

NET Academies Trust

(Cluster) Local Governing Body

Summary Remit

Under delegated authority from the Trust Board, to be the local governing body for [list academies]:

- ensuring that NET's values are fully realised in the academies so that every pupil develops and achieves to their full potential.
- maintaining a detailed understanding of the strengths and areas for development of the academies, developing, proposing, implementing and monitoring long and short term plans
- developing, proposing and monitoring long and short term financial plans, budgets and expenditure to maximise the effective use of resources available to the academies
- with the CEO, appointing and performance managing the Executive Headteacher and Heads of School (where appointed) and make recommendations in respect of salary
- ensuring academies are appropriately staffed, led and managed in accordance with Trust policies and available resources
- ensuring that policies and procedures remain relevant and adhered to in practice
- contributing to the overall development of NET and its academies.

NET Academies Trust

(Cluster) Local Governing Body

Terms of Reference (v3)

1. Powers of the Trust Board of Directors

- 1.1. The Directors of the Trust Board shall establish the (Cluster) Local Governing Body as a committee of the Trust as set out in the Trust's Articles of Association (Article 100).
- 1.2. The Directors shall determine and approve the Local Governing Body Terms of Reference and shall review the Terms at the start of each academic year (Article 104).
- 1.3. The Directors 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 start of each academic year (Article 105).
- 1.4. The Directors shall have the right to intervene in the governance of an academy where it has serious cause for concern, including:
 - 1.4.1. Standards of performance of pupils at the Academy are unacceptably low;
 - 1.4.2. Serious breakdown in the way the Academy 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 Trust Scheme of Delegation is attached as [Annex 1](#).
- 1.6. Where a Local Governing Body is a Cluster Local Governing Body, responsible for two or more academies, references to 'academy/school' may be interpreted in the plural, and references to 'headteacher/principal' may apply to executive 'headteacher/executive principal'.

2. Powers of the Local Governing Body

- 2.1. The Governors shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation, and in particular:
 - 2.1.1. to carry forward the Trust's vision in ways that are appropriate to the [academy's/school's] status, pupils, staff and community;
 - 2.1.2. to implement policies, plans and actions to comply with statutory regulations, the Trust's policies and procedures and the decisions of the Directors;
 - 2.1.3. to hold to account the [academy/school] leadership for the academic performance, the quality of provision and the quality of care;
 - 2.1.4. to review and recommend the Academy Targets and Performance Review to the Trust Board (SoD 2.2-3) and monitor progress towards the approved targets;
 - 2.1.5. to review and approve and monitor the [Academy/School] Development Plan to achieve the approved [Academy/School] Performance Targets (SoD 2.5);
 - 2.1.6. to oversee the financial governance and operation of the [Academy/School] to comply with the Trust's financial regulations, policies and procedures (SoD 5.1-2);

- 2.1.7. to monitor the management of staff to comply with statutory regulation and the Trust's HR regulations, policies and procedures (SoD 3.8-15);
- 2.1.8. to review and approve the [Headteacher's/Principal's] recommendations for individual performance pay awards (SoD 3.7);
- 2.1.9. to review and recommend to the Trust Board any changes to the academy provision such as Published Admissions Number (PAN) or age range (SoD 7.2-7.4),
- 2.1.10. to review and apply such academic and pupil-related policies and plans that are determined by the Trust (SoD 2.6-2.10 & 7.7-7.15)
- 2.1.11. to review and recommend to the Trust Board the [Academy/School] admission policy and oversee the allocation of places against the approved [Academy/School] admissions policy (SoD 7.19-7.20);
- 2.1.12. Where the Local Governing Body is responsible for a cluster of schools, to establish academy forums in accordance with guidance from the Trust Board to consult with pupils, parents and the local community on matters relating to the operation and performance of the academy/school and to take into account advice received.

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. two (2) Parent Governors appointed by the Board from amongst the parents or carers of registered pupils at the [Academy/School];
 - 3.1.2. five (5) Trust Governors appointed by the Trust Board;
 - 3.1.3. the [Academy/School] [Headteacher/Principal]
- 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/Principal] is 4 years.
- 4.2. On appointment Governors are each required to familiarise themselves and to agree to comply with;
 - 4.2.1. Trust Articles of Association;
 - 4.2.2. Trust Financial Regulations;
 - 4.2.3. these Terms;
 - 4.2.4. current relevant legislation and guidance for Governors.

5. Meetings of the Local Governing Body

- 5.1. The Local Governing Body shall normally meet at least once per term and at least four times per year and in particular:
 - 5.1.1. the Local Governing Body shall meet at the appropriate times set out in the Trust Governance Calendar;
 - 5.1.2. the Governors will receive notice of each meeting 7 clear days before the date of the meeting;
 - 5.1.3. the agenda, papers and minutes of Local Governing Body meetings will sent to the Clerk to the Directors 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 Trust Board shall appoint the Chair and Vice Chair.

