

## Terms of Reference of Academy Governance Committees

### Version Control



Version	Date	Author/comment
Vn 1	28.09.17	CT
Vn 2	27.10.17	Amended by GS
Vn 3	08.11.17	Amended by GS
Vn 4	19.12.17	Amended by CT to include reference to safeguarding
Vn 5	09.12.19	Amended by CT AGC Appointment of Governors and Update
Vn 6	22.9.21/ 12.10.21	SPa Update to Futura language/style; Governance Committee addition of reference to Pay Sub-Committee and deletion of section on removal of delegation as this is covered in the Intervention Policy.
Vn 7	17.3.22 23.3.22	Amendments to Constitution/Integrity and Openness following review of the Openness Policy and consultation with Governance Committee

## Terms of Reference of Academy Governance Committees



These Terms of Reference are issued in accordance with Articles 105 and 137 of the Articles of Association of the Futura Learning Partnership, and are subject to the Articles and the Scheme of Delegation. The Terms of Reference of the trust's various committees, along with the Articles, the Scheme of Delegation and the trust's policies issued from time to time form the framework by which Futura Learning Partnership is governed and managed, and in particular:

- how the trustees ensure compliance with the various statutory and regulatory requirements placed upon them
- the relationship between the trustees, the Academy Governance Committees, the Executive Team, and (in the case of church academies) the local Diocese
- how the trustees, local governors and the executive team work together effectively

These Terms of Reference may be amended at any time by decision of the trustees.

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### OVERALL PURPOSE

1. **The overall purpose of the Academy Governance Committee (AGC) is:**
  - a. To take a strategic perspective aimed at ensuring every individual student/pupil within the academy has access to a high quality education, including personalised support as appropriate.
  - b. To determine the individual ethos, vision and values of the academy whilst ensuring consistency with that of the academy trust.
  - c. To monitor and challenge the educational performance of the academy including all aspects that influence educational performance such as, for example, behaviour and attendance.
  - d. To ensure adequate safeguarding policies and procedures are in place in the academy and that they are applied effectively.
  - e. To ensure an adequate and effective staffing structure
  - f. To ensure effective processes are in place for monitoring the quality of teaching and learning in line with the trust's Monitoring & Evaluation framework.
  - g. To support and challenge the Principal in the creation, implementation and monitoring of the academy's development/improvement plan.
  - h. To ensure that the academy has effective communication with students/pupils, parents or carers, staff and the wider stakeholders/community (as appropriate to the academy).
  - i. To monitor implementation and maintain academy policies as defined in the trust policy schedule.
  - j. To publish and maintain an admissions policy and undertake consultation in accordance with the Admissions Code whilst ensuring consistency with that of the trust.
  - k. To establish spending priorities with the Principal in order to inform the annual budget process.

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- l. To monitor and review the academy risk register.
- m. To establish a Pay Sub-Committee to review teachers' pay in line with the trust Appraisal and Pay policies.
- n. To convene ad-hoc panels as may be required to review complaints, exclusions, appeals etc.

### **2. For Church of England Academies the following also applies:**

- a. To ensure that the academy is run in accordance with the principles, practices and tenets of the Church of England, both generally and in particular in relation to arranging for religious education and daily acts of worship, and in having regard to any advice and following any directives issued by the Diocesan Board of Education (DBE).
- b. To evaluate and promote the church ethos through self-evaluation involving students/pupils, staff, trustees and governors.

### **3. For Studio Schools, the following also applies:**

- a. Studio schools draw their students from a wider geographical area than most other schools.
- b. Employers and businesses (and any institutions of further and higher education) in the area whose field of interest/work is related to the Studio School curriculum are all potential key stakeholders.
- c. The AGC of a studio school will always have a responsibility to its neighbours in the local community but the employer/business/etc. stakeholders will tend to be the principal "community" with whom the AGC fosters a relationship.

