

HERA PRIMARY ACADEMY TRUST
PROVISION AND OUTCOMES
LOCAL GOVERNING COMMITTEE
TERMS OF REFERENCE (vo.3)

The trust is a charitable company limited by guarantee. It has entered into a Master Funding Agreement with the Department for Education and a Supplement Funding Agreement in respect of the academies and so it is the trust that is ultimately responsible to the Department for Education pursuant to the Funding Agreement.

The Trustees are the charity trustees (within the terms of section 178 of the Charities Act 2011) and responsible for the general control and management of the administration of the trust in accordance with the provisions set out in the Articles of Association.

1. POWERS OF THE MAT BOARD OF TRUSTEES

- 1.1. The Trustees of the MAT Board shall establish the Local Governing Committees 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 Committee Terms of Reference and shall review the Terms at the start of each academic year (Article 104).
- 1.3. The Trustees shall determine and approve the delegation of powers, responsibilities and duties to the Local Governing Committee and shall review this Scheme of Delegation at the start of each academic year (Article 105).
- 1.4. The Trustees shall have the right to intervene in the governance of a member School where it has serious cause for concern, including:
 - 1.4.1. Standards in achievement and progress of pupils at the School are declining or 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.
- 1.5. 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 COMMITTEE (LGC)

The LGC Members (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 their 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 and other guidance set out by the Board of Trustees,
- 2.3. to oversee the implementation of policies, plans and actions to comply with statutory regulations, the MAT's policies and procedures and the decisions of the Trustees,
- 2.4. to hold to account the School leadership for the academic performance, the quality of teaching and learning and the quality of care,
- 2.5. to monitor progress towards approved School Targets and Performance Review (SoD 2.3-4),
- 2.6. to monitor the School's strategic plan and its continuing appropriateness (SoD 2.5),

- 2.7. to monitor the implementation and effectiveness of the School 1year plan (SoD 2.6),
- 2.8. to review and approve the School statutory and non-statutory policies and to monitor the School's compliance (SoD 7.7-7.8),
- 2.9. to oversee and recommend for approval the School's prospectus and ensure that website is regularly updated and accurate (SoD 7.18-7.21) and
- 2.10. to monitor the School's log, branding and uniform,
- 2.11. to respond to pupil and parent voice.

3. COMPOSITION AND APPOINTMENT OF THE LOCAL GOVERNING COMMITTEE

- 3.1. The composition of the Local Governing Committee shall be as follows;
 - 3.1.1. at least two (2) but no more than four (4) MAT Governors appointed by the Board,
 - 3.1.2. at least two (2) but no more than four (4) Parent Governors (elected by the parents or carers of registered pupils if more parents express interest in being a Governor over and above the vacancies on the Local Governing Committee)
 - 3.1.3. at least one (1) but no more than two (2) Staff Governors elected by the staff of the School,
 - 3.1.4. the Head of School
- 3.2. The membership of the Local Governing Committee is attached as [Annex 2](#).
- 3.3. The Local Governing Committee will continue to act if a temporary vacancy arises.
- 3.4. The Local Governing Committee will review its effectiveness on a yearly basis ensuring it is meeting its obligations, statutory and non-statutory.

4. TERM OF OFFICE AND RESPONSIBILITIES OF LOCAL GOVERNING COMMITTEE MEMBERS

- 4.1. The Term of Office for all Governors except the Head of School 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. current relevant legislation and guidance for Governors such as Governance Handbook and Competency Framework for Governance,
 - 4.2.6. DBS check.
- 4.3. A Governor can be removed from the Local Governing Committee by the Trustees if he/she is deemed unfit.
- 4.4. Disqualifications and removal of Governors are attached as [Annex 3](#).

5. MEETINGS OF THE LOCAL GOVERNING COMMITTEE

- 5.1. The Local Governing Committee shall meet at least three times per year and at least once per term and in particular:
 - 5.1.1. The Local Governing Committee 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 Committee 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 Committee Chair at the next meeting to verify that the minutes are a true record.

5.2. Quorum for a meeting of the Local Governing Committee 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 Committee 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 COMMITTEE CHAIR

6.1. The MAT Board shall appoint the Chair, nothing any recommendations from the LGC.

6.2. The MAT Board shall have the right to remove the Chair, specifically in circumstances where they have cause for concern that the LGC is not fulfilling its responsibilities.

6.3. The term of office for Chair will be 1 year and they shall be appointed at the first meeting of the MAT Board each school year.

7. APPOINTMENT OF A CLERK

7.1. The MAT Board shall appoint and remove a Clerk to the Local Governing Committee.

8. GOVERNORS' EXPENSES

8.1 The MAT Board shall set out a policy for payment of exceptional expenses incurred by LGC Members, subject to prior application to and approval by the Finance & Audit Committee.

DECLARATION

The Local Governing Committee, at its meeting adopted these Terms of Reference. A copy has been forwarded to the Clerk to the Trustees for the formal MAT Board records. These Terms of Reference will be reviewed annually at the start of the academic year.

Signature
(Chair of the Local Governing Body)

Date of signature 22 November 2018

ANNEX 1: MAT Scheme of Delegation

ANNEX 2: Membership of the Local Governing Committee

ANNEX 3: Disqualification and Removal of Governors