



Peterborough Keys Academies Trust

Local Governing Bodies

TERMS OF REFERENCE 2021-22 v1.1

1. POWERS OF THE MAT BOARD OF TRUSTEES

- 1.1. The Trustees of the MAT Board shall establish the Local Governing Body as a committee of the MAT as set out in the MAT'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 end of each academic year to take effect from 1 September (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 end of each academic year to take effect from 1 September (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. Standards of performance of pupils at the School are unacceptably low,
 - 1.4.2. Serious breakdown in the way the School is governed or managed,
 - 1.4.3. Safety of pupils or staff is threatened,
 - 1.4.4. Financial mismanagement or failure to operate within budget.
- 1.5. The Trustees shall set out the MAT'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 MAT policies and those that are School policies.
- 1.7. The MAT Scheme of Delegation is attached as Annex 1.

2. POWERS OF THE LOCAL GOVERNING BODY

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

- 2.1. to carry forward the MAT'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, Trustee and Governor Code of Conduct and other guidance set out 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 implement policies, plans and actions to comply with statutory regulations, the MAT's policies and procedures and the decisions of the Trustees,
- 2.5. to hold to account the School leadership for the academic performance, the quality of provision and the quality of care,
- 2.6. to agree and monitor the School performance targets (SoD 2.3-4),

- 2.7. to agree the School strategic plan and monitor its continuing appropriateness (SoD 2.5),
- 2.8. to review and approve the School 1year plan to achieve the approved School Performance Targets and monitor its implementation and effectiveness (SoD 2.6),
- 2.9. to propose to the CEO or Trust Board intervention in school management in exceptional circumstances (SoD 2.7)
- 2.10. to oversee and monitor the financial governance and operation of the School to comply with the MAT's Finance Manual and financial procedures (SoD 5.1-2),
- 2.11. to recommend the School 3-year Budget Plan to the MAT Board (SoD 5.15),
- 2.12. to agree in-year changes to Budget Plan (SoD 5.16),
- 2.13. to receive regular budget reports and monitor and respond to performance against budget (SoD 5.17),
- 2.14. to agree School expenditure over £20,000 in accordance with the MAT Finance Manual,
- 2.15. to review and approve the School staff structure and complement, which shall be aligned to the School budget (SoD 4.4),
- 2.16. to oversee the process to recruit and appoint the School Headteacher in line with the MAT recruitment policy and to recommend the appointment of the preferred candidate to the MAT Board (SoD 4.5),
- 2.17. to monitor the management of staff to comply with statutory regulation and the MAT's HR policies and procedures (SoD 3.1),
- 2.18. to oversee and support the Headteacher's performance review and associated pay awards in line with the MAT Pay Policy (SoD 3.8),
- 2.19. to oversee and approve staff individual performance reviews and associated pay awards in line with the MAT Pay Policy (SoD 3.9),
- 2.20. to make proposals, where deemed necessary, for re-structuring and/or redundancy of staff to make best use of resources and/or budget (the Leadership Group, Finance, Audit and Risk Committee and People and Infrastructure Committee to be consulted on these proposals, which must ultimately be agreed by the Trust Board) (SoD 4.17-18),
- 2.21. to review and recommend to the MAT Board any proposals to change the School age range, PAN or type and range of provision (SoD 7.2-4),
- 2.22. to review and approve the School statutory and non-statutory policies in accordance with MAT Policy Matrix and to monitor the School's compliance (SoD 7.7-7.8),
- 2.23. to oversee and approve the School branding and marketing including logo, uniform and prospectus (SoD 7.17, 7.19, 7.20),
- 2.24. to monitor the school website and its compliance with regulatory requirements (SoD 7.18),
- 2.25. to agree the School Admission Policy in compliance with the Admissions Code any other relevant statutory or regulatory guidance (SoD 7.14),
- 2.26. to agree the School Contingency and Business Continuity Plan,
- 2.27. To evaluate the LGB's own performance annually, to draft and implement a governance development / action plan and to ensure that governor training is kept up to date in accordance with Trust Board expectations.

