

Chorus Education Trust

Terms of Reference for Local Governing Bodies

2024-25

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Author: Ann Allen (COO)

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1. Introduction

- 1.1 As a charity and company limited by guarantee, Chorus Education Trust (the “Trust”) is governed by a Board of Trustees (the “Trustees”) 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.
- 1.2 [Appendix 1](#) details the academies maintained by the Trust. (Each one an “Academy” or collectively the “Academies”).
- 1.3 In order to assist with the discharge their responsibilities, the Trustees have established a Local Governing Body (“LGB”) for each of its Academies. The LGBs shall be committees established pursuant to Articles 100 to 104 (inclusive) of the **Articles of Association** of the Trust (the “Articles”).
- 1.4 In the discharge of their responsibilities the LGB will pay due regard to **the Code of Conduct (2024)**.
- 1.5 These terms of reference apply to each LGB established by the Trustees and may only be amended by the Trustees.
- 1.6 The Trustees may review these terms of reference at any time but shall review them at least annually.

2. The Seven Principles of Public Life

All Members, Trustees and LGB Governors will adhere to the Nolan Principles. (Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

3. Membership

- 3.1 Each LGB operating in respect of one Academy shall, unless the Trustees resolve otherwise, have a maximum of ten members.
- 3.2 Each LGB operating in respect of two or more Academies shall, unless the Trustees resolve otherwise, have a minimum of ten members and a maximum of twelve members.
- 3.3 The membership of each LGB (each a LGB Member) shall be as follows (unless the Trustees resolve otherwise):

Chorus Education Trust LGB Governor Membership numbers by type:		
Type of LGB Governor	Number (single school)	Number (multi school)
Parent LGB Governors	2	4
Community LGB Governors	6	6
Staff LGB Governor reps*	2	2
Total	10	12

*Ideal 1 support & 1 teacher with a vacancy if either role is unfilled, should aim for it not to be 2 of 1 particular group

- 3.4 The LGB Governors may only appoint co-opted members of the LGB with the consent of the Trustees.
- 3.5 The term of office for any LGB Governor shall be four years, save that this time limit shall not apply to the Headteacher/CEO. Subject to remaining eligible, any Governor may put themselves forward for re-appointment or re-election (as the case may be).
- 3.6 Subject to the above the LGB will appoint a Chair and Vice Chair annually (at the end of each summer term, for the following academic year – effective September) and ensure each meeting has a Chair:
- subject to the approval of the Trustees, the LGB shall appoint a LGB Governor to act as chair of the LGB (the Chair);
 - the LGB Governors shall at the last meeting of each academic year appoint a LGB Governor to act as vice-chair of the LGB (the Vice-Chair);
 - the LGB Governors will elect a temporary replacement from among the Governors present at the meeting in the absence of both the Chair and the Vice-Chair.
- 3.7 No person may act as Chair under paragraph 2.6 if they are an employee of the Trust.

4. Remit of the LGB

- 4.1 The LGB is a sub-committee appointed by the Board of trustees to:

- act as a critical friend to the Headteacher/CEO;
- represent the views of the community in discussions on budget issues that relate to community engagement and activity and make recommendations to the Headteacher/CEO;
- support the Trust's senior management staff on dealing with parental complaints pursuant to the Trust policy on parental complaints; and
- support the Headteacher/CEO of other Academies in exclusion processes where appropriate.

4.2 A more detailed list of the responsibilities of the LGB is set out in the Trust's ***Scheme of Delegation*** as approved by the Trustees and in ***Appendix 2*** to this document.

4.3 Subject to these terms of reference the Local Governing Body may establish such committees as are necessary to carry out its responsibilities, as determined by the Trust.

4.4 Subject to these terms of reference, the constitution, membership and proceedings of any committee shall be determined by the Governors. The establishment, terms of reference, constitution and membership of any committee of the Local Governing Body shall be reviewed at least once in every twelve months by the LGB in line with the Trust ***Schemes of Delegation*** and governance documents.

4.5 Without prejudice to the Trustees' other rights to remove any Governor and the Trustee's rights to amend these terms of reference at any time, where the Trustees have concerns about the performance of an LGB they may amongst other actions:

- require the relevant LGB to adopt and comply with a governance action plan in such form as determined by the Trustees;
- suspend or remove any or all of the matters delegated to the LGB;
- suspend or remove any or all of the governors of the relevant LGB;

4.6 The Trustees may exercise their powers in connection with clause 3.5 where:

- the Trustees (acting reasonably) have concerns about governance or operations at the Academy;
- the Academy has a deficit budget (both revenue and capital) in excess of targets set by the Trustees from time to time;
- the Trustees (acting reasonably) have concerns about the finances of the Academy;
- the Academy has materially or consistently failed to obtain key performance indicators set by the Trustees.

5. LGB Meetings

5.1 The LGB will meet a minimum of three times a year using the standard agendas provided by the central team. The Headteacher/CEO shall ensure that a clerk is provided to take minutes at meetings of the LGB.

