



Local Governing Boards Terms of Reference

Introduction

Cavendish Education Trust is a charity and company limited by guarantee and governed by a board of trustees who have overall responsibility and ultimate decision making authority for all the work of the Trust.

The Trust Board (TB) has established Local Governing Boards (LGB) in its schools and delegated some functions and responsibilities to support the effective operation of the Trust and to be the 'eyes and ears' of the Trust in the community.

The Terms of References may only be amended by the Trust Board and will be reviewed annually. If any instances arise where these terms of reference do not cover a particular issue, then the Trust Board will make the final decision.

The functions, duties and proceedings of the Local Governing Board set out in these Terms of Reference shall also be subject to any regulations made by the Trust Board from time to time.

The role of the Local Governing Body is to oversee the school's activities and curriculum within the agreed vision, strategy, values and ethos of the Trust. It has an oversight and monitoring role and reports to the Trust Board on the performance of its schools.

1 Establishing the Local Governing Board

1.1 The Trust Board has resolved to establish Local Governing Boards for its schools, a LGB may act in respect of two or more establishments.

2 Constitution – LGBs

2.1 Each LGB shall, unless the Board resolves otherwise, have a minimum of five governors and no more than twelve governors.

2.2 The membership of each LGB shall be as follows (unless the Trust Board resolves otherwise):

- two elected parents
- one elected staff governor
- up to seven governors co-opted by the LGB one of which will be nominated as Chair all approved by the Trust Board
- the Heads of Phase/school.

2.3 The LGB Governors will be set out in the register maintained by the Trust

- 2.4 The LGB shall:
- 2.4.1 make all necessary arrangements for, and determine all other matters relating to, an election of Parent LGB Governors, including any question of whether a person is a parent of a registered pupil at the school. Any election of a Parent Governor which is contested, shall be held by secret ballot.
 - 2.4.2 make all necessary arrangements for, and determine all matters relating to, the election of Staff LGB Governors .
- 2.5 The term of office for any LGB Governor shall be four years, the Head of Phase/school will remain a member of the LGB for as long s/he remains in post. LGB governors may put themselves forward for another term of office.

3 Chairs of the LGB

- 3.1 Nominations for LGB Chairs can be made from the LGBs or the Trustees. Members of the Trust board will interview where necessary (eg more than one governor chair nomination). The Trust board will approve and have the final decision on the Chairs of the LGB.

If the Chair is absent, the LGB will elect a temporary replacement from among the Lead Governors present.

4 Authority, remit and responsibilities of the Local Governing Board (LGB)

- 4.1 Each LGB is authorised by the Trust Board to:
- 4.1.1 carry on any activity authorised by these Terms of Reference; and
 - 4.1.2 seek any appropriate information that it properly requires to carry out its role from any senior employee of the Trust and all senior employees shall be directed to co-operate with any request made.

5 Proceedings of LGB

- 5.1 The LGB will meet as often as is necessary to fulfil their responsibilities but at least three times a year (this may be face to face or virtually).
- 5.2 Any two LGB Governors can request that the Chair convene a meeting by giving no less than [14 days] prior notice.
- 5.3 The quorum for the transaction of the business of LGB shall be three LGB Governors provided that at least two of them are LGB Governors appointed by the Trust Board
- 5.4 The Chief Executive Officer shall ensure that a clerk is provided to take minutes at meetings of the LGB Committees.
- 5.5 Every matter for approval at a meeting of a LGB must be determined by a majority of the votes of the Governors present and voting on the matter.
- 5.6 Each Local Governor present in person (or via videolink) shall be entitled to one vote. (With the exclusion of the Head of Phase/School and the staff governor)
- 5.7 Where there is an equal division of votes the Chair shall have a casting vote.

- 5.8 A register of attendance shall be kept for each LGB and published annually on the school website.
- 5.9 LGBs may invite attendance at meetings from persons who are not LGB governors to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.

6 Conduct of LGB Governors

- 6.1 All LGB Governors shall observe at all times the provisions of the Trust's code of conduct and scheme of delegation.

