRP Scheme, subject only to anonymised reports to the LGB Pay Committee as follows:

- Annual Mid Year review of progress with implementation of the Scheme; and
- Annual Report of PRP decisions for information.

The LGB Pay Committee may request that a PRP decision of the Head is re-considered but may not overrule a decision. If the Pay Committee is dissatisfied with a PRP decision of the Head the reasons for this shall be minuted and brought to the immediate attention of the Chief Executive and to the attention of the next available meeting of the Human Resources and Remuneration Committee. (A PRP decision of a Head may be over turned only by the Chief Executive and/or through the PRP appeals procedure).

Headteacher Appraisal – the Chief Executive is responsible for the process for annual appraisal and setting of targets for the Headteacher/Heads of School. This is set out in Part 2 of the Scheme of Delegation (the Executive Scheme) and includes provision, as appropriate, for appointment of independent advisers and involvement of the Chair and one other member of the LGB.

Finance

Once agreed, no LGB budget can be increased without the express approval of the Board.

The LGB is responsible for monitoring expenditure. Governors are expected to familiarise themselves with the Budget and to satisfy themselves, and provide assurance to the Board that, expenditure and income are in line with the approved budget (or if they are not, to seek clear explanation of any significant variation). This includes monitoring of progress against the Deficit Reduction Plan.

Operational management of the Academy Budget will be the responsibility of the School Budget Manager who shall submit and present a termly report on the budget to the LGB, subject always to the direction of the Chief Finance and Operations Director (CFOD).

For the financial years 2020 / 2021 and 2021 / 2022, the school budget will be prepared by the CFOD for consideration and comment by the LGB and approval of the Trust Board. Subject to this, CFOD will continue to exercise overall responsibility for the approved budget and all related budgetary matters, subject only to termly report to the LGB by the School Business Manager (as above). This aspect of LGB delegations will be reviewed no later than October 2022.

Note : The former (March 2018 Committee / LGB Terms of Reference) make no specific reference to the delegated authority of LGBs in relation to budgetary and financial oversight/control. To date the interpretation of this aspect of LGB authority has been very broad, an issue identified in the recent SMRA report review which recommended that the issue be reviewed

“...to consider where powers of financial control should lie. There is a question over the validity of leaving significant financial powers with Local Governing Bodies...”.

This aspect of LGB terms of reference will therefore be subject to review by the Board in the near future.

	<p><u>Policies</u></p> <p>There are three categories of Trust Policies:</p> <ul style="list-style-type: none"> a) those agreed by the Trust Board (or the Executive under delegated authority) and which apply Trust-wide including to all academies; b) those which are agreed by individual academies; c) Operational Policies – delegated to the Executive. <p>A Schedule of all policies is available on Governor Hub together with the agreed Programme of Policy Review.</p> <p><i>Note : Governors are not responsible or accountable for operational issues. In the event that Governors have concerns regarding the performance of, or operational issues at, the school these should be discussed at the LGB meeting for which purpose an item must be included on the agenda for the meeting. The discussion, including any actions that the LGB considers may be required, shall be recorded in the minutes and brought to the attention of the Performance and Standards Committee. Alternatively, the Chair (or individual Governors) may raise any concerns directly with the Trust Governance Officer.</i></p>
Governor Panels	<p>All Governors may be called upon, subject to training, to serve on Trust Governor Panels relating to:</p> <ul style="list-style-type: none"> Staff Grievances Staff Appeals Staff Disciplinary Appeals Pupil Exclusions Complaints <p>This list is not exclusive. Full training will be provided.</p>
Governor Training	<p>Andrew Presland (Trustee) co-ordinates Trustee and Governor Training.</p> <p>The Board regards Governor training as essential if LGBs are to fulfill their important remit effectively. In discussion with Andrew, an Annual Programme of Governor Training is to be developed. Some elements of this will be mandatory (e.g. Safeguarding).</p> <p>The extent of annual Governor Training will inform the yearly assessment of LGB effectiveness. LGBs may find it helpful to appoint a Governor Training lead to work with and support Andrew, to act as a point of liaison and support for Governors and as a means of maintaining up to date Governor Training records on Governor Hub. An item on Governor Training is included on the agenda for all scheduled meetings of each LGB.</p>
samcd.15.04.20	<p style="text-align: center;"><i>Approved by the Trust Board : 22 April 2020 (Minute 163 refers).</i></p>

Amendments to these ToRs

Amendment	Amendment agreed by
8.07.20 Policy section to reflect Minute xxx of the Board 1.07.20	SAMcD – delegated authority