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### MEMBERSHIP

1. An AGC should consist of between 8 and 12<sup>1</sup> governors for optimum effectiveness, skills balance and decision-making.
2. Each AGC comprises:
  - a. The Principal/Headteacher of the academy.
  - b. At least two elected parents or guardians of a student/pupil at the academy (parent governors).
  - c. Up to two employees of the academy, usually comprising one teacher and one non-teaching staff member, elected by employees of the academy (staff governors).
  - d. Community governors co-opted or appointed as appropriate by the AGC.
3. AGC appointments will be made with a view to ensuring the right balance of skills, knowledge & experience to enable the AGC to operate effectively and to match, as appropriate, the character and ethos of the academy.
4. For Church of England academies, foundation governors will make up 25% of the AGC and the appointment of such governors is subject to approval of the DBE.
5. The AGC Chair will be appointed by the Board of Trustees (typically for a 4 year term) taking into account the skills and competencies required. The AGC may make a recommendation to the trustees of their preferred choice. (Governors may also be appointed to one of the trust's other committees, taking into account the skills, knowledge and experience required on those committees).

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<sup>1</sup> The actual number for each academy will be agreed between the Academy and the Trust Board taking account of the specific circumstances.

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6. The AGC may appoint a Vice Chair from within its membership. An academy's vice chair will not be that academy's Principal or any staff governor.
7. The AGC will appoint, from its number, governors with specific responsibilities for Special Educational Needs and Disabilities, Safeguarding, Looked After Children, Pupil Premium and PE and Sport Premium for primary schools as appropriate. AGCs may also appoint governors with other responsibilities as appropriate.

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### CONSTITUTION

#### 1. Frequency of meetings:

- a. There will be at least six (termly) meetings of the AGC per academic year.
- b. Additional ad hoc meetings of the full AGC may be arranged as required.
- c. Time limited ad hoc working groups of the AGC may be established as required.
- d. Such ad hoc working groups should have clear terms of reference to clarify their purpose and reporting lines to the AGC. The creation of any working group must be reported to the Board or relevant committee to ensure consistent working across the trust.

#### 2. Quorum and Voting:

- a. The quorum shall be 5 governors for AGCs consisting of more than 9 governors and 3 for AGCs consisting of 9 or fewer governors.
- b. For every matter that requires a decision at an AGC meeting, the AGC chair should encourage discussion of the pros and cons of the various options with a view to reaching a consensus. Where, after adequate discussion, the meeting has reached a clear consensus, the chair should summarise the AGC position which must be formally recorded as a decision in the minutes. Where a consensus is not possible or not clear, the AGC may wish to defer the matter for further investigation or reach a decision through a formal vote, with the chair having the casting vote if necessary. For matters of major significance or where some individuals could be influenced by others, consideration should be given to conducting a secret vote. The outcome of any vote must be recorded in the minutes.

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### 3. Terms of Office:

- a. The length of service of all governors shall be four years. Subject to remaining eligible, any governor may be reappointed or re-elected at the end of his or her term. In normal circumstances, governors can only serve a maximum of two terms.

### 4. Clerk:

- a. The trust's Chief Operating Officer shall ensure that clerking support is available for each meeting.

### 5. Integrity and Openness:

- a. Governors must complete a register of their personal/business interests, which will be reviewed annually by the trust.
- b. Any governor who has any duty or personal interest that conflicts or may conflict with his or her duties as a governor shall disclose that fact to the AGC as soon as he or she becomes aware of it.
- c. A governor must absent himself or herself from any discussions of the AGC in which it is possible that a conflict may or will arise between his or her duty to act solely in the interests of the academy and such duty or personal interest, unless expressly invited to remain in attendance in order to provide information; in such a case, the governor must:
  - i. not be counted in the quorum for that part of any meeting, and
  - ii. withdraw prior to any vote and have no vote on the matter.
- d. Every person wishing to become a governor will be required to sign a declaration of acceptance and willingness to act in accordance with the trust Code of Conduct and shall make disclosures for the purposes of a criminal records check by the Disclosure and Barring Service. In the case of Church of England academies, all



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governors must, in addition, sign an undertaking to the Bath and Wells DBE Trust to uphold the religious ethos of the academy

- e. Other individuals may attend meetings, or part meetings of the AGC, for example, school leaders presenting on an area for which they are responsible, prospective governors, governors from other academies within the trust, other stakeholders, and any other individual at the Chair's discretion. Visitors such as these will not remain in meetings when confidential matters are being discussed unless they are attending to provide specific advice/support on such matters.
- f. Other individuals may also attend meetings in order to provide information and support in line with the scheme of delegation, or other resolutions of the trust board, for example, executive leaders or their representatives, trustees and (in church schools) diocesan advisers.
- g. Minutes of AGC meetings and other papers must be made available on request in line with the Publication Scheme, and the trust's Openness Policy. Publication of the same on academy websites is at the discretion of individual AGCs.