



Leigh Academies Trust

Terms of Reference: Academy / Academies Board

1. Governance

- 1.1 The Academy Board will be managed in accordance with the Articles of Association of Leigh Academies Trust ('The Trust').
- 1.2 The Trust has a strategic role in the running and management of the Academy Board.
- 1.3 The establishment, Terms of Reference, Membership, and any Constitution, will be reviewed by the Directors of the Trust.
- 1.4 The Trust may delegate to any Academy Board such of their powers or functions as they consider desirable to be exercised by them.
- 1.5 Any delegated decision in accordance with the Trust's Scheme of Delegation, or other authority received directly from the Trust Board, must be reported to the next full Trust Board meeting but a decision taken under delegated powers is binding and immediately effective.
- 1.6 The Trust has approved a Scheme of Delegation defining the powers and functions that are reserved for the Trust Board and its Committees.

2. Membership

- 2.1 The Academy Board will have no more than 14 members.
- 2.2 The Academy Board will comprise:
 - 2.2.1 2 members appointed by the Directors who will be the Chair and Vice Chair of the Academy Board;
 - 2.2.2 At least one, but no more than two Principals, from the academies overseen by the board. Where both primary and secondary academies are overseen there will be at least one Principal from each phase;
 - 2.2.3 One Academies Director
 - 2.2.4 1 Principal from one other Trust Academy appointed by the CEO;
 - 2.2.5 1 elected Staff Governor;
 - 2.2.6 No more than 1 elected Parent Governor from each Academy governed by the Academy Board, and a maximum of 2;
 - 2.2.7 Other appointees determined by the Trust Board; and
 - 2.2.8 Members will serve for a term of 4 years from date of appointment, and may be re-appointed by a majority vote of the Academy Board.

3. Meetings

- 3.1 The Academy Board will meet at least 4 times per academic year, in advance of main Trust Board meetings, with additional meetings as required. Any member of the Trust Executive Board, or their deputy are entitled to attend all Academy Board meetings. Any Academy Principals not identified in 2.2.2 may attend at the request of the Chair.
- 3.2 Any Governor may be disqualified for failing to attend 3 consecutive Academy Board meetings and/or failing to discharge their governance role between board meetings.

- 3.3 The Trust will supply a person to act as Governance Secretary for each meeting who will record the minutes.
- 3.4 The appointed Chair will chair the meetings, but in his/her absence it will be the Vice-Chair. If there is no Vice-Chair, the Academies Director may act as interim Chair.

4. Quorum

The quorum for meetings of the Academy Board is 3 external governors. Non-Executive Trust Directors present at the meeting will also count in determining whether a quorum exists.

5. Eligibility Criteria for being a Governor.

Persons nominated for appointment or election must confirm that they:

- 5.1 Are aged 18 or over at the date of election or appointment;
- 5.2 Do not hold more than one governorship of the same school at any one time;
- 5.3 Are not detained under the Mental Health Act 1983;
- 5.4 Are not subject to a bankruptcy restrictions order or an interim order or had a sequestration of their estate awarded and (in either case) not been discharged and the bankruptcy order has not been annulled or rescinded;
- 5.5 Are not subject to a disqualification order under the Company Directors Disqualification Act 1986 or disqualification under Part 2 of the Companies (Northern Ireland) Order 1989 or a disqualification undertaking accepted under the Company Directors' Disqualification (Northern Ireland) Order 2002 or an order made under section 429(2)(b) of the Insolvency Act 1986;
- 5.6 Have not been removed from the office of trustee for a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or to which they contributed or which they facilitated by their conduct; or have been removed, under the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body;
- 5.7 Are not included in the list kept under S1 Protection of Children Act 1999 or subject to a direction of the Secretary of State under S142 Education Act 2002 (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);
- 5.8 Are not disqualified from working with children under sections 28 or 29A of the Criminal Justice and Court Services Act 2000;
- 5.9 Are not disqualified from registration under Part 10A Children Act 1989 for child-minding or providing day care or from registration under Part 3 of the Childcare act 2006; Are not disqualified from being the proprietor of any independent school or from being a teacher or other employee in any school;
- 5.10 Have not, in the five years prior to becoming a governor taking effect, received a sentence of imprisonment, suspended or otherwise, for a period of not less than three months without the option of a fine;
- 5.11 Have not, at any time, had passed on them a sentence of imprisonment for a period of not less than five years or had passed on them a sentence of imprisonment for a period of not less than two and a half years in the preceding 20 years;
- 5.12 Have not been convicted or fined, in the five years prior to becoming a governor, for causing a nuisance or disturbance on educational premises pursuant to S. 547 Education Act 1996.

6. Responsibilities of the Academy Board are in accordance with the Trust Scheme of Delegation

and include, but are not limited to, the following:

- 6.1 To review the Academy's performance through the outcomes of the modular review process, the trust management information pack and DfE/Ofsted documentation.;
- 6.2 To set targets and to monitor and review throughout the academic year progress by the Academy, paying particular attention to ensure that specific groups, such as pupil premium, looked-after children and children with special educational needs and disabilities (SEND), are making at least the same progress as all other students;
- 6.3 To monitor and review the Academy Performance Agreement (APA);
- 6.4 To receive and review reports from the Finance Manager, to monitor the finances of the Academy and to approve the Academy's budget annually;
- 6.5 To ensure the safety and welfare of all students and staff;
- 6.6 To ensure compliance with all safeguarding and SEND requirements;
- 6.7 To report effectively to parents by way of newsletter, minutes or other parent forums;
- 6.8 To monitor the curriculum and the effectiveness of related strategies in delivering the best possible outcomes for all students;
- 6.9 To monitor the pay progression of staff as it relates to academic performance and the quality of teaching and learning;
- 6.10 To monitor the work and academic standards of individual colleges within an Academy, where appropriate;
- 6.11 To monitor the work and academic standards related to dedicated Special Needs provision or satellites, where appropriate;
- 6.12 To approve, with the Trust Executive, changes to the Admissions Policy.

7. Powers Retained by the Trust Board

- 7.1 Ensuring compliance with the Trust's duties under company law and charity law and agreements made with the DfE, including the Funding Agreement(s), and any Deed of Gift;
- 7.2 Determining the educational character and mission of the Academy;
- 7.3 Ensuring the solvency of the Academy, safeguarding its assets and delivering its charitable outcomes;
- 7.4 Appointing or dismissing the Principal(s);
- 7.5 Ensuring the continued charitable status of the Company;
- 7.6 Setting key strategic objectives and targets and reviewing performance against these;
- 7.7 Approving Trust policies, not delegated to the Academy Board or the Resources or Standards Committees;
- 7.8 Approving the annual estimates of income and expenditure for the Academy at the beginning of the academic year;
- 7.9 Approving the year-end accounts;
- 7.10 Setting the Trust's reserves requirements from each Academy;
- 7.11 Entering into all contracts on behalf of the Trust;
- 7.12 Authorising expenditure or income in accordance with the Scheme of Delegation;
- 7.13 Complying with the requirements of the Education (Independent School Standards) (England) Regulations 2010 (or such other regulations as may for the time being be applicable) in relation to carrying out enhanced checks through the Disclosure and Barring Service (DBS), as required.

8. Disclosure and Barring Service (DBS)

The role of an Academy Governor is a regulated activity. Any individual wishing to undertake this role must therefore provide evidence of a satisfactory DBS certificate.