6.2. The Trust 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.

7. Appointment of a Clerk

7.1. The CEO shall appoint a Clerk to the Local Governing Body, who may be recommended by Governors.

8. Governors' Expenses

8.1. The Trust Board shall set out a policy for payment of exceptional expenses incurred by Governors, subject to prior application and approval by the Chair of the Local Governing Body

Declaration

*The Local Governing Body, at its meeting on **insert date** resolved to adopt these Terms of Reference. A copy has been forwarded to the Clerk to the Directors for the formal Trust 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

ANNEX 1: Trust Scheme of Delegation

ANNEX 2: Membership of the Local Governing Body

NET Academies Trust

Scheme of Delegation (v6.0)

For Cluster Academies

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Multi Academy Trust and member academies.

The bodies may include:

- Trust Members
- Trust Board of Directors
- Local Governing Bodies
- Academy Forums
- Trust Chief Executive
- Executive Headteacher of the cluster

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education Funding Agency, Charities Commission, HMRC and Companies House.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Propose (P)
- Develop (D)
- Monitor & Report (M)
- Consulted (C)
- Informed (I)

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme is designed to be comprehensive it will not cover every task.

The Trust will also define policies that are Trust-wide, cluster-specific and school specific. A proposed definition is shown in the *Notes* column.

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Informed (I), Execute (E)	Notes	Board	LGB	CEO	EHT	AF
1.	Governance						
1.1.	Approve Trust Articles of Association	Members only	R		R		
1.2.	Approve Trust Board Terms of Reference		A		R		
1.3.	Approve Trust Scheme of Delegation		A		R		
1.4.	Approve new convertor or sponsored academies joining MAT		A		R		
1.5.	Establish Trust Committees		A		R		
1.6.	Approve Trust Committee Terms of Reference		A		R		
1.7.	Approve LGB Terms of Reference		A	I	R		
1.8.	Approve Academy Forum Terms of Reference		A	C	R		I
1.9.	Establish LGB working groups			A			
1.10.	Appoint Chair of Trust Board		A				
1.11.	Appoint Chair of LGB		A		R		
1.12.	Remove Chair of LGB		A				
1.13.	Appoint (and remove) Chair of AF		A	R	R		
1.14.	Appoint (and remove) LGB members		A	R	R		
1.15.	Appoint (and remove) Chair(s) of Trust Committees		A		R		
1.16.	Appoint (and remove) Trust Committee members		A		R		
1.17.	Appoint (and remove) Clerk to Trust Board		A		R		
1.18.	Appoint (and remove) Clerk to LGB/AF			R	A		
1.19.	Trust Governance Calendar		A		R	C	
1.20.	Approve Directors Expenses Policy	Trust Policy	A				
2.	Trust & Academy Performance, Curriculum and Teaching						
2.1.	Trust Strategic Plan		A		R	C	
2.2.	Academic Performance Targets		AM	RM	C	P	C
2.3.	Academy Performance Review e.g. SEF		A	R	C	P	C
2.4.	Academy 3 year plan		A	RM	C	P	C
2.5.	Academy 1 Year Plan			AM	C	R	C
2.6.	Teaching & Learning Policy	Cluster Policy		AM	C	R	C
2.7.	Curriculum Policy	Cluster Policy		AM	C	R	C
2.8.	Sex Education policy	Cluster Policy		AM	C	R	CM
2.9.	Religious Education policy	Cluster Policy		AM	C	R	CM
2.10.	SEN & Inclusion policy	Cluster Policy		AM	C	R	CM
2.11.	Trust Staff Development Plan				A		
2.12.	Academy Staff Development Plan			C		A	
2.13.	Trust Inset Days		A		R	C	
3.	Staff Policies and Pay						
3.1.	Pay & Remuneration Policy	Trust Policy			R	C	
3.2.	Job Role Salary & Grading Policy	Trust Policy			R	C	
3.3.	Employee Terms & Condition changes		A		P		
3.4.	Trust Staff Annual Pay Award	Trust Policy	A				
3.5.	Teachers Annual Pay Award	Trust Policy	A		P		
3.6.	Support Staff Annual Pay Award	Trust Policy	A		P		
3.7.	Individual Performance Pay Awards	As per Policy		R	A	P	
3.8.	Performance Management Policy	Trust Policy	A	M	R	C	
3.9.	Disciplinary Policy	Trust Policy	A	M	R	C	
3.10.	Grievance Policy	Trust Policy	A	M	R	C	
3.11.	Capability Policy	Trust Policy	A	M	R	C	
3.12.	Whistleblowing Policy	Trust Policy	A	M	R	C	

