

## **DRAFT LOCAL GOVERNING BODIES**

### **TERMS OF REFERENCE**

**These Terms of Reference will come into effect in December 2018**

**Review date: December 2019**

#### **1. ESTABLISHMENT OF LOCAL GOVERNING BODIES**

Ventrus (the Trust) is a charity and a company limited by guarantee. The Directors of the Trust are responsible for the leadership, management and administration of the Trust and the Schools within it and under the powers of delegation set out in the Articles of Association they are required to appoint a Local Governing Body (LGB) for each School and are required to determine the constitution, membership and proceedings of all such LGBs. The following Terms of Reference set out the constitution, membership and proceedings of the LGBs and shall be reviewed by the Directors on an annual basis.

#### **2. FUNCTIONS OF LGBs**

2.1 The general role of the LGBs is to provide the local context, challenge and support to the Headteacher, ensuring the very best local offer is given in each School. The LGBs, through the Chairs group, also have a role in influencing and communicating with the Directors on the strategic vision of the Trust going forward.

2.2 The specific powers and roles delegated by the Directors to the LGBs are set out in the Trust's Scheme of Delegation and are reflected in section 11 below.

#### **3. COMPOSITION OF LGBs**

3.1 The LGBs in **Primary** schools will be composed of 8 members:

- 1 Headteacher (ex officio)
- 2 Parent Governors
- 1 Staff Governor
- 3 Community Governors (1 for church schools)
- 2 Foundation Governors (church schools only)

3.2 LGBs may increase the number of governors beyond 7 by co-opting up to 2 further governors with approval from the Directors.

3.3 The LGBs in **Secondary** Schools will compose of 11 members:

- 1 Headteacher (ex officio)
- 4 Parent Governors
- 2 Staff Governors
- 4 Community Governors

#### 4. APPOINTMENT OF GOVERNORS

4.1 Parent governors are elected by the parent body of the School. The LGB shall make all necessary arrangements for an election of parent members. It must take all reasonably practical steps to ensure that every qualified candidate is informed of the vacancy, their entitlement to stand as a candidate and their right to vote. It will put procedures in place for an election through secret ballot in the event of there being more than one candidate and will ensure that all those entitled to vote in a secret ballot have the opportunity to do so.

4.2 Staff governors are elected by the staff body of the School. The LGB shall invite nominations from all staff employed under a contract of employment at the School. If more than one nomination is received the LGB shall put procedures in place to have an election by way of a secret ballot.

4.3 Community governors are nominated and appointed by the Parent, Staff and ex-officio Governors of the LGB.

4.4 Foundation governors (**church schools only**) are nominated by LGBs after prior consultation with the local PCC, the incumbent and the Diocese. They are appointed by a majority of Directors and both Foundation Directors must approve the appointment.

4.5 The clerk of each LGB must maintain an accurate and up to date list of all Governors and must keep this list updated with the school clerk. The clerks of Church Schools must ensure that updated lists are also shared with the Diocese.

4.6 New governors will follow an induction procedure and will be provided with an Induction Pack of relevant documentation.

4.7 The LGB may act notwithstanding any vacancies but where the number of Governors falls below the number fixed as a quorum for LGB meetings (see paragraph 9 below), the Governors may act only for the purpose of filling vacancies.

4.8 For schools entering the Trust under sponsorship, the Foundation and Community governors will need to be approved by Directors and new elections will be held for Staff and Parent governors. The requirement for approval of Foundation and Community Governors will lapse at the point the School is judged to be a 'good' or 'outstanding' School by Ofsted or at a point where the Directors consider that there is no longer a need for Director approval of Foundation or Community Governors at any given School.

4.9 A Governor may be removed from office by the Directors where he/she becomes disqualified from acting as Governor or where it is decided by the Directors that he/she is not acting in the best interests of the School, its pupils or the Trust.

## **5 TERM OF OFFICE**

The usual term of office for all Governors will be 4 years except the Headteacher who will serve as ex-officio Governor for as long as he/she remains in office.

## **6 UNDERTAKINGS OF GOVERNORS**

6.1 The Governors shall, upon their appointment or election, give a written undertaking to the Members and the Directors to uphold the objects of the Trust as set out in the Articles of Association and all policies and procedures agreed by the Trust or LGB from time to time.

6.2 The Governors shall annually give a written undertaking to observe the Trust Code of Practice for Governors.

6.3 The Directors expect all Governors to engage in relevant training to support their governance including Diocesan training for Church School Governors.

