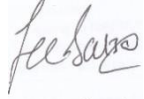


# Epping Forest Schools Partnership Trust

*Unlocking the Potential of Collaboration*

## Local Governing Body Terms of Reference

These Terms of Reference were approved by the Board of Trustees in:	October 2019
Signed by the Chair of Trustees:	
These Terms of Reference will be reviewed by the Trust on an annual basis. Next review date:	October 2020

## **1. POWERS OF THE BOARD OF TRUSTEES**

- 1.1. The Trustees of the Trust Board shall establish the Local Governing Body as a committee of the Trust as set out in the Trust's Articles of Association (Article 100a).
- 1.2. The Trustees shall determine and approve the Local Governing Body Terms of Reference and shall review the Terms at the start of each academic year (Article 104).
- 1.3. The Trustees shall determine and approve the delegation of powers, responsibilities and duties to the Local Governing Body and shall review this Scheme of Delegation at the start of each academic year (Article 105).
- 1.4. The Trustees shall have the right to intervene in the governance of a School where it has serious cause for concern, including:
  - 1.4.1. The standards of performance of pupils at the School are unacceptably low,
  - 1.4.2. There has been a serious breakdown in the way the School is governed or managed,
  - 1.4.3. The safety of pupils or staff is threatened,
  - 1.4.4. There is concern about possible financial mismanagement or failure to operate within budget.
- 1.5. The Trustees shall set out the Trust's vision, ethos, values and principles,
- 1.6. The Trustees shall set out a list of statutory, mandatory or required policies including the determination of those that are Trust policies and those that are School policies.
- 1.7. The Trust Scheme of Delegation is published on the Trust website.

## **2. POWERS OF THE LOCAL GOVERNING BODY**

The Governors shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation, and in particular:

- 2.1. To carry forward the Trust's vision, ethos, values and principles in ways that are appropriate to the School's status, students, pupils, staff and community,
- 2.2. To govern the School in line with the Scheme of Delegation, Terms of Reference, Governance Planning Calendar and other guidance agreed by the Board of Trustees,
- 2.3. To establish the Local Governing Body sub-committee structure and to regulate their proceedings (SoD 1.9),
- 2.4. To govern the School in line with the Trust's policies, procedures and plans and relevant statutory regulation as advised by the Trust,
- 2.5. To hold to account the School leadership for the academic performance of the School, the quality of provision and the quality of care of the children,
- 2.6. To review and recommend the School Targets and Performance Review to the Trust Board and monitor progress towards the approved targets (SoD 2.4-5),
- 2.7. To review and recommend the School strategic plan to the Trust Board and monitor its continuing appropriateness (SoD 2.6),
- 2.8. To review and approve the School 1 year plan to achieve the approved School Performance Targets and monitor its implementation and effectiveness (SoD 2.6),
- 2.9. To oversee and monitor the financial governance and operation of the School to comply with the Trust's financial regulations, policies and procedures (SoD 5.1-2),
- 2.10. To review and propose the School 1 year budget plan and to monitor and respond to performance against budget (SoD 5.15-16),

- 2.11. To review and approve the School staffing structure and complement, which shall be aligned to the School 1 year budget plan (SoD 4.4),
- 2.12. To oversee the process of recruitment and appointment of the School Headteacher in line with the Trust recruitment policy and to recommend the appointment of the preferred candidate to the Trust Board (SoD 4.5),
- 2.13. To monitor the management of staff to ensure compliance with statutory regulation and the Trust's HR regulations, policies and procedures (SoD 3.1),
- 2.14. To oversee and support the Headteacher's performance target setting and review and to recommend any associated pay awards in line with the Trust policy (SoD 3.5 & 3.10),
- 2.15. To oversee and approve individual staff performance reviews and associated pay awards in line with the Trust policy (SoD 3.10),
- 2.16. To recommend proposals, where deemed necessary, for re-structuring of staffing where they involve redundancies in order to ensure best use of resources (SoD 4.19),
- 2.17. To review the School age range, PAN and type and range of provision and, where it is deemed beneficial, to make recommendations for change to the Trust Board (SoD 7.2-4),
- 2.18. To review and approve the School statutory and non-statutory policies and to monitor the School's compliance (SoD 7.7-8),
- 2.19. To oversee and approve the School branding and marketing including logo, uniform, prospectus and website (SoD 7.18-7.21), and
- 2.20. To review and recommend the School admission policy to the Trust Board in compliance with the Admissions Code and any other relevant statutory or regulatory guidance (SoD 7.15).

### 3. COMPOSITION AND APPOINTMENT OF THE LOCAL GOVERNING BODY

- 3.1. The composition of the Local Governing Body shall be determined by the Local Governing Body based on their designation and the parameters as set out in the table below;

	Voluntary Controlled		Community	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
<b>Headteacher</b>	1	1	1	1
<b>Staff</b>	1	1	1	1
<b>Parent</b>	2	3	2	3
<b>Trust</b> (when aggregated with the number of Foundation governors to be at least equal to total of staff & parent governors)	2	4	3	6
<b>Foundation</b> (equal to 25% of total number of governors)	2	3	None	None
<b>Total</b>	8	12	7	11

- 3.2. The Trust Governors shall be appointed by the Trustees, usually on the recommendation of the Local Governing Body.
- 3.3. The number of Trust and Foundation Governors (where required) must be at least equal to the number of parent and staff governors and may be greater than the number. The number of staff governors shall not include the Headteacher.
- 3.4. The Parent Governors on each Local Governing Body shall be elected or appointed by the parents of registered pupils at the school and each must be a parent at the time of election or appointment. If no parents put themselves forward for election, the number of Parent Governors shall be made up

by parent members appointed by the Trustees. In appointing a Parent Governor, Trustees shall appoint a person who is the parent of a registered pupil at the school; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

