



**WEST LAKES MULTI-ACADEMY TRUST (the Trust)**

**COMMITTEE TERMS OF REFERENCE**

## 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 (the **Academies** and each an **Academy**).

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 of its powers and functions. These terms of reference (**Terms of Reference**) set out the constitution, membership and proceedings of the committees the Board has established.

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 performance and quality, audit, finance, pay and performance management (**Board Committees**); and
- Local Governing Boards which are established by The Board to support the effective operation of the Academies (**LGBs**), together the **Committees**.

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

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

Date last approved by the Board: 13<sup>th</sup> July 2020

Date for next review: 12<sup>th</sup> July 2021

## **1 Establishing the Board Committees**

1.1 The Board has resolved to establish the following Board Committees as committees of the Board:

1.1.1 audit and risk committee (**Audit & Risk Committee**);

1.1.2 the Board Meeting which will have the standard agenda items of

1.1.2.1 trust finance and general purposes - (**TF&GP**); and

1.1.2.2 trust pay, personnel and performance management (**PPPM**);

1.1.2.3 performance, quality and standards (**PQ&S**)

1.2 The Board has resolved to establish LGBs for its Academies each as a separate committee of the Board. An LGB may act in respect of two or more Academies. The current list of LGBs and the Academies they operate in respect of is set out in Appendix 1.

## **2 Membership - Board Committees**

2.1 Each Board Committee shall have a minimum of three members and maximum of nine members. A majority of Board Committee members must be trustees of the Trust (**Trustees**).

2.2 The Board will appoint and remove all Committee members.

2.3 The Board will ensure that Board Committee members have the necessary skills, background and experience to properly fulfil the relevant Board Committee functions.

2.4 The current Board Committee members are set out in the register of committee members maintained by the Trust and which at the date of adoption of these Terms of Reference is set out in Appendix 2.

2.5 No member of The Board can make decisions on TF&GP items and be appointed as a member of the Audit & Risk Committee unless there are less than six Trustees to distribute separately across A&R and TF&GP matters.

2.6 The Trustees recognise the overriding principles of the Academies Financial Handbook (the **AFH**) and that the Audit & Risk Committee should be established in such a way as to achieve internal scrutiny which delivers objective and independent assurance for the Trust. In establishing the Audit & Risk Committee the Board will adhere to the principles of the AFH and:

2.6.1 staff employed by the Trust will not be members of the Committee, but may attend meetings to provide information and participate in discussions; and

2.6.2 the Trust's Accounting Officer and other relevant senior staff will routinely attend committee meetings in the capacity set out above.

### **3 Membership - LGBs**

3.1 Each LGB operating in respect of one Academy shall, unless the Board resolve otherwise, have a minimum of five members and a maximum of thirteen members.

3.2 Each LGB operating in respect of two or more Academies shall, unless the Board resolve otherwise, have a minimum of seven members and a maximum of thirteen members.

3.3 The membership of each LGB (each an **LGB member**) shall be as follows (unless the Board resolve otherwise):

- two parent members;
- one staff member;
- the Principal;
- up to six persons appointed by the Trust Board;
- subject to paragraph 3.6, up to three other persons co-opted by members of the LGB;

3.4 The current LGB members are set out in the register of committee members maintained by the Trust and which at the date of adoption of these Terms of Reference is set out in Appendix 2.

3.5 The Trustees delegate to the LGB who shall:

- 3.5.1 make all necessary arrangements for, and determine all other matters relating to, an election of parent LGB Members, including any question of whether a person is a parent of a registered pupil at an Academy. Any election of a parent member which is contested shall be held by secret ballot;
  - 3.5.2 make all necessary arrangements for, and determine all matters relating to, the election of staff LGB Members.
  - 3.5.3 Make all necessary arrangements for, and determine all matters relating to, the election of staff and parent LGB members where there is an amalgamation of two LGBs; one parent from each school community and one staff member from across both schools.
- 3.6 The LGB members may only recommend co-opted members for the approval of the Board.
- 3.7 The term of office for any LGB member shall be four years, save that this time limit shall not apply to the Principals/Head of Academies. Subject to remaining eligible, any member may put themselves forward for re-appointment or re-election (as the case may be).
- 3.8 The Trustees shall from to time to time appoint and review annually members of LGBs and associated committees where they warrant it.

#### **4 Chairs of Committees**

- 4.1 The term **Chair** refers to the person appointed under this paragraph as chair of the relevant Board Committee or LGB (as appropriate).
- 4.2 No person may act as Chair of a Board Committee under paragraph 4.1 unless they are also a Trustee.
- 4.3 Subject to paragraph 4.2, each Board Committee shall at the first meeting of each academic year elect a member to act as chair of the committee. The committee will

elect a temporary replacement from among the members present at any meeting where the Chair is absent.

4.4 Subject to paragraph 4.5:

4.4.1 the LGB members shall at the first meeting of each academic year appoint a LGB member to act as Chair of the LGB;

4.4.2 the LGB members will elect a temporary replacement from among the members present at the meeting in the absence of the Chair.

4.5 No person may act as Chair under paragraph 4.4 if they are an employee of the Trust.

4.6 The Trust may appoint a Chair to an LGB if:

4.6.1 the performance of the LGB is judged to require a Chair appointed by the Trustees;

4.6.2 the most recent skills audit identifies experience and length of service gaps that require a Chair appointed by the Trustees.