7 LGB Declarations

- 7.1 LGB Governors are required to declare any business or other interests in any item being discussed at a meeting.
- 7.2 Each LGB Governor, if present at a LGB meeting, disclose their interest, withdraw from the meeting and not vote on a matter if:
- 7.2.1 there may be a conflict between their interests and the interests of any of the schools or the Trust.
 - 7.2.2 there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or
 - 7.2.3 they have a personal interest (this is where they and/or a close relative will be directly affected by the decision of the LGB/Committee in relation to that matter) in a matter.

8 Disqualification & Removal of LGB Governors

- 8.1 A person shall be ineligible for appointment to a LGB and, if already appointed, shall immediately cease to be a Governor if the relevant individual:
- 8.1.1 is or becomes disqualified from holding office under the Trust's Articles of Association.
 - 8.1.2 is or becomes disqualified from holding office as a governor of a school or establishment.
 - 8.1.3 is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people.
 - 8.1.4 is barred from any regulated activity relating to children.
 - 8.1.5 is or becomes bankrupt or makes any arrangement or composition with his/her creditors generally; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced.
 - 8.1.6 is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974);
 - 8.1.7 has been fined for causing a nuisance or disturbance on school/establishment premises during the 5 years prior to or since appointment or election as a committee member.

- 8.1.8 refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal record check.
 - 8.1.9 commits a serious breach of the Trust's code of governance or any standing order or protocol implemented by the Board.
 - 8.1.10 is absent, without apologies accepted by the board, from two consecutive meetings and the committee governors resolve that the office be vacated.
 - 8.1.11 resigns their office by notice in writing to the relevant Chair.
 - 8.1.12 in the case of a Head of Phase/School, they cease to be the Head of Phase/School.
 - 8.1.13 in the case of a LGB Governor , their term of office expires, and they are not re-appointed.
- 8.2 The Trustees shall have the right at their sole discretion to remove or suspend (on such terms as they see fit) any LGB Governor by written notice to the relevant Chair.

9 Reporting Procedures

- 9.1 Within 14 days of each meeting each LGB will have produced and circulated minutes of its meetings.
- 9.2 The LGB minutes can be agreed by LGB Governors by email.
- 9.3 The LGB minutes will be made available to the Trust Board.
- 9.4 LGBs shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time.
- 9.5 Each LGB shall conduct an annual review of its work and the powers and functions delegated to it under these Terms of Reference and shall report the outcome and make recommendations to the Trust Board.

Remit and Responsibilities of the LGBs

The powers and functions delegated by the Trust Board to the LGBs are set out in the Trust's Scheme of Delegation and include the following:

- 1 To oversee the running of the schools in terms of learning, standards, safety and wellbeing.
- 2 To hold local school leadership to account for academic performance, quality of care and provision.
- 3 To oversee and monitor the effectiveness of learning strategies.
- 4 To ensure that the schools are 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 purposes of an academy, any agreement entered into with the Secretary of State for the funding of the academies and these Terms of Reference.
- 5 To consider budget monitoring information and make recommendations to the Head of Phase/School in relation to any potential overspending in Grant funding e.g. Pupil Premium and Sports Funding.
- 6 To act as a critical friend to the Head of Phase/School

- 7 To adopt delegated responsibilities in order to support the Trust Board and its committees in relation to proper use of funds & delivering high quality educational provision.
- 8 To ensure community engagement in matters of the school
- 9 To support in recruitment and selection, grievance, disciplinary and exclusion processes where appropriate.
- 10 To promptly implement and comply with any policies or procedures communicated to the LGB by the Board from time to time.
- 11 To ensure the school leadership deal with parental complaints pursuant to the Trust policy on parental complaints.
- 12 To draw any significant recommendations and matters of concern to the attention of the Trust Board.

A high-level summary of the key activities and functions to be undertaken throughout the year by the LGB is set out on the next page.

Summary of LGB Responsibilities and Activities

Activity