3. COMPOSITION AND APPOINTMENT OF THE LOCAL GOVERNING BODY

- 3.1. The composition of the Local Governing Body shall be as follows;
 - 3.1.1. up to nine (9) MAT Governors appointed by the Board, normally after nomination by the Local Governing Body, such that the number of MAT Governors is at least equal the total of parent and staff governors,
 - 3.1.2. Three (3) Parent Governors elected by the parents or carers of registered pupils at the School,
 - 3.1.3. Two (2) Staff Governors elected by the staff of the School,
 - 3.1.4. the School Headteacher (where there are Co-Headteachers or an Executive Headteacher and a Head of School, both shall be governors)
- 3.2. The membership of the Local Governing Body is attached as Annex 2.

4. TERM OF OFFICE AND RESPONSIBILITIES OF GOVERNORS

- 4.1. The Term of Office for all Governors except the Headteacher is 4 years.
- 4.2. On appointment Governors are each required to familiarise themselves and to agree to comply with;
 - 4.2.1. MAT Articles of Association,
 - 4.2.2. Supplemental Funding Agreement,
 - 4.2.3. MAT Financial Regulations,
 - 4.2.4. these Terms,
 - 4.2.5. MAT Code of Conduct for All Adults including Trustee and Governor Code of Conduct
 - 4.2.6. DfE Governance Handbook and other current relevant legislation and guidance for Governors.

5. MEETINGS OF THE LOCAL GOVERNING BODY

- 5.1. The Local Governing Body shall meet at least four times per year and at least once per term and in particular:
 - 5.1.1. The Local Governing Body shall meet during the date periods as per the MAT Governance Planning Calendar,
 - 5.1.2. The Governors will receive notice of each meeting seven (7) clear days before the date of the meeting,
 - 5.1.3. The agenda, papers and minutes of Local Governing Body meetings will be sent to the Clerk to the Trustees when they are issued to Governors,
 - 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.
- 5.2. Quorum for a meeting of the Local Governing Body will be one half (1/2) of a 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 MAT Board shall appoint the Chair of the Local Governing Body and will consider any recommendation for this appointment made by the Local Governing Body.
- 6.2. The Local Governing Body shall elect its Vice Chair. The MAT Board shall retain the power to appoint the Vice Chair in exceptional circumstances.

- 6.3. The MAT Board shall have the right to remove the Chair and / or Vice Chair, specifically in circumstances outlined in item 1.4 of these Terms of Reference.
- 6.4. The term of office for Chair and Vice-Chair will be 1 year, running from the start of the academic year.
- 6.5. In electing the Vice Chair, and in making a recommendation to the MAT Board for the appointment of the Chair, the following procedure shall be followed:
 - 6.5.1. A secret ballot shall be held, conducted by the Clerk to the Local Governing Body.
 - 6.5.2. 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.
 - 6.5.3. Nominee(s) will be asked to leave the room whilst the election takes place. If there is more than one nominee, the remaining Governors will take a vote by secret ballot and the Clerk will tally the vote.
 - 6.5.4. If there are more than three nominees per office, the nominee polling the least votes shall be eliminated and a further vote taken. If there is a tie the Governors shall discuss the strengths of nominees and a further vote 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 (for example, Resources or Curriculum and Standards) as it sees fit to fulfil its powers, responsibilities and duties.
- 7.2. The Local Governing Body will set out sub-committee Terms of Reference and membership to 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 and attached as Annex 3.
- 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 MAT Board shall appoint and remove a Clerk to the Governors.

9. GOVERNORS' EXPENSES

10. The MAT 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

ANNEX 1: MAT Scheme of Delegation

ANNEX 2: Membership of the Local Governing Body

ANNEX 3: Local Governing Body sub-committee structure, terms of reference and membership

DECLARATION

The Board of Trustees, at its meeting on 13 July 2021, resolved to adopt these Terms of Reference.

Signature
(Chair of the MAT Board)



Claire Higgins

Date of signature: 20 July 2021