

South Essex Alliance Multi Academy Trust

Local School Board of Rayleigh Primary School

Terms of Reference

These Terms of Reference should be read in conjunction with the SEAMAT Scheme of Delegation and governance Toolkit.

Purpose:

The Local School Board is responsible for promoting high standards of achievement in accordance with the Trust Scheme of Delegation, Trust Quality Procedures and Trust Charter.

They are responsible for ensuring that the strategic framework established by the board is implemented and that the internal organization, management and control of the academy works within the parameters set by the Board of Trustees to whom they are fully accountable.

They also enable the school to respond to and meet the needs of their pupils through the Learner First framework.

The Local School Board will ensure that the requisite levels of challenge, rigorous scrutiny and monitoring are implemented in a timely manner in accordance with the SEAMAT timetable and procedures outlined in the governance ToolKit. They must also ensure that the Trust Financial Regulations are adhered to as outlined in the scheme of delegation.

The Local School Board has particular functions and responsibilities accorded to it by the Trustees of SEAMAT. These echo the current Trustees' Committees of Finance and Resources, Audit and Risk, Education & Standards. The LSB governors may decide whether they wish to operate through a single Board structure delivering the required monitoring through focused agendas or to adopt a Board plus committees structure.

Membership:

Up to 8 Governors; comprising 2 Parent Governors, 2 Staff Governors, 4 Co-opted Governors.

The Headteacher will automatically be an ex officio member of the Local School Board and any committees formed. The Headteacher will be invited to attend the Trustee Education and Standards Committee

The Link Trustee(s) appointed to the Local School Board by the Board of Trustees will not become members of the Local School Board and should not engage in debates nor make decisions on Local School Board matters, but may observe meetings and comment by invitation. The Link Trustee(s) may also ask for items to be included on the Trust Board agenda on behalf of the Local School Board.

Associate Governors may be appointed in the short term where their expertise is deemed valued for specific projects.

Any amendment to the constitution of the Local School Board must be approved by the SEAMAT Board of Trustees.

Term of Office:

A Chair and Vice Chair of the Local School Board will be elected by its members for a 1 year term of office at the first Business Meeting of the academic year.

No person may act as Chair if they are employed by the Trust.

Co-opted Governors 4 Years

Staff Governors 1 Year

Parent Governors 3 Years

Quorum:

Minimum 4 Governors

The quorum for all business of the Local School Board is one half (rounded up to a whole number) of the total number of governors in place; not including any governor vacancies.

Meetings:

The Local School Board will meet as often as necessary to fulfil its responsibilities but at least every half term across the year with a minimum total of 6 meetings a year. Agendas and Minutes of the meetings will be shared with the Board of Trustees and made available to the public as appropriate through the school website.

The Chair or Vice Chair will lead the meetings.

The Headteacher will be required to attend meetings to ensure the Local School Board is able to effectively challenge any strategic decisions that have been made.

The CEO of SEAMAT and the Chair of Trustees may at their discretion attend any meetings.

Agendas will be circulated by the Clerk, seven clear days in advance of the meeting.

Meetings can be held in person or virtually via videoconference, to be defined by the Clerk, seven clear days in advance of the meeting.

Governor Declaration/ Code of Conduct/ Business Interests:

All governors will be required to sign the Code of Conduct /Governor Declaration / Business Interests Forms at the start of each academic year or at first appointment.

The LSB Clerk will provide the relevant documentation in line with the Board of Trustees documentation.

A register of Local School Board interests will be created and maintained by the Clerk and published on the school website.

Summary of Areas of Delegation:

The main areas within which delegation to the Local School Board occurs are: the school budget; curriculum planning and delivery; teaching and learning; staffing and human resources; safeguarding and health and safety.

School Policies and Procedures:

The Rayleigh LSB has key responsibilities in relation to the delivery, implementation and compliance with SEAMAT policies and procedures. The LSB is also responsible for ratifying those policies that need to be school specific. The complete list of all SEAMAT policies and procedures that clarifies where the responsibilities lie will be updated as part of the annual policy/procedure review process.

Monitoring:

The committee will be responsible for:

- At least annual monitoring visits to the school, for each specific area of focus and completed by the aligned Governor. Governors are responsible for completing and sharing a record of the visit, as well as following up any actions recorded during that visit.

- Headteacher reports shared half termly at LSB meetings. The Headteacher report should include, as a minimum:
 - Assessment / Standards
 - Safeguarding
 - Attendance
 - Racist / Protected Characteristic Incidents
 - Accident Reports
 - Complaints
 - Behaviour / Bullying
 - SEND Report
- Management accounts must be shared with the Chair of the Local School Board every month and with other governors 6 times a year, even if they do not meet in each of those months. The Board must consider these when it does meet, and minute it.