- 5.2 The quorum for the transaction of the business of the LGB shall be three LGB Governors provided that at least one of them is a LGB Governor appointed by the Trustees (not including staff Governors or parent Governors).
- 5.3 Every matter to be decided at a meeting of the LGB must be determined by a majority of the votes of the LGB Governors present and voting on the matter. Each Governor present in person shall be entitled to one vote. Where there is an equal division of votes the Chair shall have a casting vote.
- 5.4 Subject to paragraph 4.5, the LGB may invite attendance at meetings from persons who are not LGB Governors to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.
- 5.5 The Chief Executive Officer (CEO), is entitled to attend and, with the permission of the Chair, speak at LGB meetings.
- 5.6 Trustees are entitled to attend LGB meetings.
- 5.7 A register of attendance shall be kept for each LGB meeting and published annually in accordance with the Academies Handbook.
- 5.8 All LGB Members shall observe at all times the provisions of the Trust's code of governance and **code of conduct** for Governors.
- 5.9 References in paragraph 4 to the "Chair" shall in the absence of the Chair be deemed to be references to the chair of the relevant meeting.

6. LGB Governors' Interests

- 6.1 LGB Governors are required to declare any business or other pecuniary interests in any item being discussed at a meeting. All governors shall complete a declaration of interest form on joining the LGB and at the start of each academic year.
- 6.2 Each LGB Governor, if present at a meeting of the LGB, must disclose their interest, withdraw from the meeting and not vote on a matter if:
- there may be a conflict between their interests and the interests of either the Academy or the Trust;
 - there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or
 - they have a personal interest (this is where they and/or a close relative will be directly affected by the decision of the LGB in relation to that matter) in a matter.
- 6.3 All completed declaration of interest forms must be forwarded to the Chief Operating Officer of the Trust for inclusion in the Trust's own register of interests. This register will be published in accordance with the Academies Handbook.

7. Disqualification and removal of LGB Governors

- 7.1 A person shall be ineligible for appointment to the LGB and, if already appointed, shall immediately cease to be a LGB Governor if the relevant individual:
- is or becomes disqualified from holding office under the Articles;
 - is or becomes disqualified from holding office as a governor of a school or academy;
 - is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
 - is barred from any regulated activity relating to children;
 - is or becomes bankrupt or makes any arrangement or composition with their creditors generally; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
 - 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);
 - 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 an LGB Member;
 - refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;
 - commits a serious breach of the code of conduct or any standing order or protocol implemented by the Trustees;
 - is absent without the permission of the LGB from all their meetings held within a period of six months and the LGB Governors resolve that their office be vacated;
 - resigns their office by notice in writing to the Chair;
 - in the case of the Headteacher/CEO, they cease to be Headteacher/CEO;
 - their term of office expires and they are not re-appointed.
- 7.2 The Trustees shall have the right at their sole discretion to remove or suspend (on such terms as they see fit) any LGB Governor by written notice to the Chair.

8. Reporting procedures

- 8.1 Within 21 days of each meeting the LGB will produce and agree minutes of its meetings (the Minutes).
- 8.2 The Minutes can be agreed by LGB Governors by email using Governor Hub.
- 8.3 The Minutes will be made available to the Trustees on Governor Hub within 21 days following each LGB meeting.

Appendix 1 – Trust Academies List

The academies of Chorus Education Trust are:

Secondary	Primary
Eckington School, Derbyshire	Bradwell Junior School, Derbyshire
Hope Valley College, Derbyshire	Hady Primary School, Derbyshire
Silverdale School, Sheffield	Malin Bridge School, Sheffield
Westfield School, Sheffield	Stocksbridge Junior School, Sheffield

Appendix 2 – Responsibilities of Governors

The role of Governors is to carry the Trust vision, policies and priorities forward, based on the specific qualities and community characteristics of each academy. The Governors are expected to question and challenge academy leadership and to hold them to account.

In particular, and subject to the limitations set out above, the Trustees delegate the running of the academy to the Local Governing Body (per the *Scheme of delegation*).

LGB Roles and Responsibilities

Roles and responsibilities are set by the Schemes of Delegation and the LGB Terms of Reference, which are reviewed annually for each academic year.

1. Implementation or monitoring actions required to comply with statutory regulations, risk and the Funding Agreements.
2. Monitoring of expenditure to ensure compliance with the overall financial plan for the school.
3. Compliance with and implementation of all relevant Trust policies and procedures.
4. Monitoring of the School Improvement Plan in line with the Chorus Improvement Plan and the educational vision of the Trust: including:
 - Oversight and approval of whole school strategies designed to ensure delivery of the highest possible standard of teaching and learning, and student progress and achievement: and:
 - Oversight and approve of whole school strategies to ensure the provision of effective student support and the delivery of high standards of student behaviour, safety and well-being.
5. Establishment and operation of LGB sub-committees in line with Trust guidelines to facilitate the effective management of the school.
 - Oversight of systematic reporting procedures from the LGB to the Trust in accordance with guidelines set down by the Trust

The Governors are not, and nothing within this document is intended to make them, charity trustees within the terms of *section 97(1) of the Charities Act 1993* (although a Governor may also be a Trustee).

Each Governor shall act in the best interests of the Trust and Academy at all times.

The Governors must keep confidential all information of a confidential nature obtained by them relating to the Academy and the Trust.

On their appointment, each Governor shall be required to signify that they are familiar and agrees to comply with:

- the *Articles of Association*
- the *Funding Agreements*
- these Terms of Reference
- the *Academy Trust Handbook*
- any terms of reference of sub-committees which may apply to that Governor.

(all of the above documents should be made available on Governor Hub)

Each Governor shall also be required to carry out training to ensure their skills and knowledge are up to date at least once per year.

Each Governor shall also be required to take part in regular self-review and is accountable for meeting their own training and development needs. It is a Governor's responsibility to consider if, and raise any concerns where, they feel that appropriate training and development is not being provided.