

Astrea Local Committees Terms of Reference

With effect from 1st August, 2019.

Introduction

As a charity and company limited by guarantee, the Trust is governed by a board of trustees (the **Board**) who have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and running of the academies maintained by the Trust.

In order to support the effective operation of the Trust and the Academies, the Board has established a number of committees to which it has delegated certain powers and functions. These terms of reference set out the constitution, membership and proceedings of the Trust's local committees.

In summary, the Board has established two different types of committee:

- main Board committees which are established to deal with Trust-wide matters such as Education; HR; Finance, Risk and Audit; Remuneration (**Board Committees**); and
- local committees which are established by the Board to support the effective operation of the Academies.

Local Governing Bodies outlined under the articles appointed pursuant to Articles 100-101A and 104 will be known in practice as Local Education & Consultative Committees (LECCs).

The Board will review these Terms of References together with the membership of the local committees at least once every twelve months.

These Terms of Reference may only be amended by the Board. The functions, duties and proceedings of LECCs set out in these Terms of Reference shall also be subject to any regulations made by the Board from time to time.

1 Establishing the Committees

The Board has resolved to establish local committees for its Academies each as a separate committee of the Board. A local committee may act in respect of two or more Academies.

For schools in need of a high level of support and direction from the Trust, a Transition Management Board (TMB) will be established and employees of the Trust will be assigned to be included as members. The functions of these Boards will mirror those of the Local Education and Consultative Committees (LECCs) though its members will - by virtue of their position within the Trust - exercise greater direction than a LECC.

2 Membership

- 2.1 All local committee members are formally appointed by the Trust, including in circumstances where they are elected by a stakeholder body or co-opted by the committee.
- 2.2 The Trust may appoint such independent persons as it deems fit to be members - including the Chair - of Transition Management Boards, provided that the numbers in each category do not exceed those indicated for LECCs.
- 2.3 Each LECC operating in respect of one Academy shall, unless the Board resolve otherwise, have a minimum of five members and a maximum of twelve members.
- 2.4 Each LECC operating in respect of two or more Academies (a “LECC Cluster”) shall, unless the Board resolve otherwise, have a minimum of seven members and a maximum of fourteen members
- 2.5 The membership of each LECC (each a LECC Member) shall be as follows (unless the Board resolve otherwise):
 - Up to two parent members;
 - Up to two staff members;
 - The Academy Principal;
 - Up to four persons appointed by the Trust;
 - Up to three other persons co-opted by members of the LECC.
- 2.5.1 The membership of each LECC Cluster shall be as follows (unless the Board resolve otherwise):
 - Up to 1 parent member per Academy
 - Up to 1 staff member per Academy
 - Up to 1 Principal per Academy
 - Up to 1 centrally appointed member per Academy
 - Up to 1 co-opted member per Academy

2.6 The Trustees shall:

- 2.6.1 determine all matters relating to an election of parent LECC Members, including any question of whether a person is a parent of a registered pupil at an Academy. When a vacancy arises, the Principal(s) will write to all parents at the Academies in question seeking parents to nominate themselves for the vacancy. Nominees will be asked to provide a personal statement identifying their skills and suitability for the role. This will be assessed against the current DfE Competency Framework prior to a decision on suitability. In the event that the number of suitably experienced nominees equals or is less than the number of vacancies on the LECC, the LECC can choose to appoint all (or any) of those nominated. If there are more nominees than places available, the Principal(s) will write to all parents at the Academies in question asking them to vote for their preferred candidate.
- 2.7 The LECC Members may co-opt 3 members and 2 staff members whose skills match areas of the current DfE Competency Framework.
- 2.8 The term of office for any LECC Member shall be four years, save that this time limit shall not apply to a Principal. Subject to remaining eligible, any member may put themselves forward for re-appointment or re-election (as the case may be).

3 Chairs

- 3.1 The term Chair refers to the person appointed under this paragraph as chair of the relevant local committee.
 - 3.1.1 the LECC Members shall at the first meeting of each academic year appoint a LECC Member to act as Chair of the LECC;
 - 3.1.2 the LECC Members will elect a temporary replacement from among the members present at the meeting in the absence of the Chair;
 - 3.1.3 the Trust shall appoint the Chair of a TMB.

4 Authority, remit and responsibilities of the local committee

- 4.1 Each local committee shall be responsible for the matters as set out in the Scheme of Delegation and below in Appendix A.
- 4.2 Each local committee is authorised by the Board to:
 - 4.2.1 Carry on any activity authorised by these Terms of Reference; and
 - 4.2.2 Seek any appropriate information that it properly requires to carry out its role from any senior employee of the Trust and all senior employees shall be directed to co-operate with any request made.
- 4.3 The establishment of any new sub-committees other than ad hoc working groups required to deal with specific issues, must be agreed in advance with the Trust CEO.