Confidentiality:

- The Governors are not, and nothing within this document is intended to make them, charity trustees.
- Each Governor shall act in the best interests of the Academy at all times.
- The Governors must keep confidential all information of a confidential nature obtained by them relating to the Academy.

Approved by the SEAMAT Board of Trustees: [date]

Adopted by the Rayleigh Primary School Local School Board: [date]

Next Review Date: [date]

APPENDIX 1

1. INTERPRETATION

1.1 In this document:-

“Academy”	means Rayleigh Primary.
“Articles”	means the Articles of Association of the Company;
“Local School Board ”	means the Local Governing Board for the school
“Governor”	means a member of the Local School Board ;
“Parent Member”	means a member elected to the Local Governing Board by the parents of pupils at the school or in default of election appointed by the Local School Board ;
“Personal Financial Interest”	Means any interest in the employment or remuneration of, or the provision of any other benefit to, a Governor as further detailed within clauses 97 and 98 of the Articles;
“Secretary”	means the company secretary of the Company or any other person appointed to perform the duties of company secretary to the Company;
“Staff Member”	means a member elected to the Local Governing Board by members of staff of the school or in default of election appointed by the Local School Board ;
“this document”	means these Terms of Reference;
“the Company”	means South Essex Alliance Multi- Academy Trust
“the Directors”	means those persons appointed as directors and trustees of the Company;

2. RESPONSIBILITIES OF LOCAL SCHOOL BOARD

- 2.1** The Company, SEAMAT, is a charitable company limited by guarantee. It has entered into a Master Funding Agreement and a Supplemental Funding Agreement in relation to the Academy both entered into with the Secretary of State (together the “Funding Agreements”).
- 2.2** The Directors of SEAMAT are the charity Trustee Board and responsible for the general control and management of the administration of the Company in accordance with the provisions set out in the Articles of the Company.

- 2.3** Legal responsibility for the Academy lies with the Company. It is governed by the Directors, who rely on advice and support from the Academy's Local School Board, particularly (but not limited to) strategic planning and the specific matters delegated under these Terms of Reference.
- 2.4** The Local School Board shall be a Committee of the Directors established pursuant to articles 100 - 104 of the Articles of the Company. Therefore, the Directors are able to change the constitution of the Local School Board and remove Governors.
- 2.5** Subject to provisions of these Terms of Reference, the Companies Act 2006, the Articles and to any directions given by resolution of the Directors, the business of the Rayleigh School shall be managed by the Local School Board who may exercise all the powers delegated to them by the Board of Trustees and specified in the LSB Scheme of Delegation .

3. RESIGNATION & REMOVAL

- 3.1** A Governor may at any time resign his/her office by giving notice in writing to the clerk to the Local School Board.
- 3.2** A Governor shall cease to hold office if she/he is removed by the person or persons who appointed him. This provision does not apply in the case of a Parent Member or Staff Member.
- 3.3** The Directors may terminate the appointment of any Governor whose presence or conduct is deemed by the Directors not to be in the best interests of the Company or the Academy.
- 3.4** The Headteacher and any Staff Member shall automatically cease to hold office if she/he ceases to be associated with the school in the capacity in which she/he was appointed or elected.

4. PERSONS INELIGIBLE TO BE GOVERNORS

- 4.1** No person shall be qualified to be a Governor unless she/he is aged 18 or over at the date of his election or appointment. No current pupil of the school shall be a Governor.
- 4.2** A Governor shall cease to hold office if she/he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.
- 4.3** A Governor shall cease to hold office if she/he is absent without the permission of the Governors from all their meetings held within a period of six months and the Governors resolve that this office be vacated.
- 4.4** A Governor shall cease to hold office if she/he is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
- 4.5** A person shall be disqualified from holding or continuing to hold office as a Governor:-
- 4.5.1 If:-
- (a) her/his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;

- (b) she/he is the subject of a bankruptcy restrictions order or an interim order.
- 4.5.2 if she/he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which she/he was responsible or to which she/he was privy, or which she/he by her/his conduct contributed to or facilitated.
- 4.5.3 at any time when she/he is:-
 - (a) included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under section 1 of the Protection of Children Act 1999; or
 - (b) disqualified from working with children under section 35 of the Criminal Justice and Court Services Act 2000.
- 4.5.4 if she/he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002.
- 4.5.5 where she/he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.
- 4.5.6 if she/he has not provided to the chairman of the Directors a criminal record certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of the Chairman confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

4.6 Where a person becomes disqualified from holding, or continuing to hold office as a Governor and she/he is, or is proposed, to become such a Governor, she/he shall upon becoming so disqualified give written notice of that fact to the Secretary.