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3.13.	Recruitment Policy	Trust Policy	A	M	R	C	
3.14.	Re-structuring & Redundancy Policy	Trust Policy	A	M	R	C	
3.15.	Employee Health & Safety Policy	Trust Policy	A	M	R	C	
4.	Staff Management						
4.1.	Trust staff plan		A		R		
4.2.	Trust CEO appointment		A				
4.3.	Trust staff appointment		C		A		
4.4.	School staff plan	Part of Business Plan		A	C	R	
4.5.	EHT appointment		A	R	C		
4.6.	Head of School appointments		A	R	C	P	C
4.7.	Senior leadership appointments			A	C	R	C
4.8.	Teacher appointments					A	
4.9.	Support staff appointments					A	
4.10.	Suspension of CEO	As per policy	A				
4.11.	Return of CEO after suspension		A				
4.12.	Dismissal of CEO		A				
4.13.	Suspension of EHT	As per policy	A	C	R		
4.14.	Return of EHT after suspension		A	C	R		
4.15.	Dismissal of EHT		A	C	R		
4.16.	Suspension of Head of School	As per policy		C	A	R	
4.17.	Return of Head of School after suspension			C	A	R	
4.18.	Dismissal of Head of School		A	C	R	P	
4.19.	Suspension of teaching and support staff	As per policy		C		A	
4.20.	Return of teaching and support staff after suspension			C	A	R	
4.21.	Redundancy of school staff		A	C	R	P	
4.22.	Restructuring of school staff		A	C	R	P	
5.	Financial Governance & Management						
5.1.	Trust & Academy Financial Regulations	Audit C'ttee on compliance	A	M	P		
5.2.	Trust & Academy Financial Procedures	Audit C'ttee on compliance	A	M	P		
5.3.	Appoint Trust auditors	Audit C'ttee	A				
5.4.	Trust 3 year Budget Plan		AM		P		
5.5.	Trust 1 year Budget		AM		P		
5.6.	Trust Interim Year End Accounts		A		R		
5.7.	Trust YTD reports		AM		PM		
5.8.	Trust Annual Accounts		A		P		
5.9.	Trustees Report		A		P		
5.10.	Trust Academies Accounts Return to EFA		A		R		
5.11.	Response to Auditor's Management Ltr	Audit C'ttee	A				
5.12.	Academy 3 year Budget Plan	LGB consultation at budget prep. stage	AM	CM	PM	D	
5.13.	Academy 1 year Budget	Part of Business Plan	AM	CM	PM	D	
5.14.	Academy Budget reports	LGB given info. to monitor	A	IM	PM	D	

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Informed (I), Execute (E)	Notes	Board	LGB	CEO	EHT	AF
		budget against school improvement priorities					
5.15.	Academy Interim Year End Accounts		A	R	P	D	
5.16.	Academy Accounts Return to EFA	New academies	A		R		
6.	Financial Authorisation						
6.1.	Expenditure or contracts up to Lower Limit	As per policy				A	
6.2.	Expenditure or contracts from Lower Limit to Upper Limit	As per policy			A	R	
6.3.	Expenditure or contracts from Upper Limit to OJEU limit	As per policy	A		R	P	
6.4.	Expenditure over OJEU limit	As per policy	A		P		
6.5.	Compensation payments up to £50,000	EFA threshold	A		R		
7.	Academy Policies & Procedures						
7.1.	Academy times, terms and holidays			A	C	R	C
7.2.	Change of Academy Age Range		A	R	C	P	C
7.3.	Expansion of Academy PAN		A	R	C	P	C
7.4.	Extension of Academy provision		A	R	C	P	C
7.5.	Extended services on-site			A	C	R	C
7.6.	Child Welfare & Safeguarding Policy	Trust policy	A	C	R	C	C
7.7.	Attendance Policy	Cluster policy		A	C	R	C
7.8.	Attendance Plan	School plan		A	C	R	C
7.9.	Pupil Premium Policy	Cluster policy		A	C	R	C
7.10.	Pupil Premium Plan	School plan		A	C	R	C
7.11.	Academy Educational Visits Policy	Cluster policy		A	C	R	C
7.12.	Pupil Behaviour & Exclusions Policy	Cluster policy		A	C	R	C
7.13.	Short-term Exclusion	As per policy		A	C	R	
7.14.	Return after short-term exclusion			A	C	R	
7.15.	Permanent Exclusions			A	C	R	
7.16.	Appeals against Permanent Exclusion	Independent panel req.				E	
7.17.	Complaints Policy	Trust policy	A		R		
7.18.	Complaints Appeals	Independent panel req.			E		
7.19.	Admissions Policy		A	R	C	P	C
7.20.	Admissions allocation of places					E	
7.21.	Admissions Appeals	Independent panel req.				E	
7.22.	Academy prospectus	As per Trust Brand g/lines		C		A	C
7.23.	Academy website			C		A	C
7.24.	Academy uniform			C		A	C
8.	Premises & Assets						
8.1.	Asset Management Policy		A		R		
8.2.	Asset Management Plan		A	C	R	C	
8.3.	Health & Safety Policy		A		R		