## **7 ORGANISATION OF THE LGB**

7.1 The Chair of the LGB will be elected annually by the Governors at the first meeting in each School year. The election procedure will be organised by the clerk to the LGB who will receive written and/or verbal nominations; a Governor can nominate himself/herself. If there is more than one candidate, nominees will be asked to leave the room, the remaining Governors will vote by secret ballot and the Clerk will tally the vote. The appointment of all Chairs will be ratified by a majority vote of the Directors.

7.2 In the absence of either the Chair or the Clerk at a meeting of the LGB, the LGB will agree a replacement for the meeting.

7.3 The LGB will meet as often as is necessary to fulfil its responsibilities but as a minimum, the LGB will meet at least once each term.

## **8 ADMINISTRATION OF MEETINGS**

8.1 The Clerk to the LGB will circulate an agenda and any papers at least one week before a meeting of the LGB. The Clerk will also send report templates (for Health & Safety, Safeguarding, Special Educational Needs and Disability and Website Compliance) to the relevant nominated Governors at the beginning of the school term in which the meeting takes place.

8.2 It is expected that all Governors have read the papers as long as they have been circulated in accordance with clause 8.1.

8.3 All recommendations and decisions made at a meeting of the LGB will be recorded accurately in writing. The minutes and next steps documents will be sent to the Headteacher and Chair for approval and then to the Company Secretary of the Trust and

the other LGB Governors by the clerk of the LGB no later than two working weeks following the meeting.

## **9 QUORUM AND VOTING**

9.1 The quorum for any meeting of the LGB is 50% of those Governors of the LGB currently appointed (rounded to the nearest whole number) provided that there are no less than 3 Governors at the meeting, 2 of whom are not employed by the Trust.

9.2 Each Governor shall have one equal vote. Where there is an equal division of votes, the chair of the LGB will have the casting vote.

## **10 ATTENDANCE AT MEETINGS**

10.1 The Directors may request the Chair of the LGB to attend any Directors' meeting and present a summary of the issues discussed and recommendations made at any previous LGB meeting.

10.2 The Chair of the LGB is expected to attend termly Chairs of LGBs meetings with fellow LGB Chairs and Directors.

10.3 Any Director may attend any meeting of an LGB.

10.4 The Directors of School Improvement are entitled to attend any LGB meetings in an advisory capacity.

10.5 Any Governor may request the Chair to invite persons who are not members of the LGB to attend its meetings.

## **11 MATTERS DELEGATED TO LGBs IN ACCORDANCE WITH THE SCHEME OF DELEGATION (not including those matters on which LGB is just consulted)**

### **11.1 Governance:**

11.1.1 Appoint the Chair of the LGB subject to the approval of the Directors.

11.1.2 Appoint (and review) on an annual basis nominated Governors for Health & Safety; Safeguarding; Special Educational Needs and Disability.

11.1.3 Update on an annual basis individual Governor Declaration of Business and Pecuniary Interests forms and verbally declare personal interests relating to the agenda at each meeting.

### **11.2 Policies:**

11.2.1 Draft, ratify, review and monitor implementation of the following policies:

- Sex Education
- Collective Worship
- Home School Agreements
- Anti-bullying
- Teaching & Learning

11.2.2 Consider and provide feedback to the Directors on the following Trust policies, and monitor their implementation:

- Exclusions Policy
- Attendance Policy

11.2.3 Consider and provide feedback to the Directors on the following Devon County Council drafted policy and determine appeals on admissions allocations:

- Admissions Policy

11.2.4 Monitor implementation of the following additional policies:

- Safeguarding Policy
- Special Educational Needs and Disability Policy
- Health & Safety Policy
- E-Safety Policy

11.2.5 Ensure statutory compliance and high quality content of the school's website working with the Trust Governance Lead.

### **11.3 Headteacher Support and Challenge**

Provide challenge to the Headteacher in relation to all aspects of local school leadership including in relation to:

- Monitoring the spend and impact of Sports Funding (Primary Schools)
- Monitoring the spend and impact of Pupil Premium
- SEF judgements
- Evaluation of school performance data
- School organisation / numbers on roll
- Reviewing quality of teaching

### **11.4 Annual Reviews**

The following are to be monitored and reviewed throughout the year as appropriate:

- School Improvement Plan
- Attendance figures and setting of attendance targets
- Parental surveys
- School security arrangements
- Local service contracts
- Exclusions
- Critical Incident Plan

### **11.5 Reporting to Directors/Trust**

Following each meeting report to the Directors or appropriate Trust personnel in relation to the following:

- Issues and questions for Directors arising from the meeting of the LGB
- Innovative work within the School
- Areas of significant risk to the School or the Trust