5 Proceedings of local committee meetings

- 5.1 The local committee will meet as often as is necessary to fulfil their responsibilities but at least three times a year, although it is recommended to meet half-termly, and to review the frequency of meetings as necessary or on the advice of the Trust.
- 5.2 Meetings attended by three or more full members of the committee shall go ahead. Where fewer than three members attend, the Chair may determine whether the number of members attending a meeting is sufficient for the committee usefully to discharge its responsibilities.
- 5.3 The relevant Principal(s) shall ensure that a clerk is provided to take minutes at meetings of the committee.
- 5.4 Any resolution at a meeting of a LECC must be determined by a majority of the votes of the members present and voting on the matter.
- 5.5 Each committee member present in person shall be entitled to one vote.
- 5.6 Where there is an equal division of votes the Chair shall have a casting vote.
- 5.7 A register of attendance shall be kept for each committee meeting and published annually on the relevant Academy's website.
- 5.8 Local committees may invite attendance at meetings from persons who are not members to assist or advise on a particular matter or range of issues. Any member of the executive team may also attend and speak at local committee meetings.
- 5.9 References to the "Chair" shall in the absence of the Chair be deemed to be references to the chair of the relevant committee meeting.

6 Conduct of Committee members

- 6.1 All committee members shall observe at all times the provisions of the Code of Conduct.

7 Members' Interests

- 7.1 Local committee members are required to declare any business or other interests in any item being discussed at a meeting.
- 7.2 Each committee member, if present at a meeting, disclose their interest, withdraw from the meeting and not vote on a matter if:
 - 7.2.1 there may be a conflict between their interests and the interests of any of the Academies or the Trust;
 - 7.2.2 there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or
 - 7.2.3 they have a personal interest (this is where they and/or a close relative will be directly affected by the decision of the committee in relation to that matter) in a matter.

8 Disqualification & Removal of Committee Members

- 8.1 A person shall be ineligible for appointment to a local committee and, if already appointed, shall immediately cease to be a member if the relevant individual:
- 8.1.1 is or becomes disqualified from holding office under the Trust's Articles of Association;
 - 8.1.2 is or becomes disqualified from holding office as a governor of a school or academy;
 - 8.1.3 is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
 - 8.1.4 is barred from any regulated activity relating to children;
 - 8.1.5 is or becomes bankrupt or makes any arrangement or composition with his/her creditors generally; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
 - 8.1.6 is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974);
 - 8.1.7 has been fined for causing a nuisance or disturbance on school/academy premises during the 5 years prior to or since appointment or election as a Committee member;
 - 8.1.8 refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;
 - 8.1.9 commits a serious breach of the Trust's Code of Conduct or any standing order or protocol implemented by the Board, as determined by the Trust;
 - 8.1.10 is absent without the permission of the committee from all their meetings held within a period of six months;
 - 8.1.11 resigns his/her office by notice in writing to the relevant Chair;
 - 8.1.12 in the case of a Principal, they cease to be the Principal;
 - 8.1.13 their term of office expires and they are not re-appointed.
- 8.2 The Trustees shall have the right at their sole discretion to remove or suspend (on such terms as they see fit) any committee member by written notice to the member and the relevant Chair.
- 8.3 The suspension from employment duties of any committee member who is an employee of the Trust shall have the effect of suspending their membership of the committee.
- 8.4 Any committee member who is subject to a banning order issued by the Principal shall be deemed to be suspended from the committee for the duration of the ban.

8.5 The CEO may suspend a local committee member for up to 20 school days where it is necessary to undertake an investigation into any alleged breach of the Code of Conduct.

9 Reporting Procedures

9.1 Within 7 days of each meeting each local committee will produce and agree minutes of its meetings;

9.2 The Chair of the local committee shall meet, or arrange for a deputy to meet, the Link Trustee and will report on the committee's work.

9.3 Each committee shall conduct an annual review of its work and shall communicate its finding to the Trust.

Appendix A: Remit and Responsibilities of the local committees

The powers and functions delegated by the Board to the committees are set out in detail in the Trust's Scheme of Delegation as approved by the Board and in summary include the following which should be read in conjunction with the scheme of delegation:

- 1 To support and challenge the school's leadership.
- 2 To demonstrate appropriate challenge by holding academy leadership to account for academic performance, quality of care and provision.
- 3 To monitor and advise on the running of the Academy in terms of learning, standards, safety and wellbeing. This includes identifying committee members that take on a special link responsibility in the following four areas: Safeguarding, SEN, Grants (PP/PE).
- 4 To consider the performance of spending against budget.
- 5 To support the Academy's senior management staff to deal with parental complaints pursuant to the Trust policy on parental complaints and support Principal(s) in recruitment and selection, grievance and disciplinary processes where appropriate.
- 6 To review the decisions of Principals of other Academies within the Trust in exclusion cases where appropriate and, if requested, recruitment panels.
- 7 To record visits to the Academy/Academies both during school hours (with prior arrangement with the Principal) and for evening events.
- 8 To draw any significant recommendations and matters of concern to the attention of the Trust Board via the Link Trustee.