- 3.5. Parents of registered children at the school should only stand as Parent Governors and not be appointed in categories of Trust, Staff or Foundation Governors.
- 3.6. The Staff Governors on each Local Governing Body shall be elected or appointed by the staff employed by the Trust to work at that school and each must be a staff member employed to work at that school at the time of election or appointment. If no staff put themselves forward for election, the number of Staff Governors shall be made up by staff members appointed by the other Governors.
- 3.7. The Foundation Governors shall be appointed by the Chelmsford Diocesan Educational Trust, usually on the recommendation of the Trustees, following proposal by the Local Governing Body. If Foundation Governors have been appointed pre-conversion, their term of office starts at the date of this original appointment.
- 3.8. The Headteacher shall be an ex-officio Governor.

#### **4. TERM OF OFFICE AND RESPONSIBILITIES OF GOVERNORS**

- 4.1. The Term of Office for all Governors, except the Headteacher, is 4 years. Parent and Staff Governors' terms start at the date of their election, even if this is prior to the school converting to an academy.
- 4.2. On appointment, Governors are each required to familiarise themselves with and to agree to comply with;
  - 4.2.1. the Trust Articles of Association,
  - 4.2.2. the Supplemental Funding Agreement,
  - 4.2.3. the Trust Financial Regulations,
  - 4.2.4. these Terms of Reference,
  - 4.2.5. current relevant legislation and guidance for Governors.

#### **5. MEETINGS OF THE LOCAL GOVERNING BODY**

- 5.1. The Local Governing Body shall meet a minimum of four times per year and at least once per term. In particular:
  - 5.1.1. The Local Governing Body shall meet during the date periods as per the Trust Governance Planning Calendar, except in exceptional circumstances approved by the Trust Trustee Board,
  - 5.1.2. The Governors will receive notice of each meeting at least seven (7) clear days before the date of the meeting,
  - 5.1.3. A copy of the minutes of Local Governing Body meetings will be sent to the Clerk to the Trustees at the same time that the Clerk to the Local Governing Body issues the draft to the Chair of Governors and Headteacher,
  - 5.1.4. Minutes will be signed by the Local Governing Body Chair at the next meeting to verify that the minutes are a true record of the previous meeting.
- 5.2. Quorum for a meeting of the Local Governing Body will be one half (1/2) of the number of Governors entitled to vote.
- 5.3. Each question to be decided at a meeting of the Local Governing Body shall be determined by a majority of votes of Governors present and eligible to vote on the question. In the event that there are equal votes on the question then the Chair shall have an additional casting vote.

#### **6. APPOINTMENT OF THE LOCAL GOVERNING BODY CHAIR AND VICE CHAIR**

- 6.1. The Local Governing Body shall elect the Chair and Vice Chair.
- 6.2. The Trust Board shall have the right to remove the Chair, specifically in circumstances outlined in item 1.4 of these Terms of Reference.
- 6.3. The term of office for the Chair and Vice-Chair will be one (1) year with effect from the start of the new school year. The election of Chair and Vice-Chair shall take place at the first meeting of the school year, and, in particular;
  - 6.3.1. The Chair and Vice Chair will be elected by a secret ballot, conducted by the Clerk to the Local Governing Body.
  - 6.3.2. Governors will be able to submit written nominations prior to the meeting and verbal nominations at the meeting. A Governor can nominate him/herself for office and does not need to be present. If there is more than one nominee, the remaining Governors will take a vote by secret ballot and the Clerk will tally the vote. Nominee(s) will be asked to leave the room whilst the election takes place.
  - 6.3.3. If there are more than three nominees for either the Chair or Vice-Chair positions, the nominee receiving the least votes after the first vote shall be eliminated from contention and a further vote taken. This will continue until there are only 2 candidates remaining. A final vote will then be taken and the individual receiving the most votes will assume the position. If there is a tie, the remaining candidates will be asked to leave the room and the Governors shall discuss the relative strengths of the nominees and a further vote will be taken. This process will continue until a nominee polls a majority of votes.

## **7. LGB SUB-COMMITTEES**

- 7.1. The Local Governing Body shall establish such sub-committees as it deems necessary to fulfil its powers, responsibilities and duties.
- 7.2. The Local Governing Body will set out sub-committee Terms of Reference and membership. These will be agreed and reviewed at the first meeting of the Local Governing Body each school year.
- 7.3. The current LGB sub-committee structure, Terms of Reference and membership shall be detailed by the Local Governing Body.
- 7.4. The practice for LGB sub-committee management shall be:
  - 7.4.1. Agendas will be circulated to all sub-committee members at least seven days in advance of the meeting.
  - 7.4.2. Sub-committee papers and minutes will be available to all Governors (not just those on the sub-committee).

## **8. APPOINTMENT OF A CLERK**

- 8.1. The Trust Board shall appoint the Clerk to the Local Governing Body based on the recommendation of the LGB.

## **9. GOVERNORS' EXPENSES**

The Trust Board shall set out a policy for payment of exceptional expenses incurred by Governors, subject to prior application to and approval by the Chair of the Local Governing Body.

**10. DECLARATION**

*The XXXXXXXXXXXX School Local Governing Body, at its XXXXXXXX meeting resolved to adopt these Terms of Reference.*

*These Terms of Reference will be reviewed annually at the start of the academic year.*

Signature  
(Chair of the Local Governing Body)

Date of signature

- 11.** ANNEX 1: Membership of the Local Governing Body
- 12.** ANNEX 2: Local Governing Body sub-committee structure, terms of reference and membership (if required)