## **5 Authority, remit and responsibilities of the Committees**

5.1 Each Committee shall be responsible for the matters as set out in Appendix 3.

5.2 Each Committee is authorised by the Board to:

5.2.1 carry on any activity authorised by these Terms of Reference; and

5.2.2 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.

5.3 Save with the consent of the Board, the Committees may not establish sub-committees other than those described in these Terms of Reference.

## **6 Proceedings of Committee meetings**

- 6.1 The Committees will meet as often as is necessary to fulfil their responsibilities but at least three times a year.
- 6.2 Any two Committee members can request that the Chair convene a meeting by giving no less than 28 days' prior notice.
- 6.3 The quorum for the transaction of the business of a Board Committee shall be a majority of the Committee members and no vote on any matter shall be taken at a meeting of the Committee unless the majority of members of the Committee present are Trustees.
- 6.4 The quorum for the transaction of the business of LGB shall be three LGB Members provided that at least one of them is an LGB Member appointed by the Board (not including staff members or parent members).
- 6.5 The Chief Executive Officer shall ensure that a clerk is provided to take minutes at meetings of the Board Committees.
- 6.6 The relevant Principal shall ensure that a clerk is provided to take minutes at meetings of the LGBs.
- 6.7 Every matter to be decided at a meeting of a Committee must be determined by a majority of the votes of the members present and voting on the matter.
- 6.8 Each Committee member present in person shall be entitled to one vote.
- 6.9 Where there is an equal division of votes the Chair shall have a casting vote.
- 6.10 A register of attendance shall be kept for each Committee meeting and published annually.

6.11 Committees may invite attendance at meetings from persons who are not Committee members 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.

6.12 References in paragraph 6 to the “Chair” shall in the absence of the Chair be deemed to be references to the chair of the relevant Committee meeting.

## **7 Conduct of Committee members**

7.1 All Committee members at all levels shall observe at all times the provisions of the NOLAN Principles of Public Office, NGA Code of Governance and also Outstanding Governance paper presented by the CEO and the Trust’s Visits Protocol.

## **8 Committee Members’ Interests**

8.1 Committee members are required to declare any business or other interests in any item being discussed at a meeting.

8.2 Each Committee member, if present at a Committee meeting, disclose their interest, withdraw from the meeting and not vote on a matter if:

8.2.1 there may be a conflict between their interests and the interests of any of the Academies or the Trust;

8.2.2 there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or

8.2.3 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.

## **9 Disqualification & Removal of Committee Members**

9.1 A person shall be ineligible for appointment to a Committee and, if already appointed, shall immediately cease to be a member if the relevant individual:

- 9.1.1 is or becomes disqualified from holding office under the Trust's Articles of Association;
- 9.1.2 is or becomes disqualified from holding office as a governor of a school or academy;
- 9.1.3 is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
- 9.1.4 is barred from any regulated activity relating to children;
- 9.1.5 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;
- 9.1.6 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);
- 9.1.7 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;
- 9.1.8 refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;
- 9.1.9 commits a serious breach of the Trust's codes of governance (paragraph 7) or any standing order or protocol implemented by the Board;
- 9.1.10 in the case of a LGB member, is absent without the permission of the LGB members from all their meetings held within a period of six months and the LGB members resolve that his office be vacated;
- 9.1.11 resigns his/her office by notice in writing to the relevant Chair;

9.1.12 in the case of a Principal, they cease to be the Principal;

9.1.13 in the case of a LGB member, their term of office expires and they are not re-appointed.

9.2 The Trustees shall have the right at their sole discretion to remove or suspend (on such terms as they see fit) any LGB member by written notice to the relevant Chair.

## **10 Reporting Procedures**

10.1 Within 14 days of each meeting each Committee will:

10.1.1 produce and agree minutes of its meetings;

10.1.2 provide a summary document identifying (i) decisions made, (ii) recommendations to the Board, (iii) any items for the information of the Board and (iv) items for further discussion by the Board, together the **Committee Reports**.

10.2 The Committee Reports can be agreed by committee members by email.

10.3 The Committee Reports will be sent to the Board within 21 days of each Committee meeting.

10.4 Committees shall arrange for the production and delivery of such other reports or updates as requested by the Board from time to time.

10.5 Each Committee shall conduct an annual review of its work and the powers and functions delegated to it under these Terms of Reference and shall report the outcome and make recommendations to the Board.

## Appendix 1

### The Trust's LGBs

- 1. Arlecdon and Thornhill Academies' Governing Board**
  - 1.1. Performance and Quality**
  - 1.2. Student Personal Development and Welfare**
    - 1.2.1. Admissions Sub-Committee**
  - 1.3. Premises Health and Safety**
  - 1.4. Discipline**
  
- 2. Dearham Academy Local Governing Board**
  - 2.1. Performance and Quality**
  - 2.2. Student Personal Development and Welfare**
    - 2.2.1. Admissions Sub-Committee**
  - 2.3. Premises Health and Safety**
  - 2.4. Discipline**
  
- 3. Flimby Academy Local Governing Board**
  - 3.1. Performance and Quality**
  - 3.2. Student Personal Development and Welfare**
    - 3.2.1. Admissions Sub-Committee**
  - 3.3. Premises Health and Safety**
  - 3.4. Discipline**
  
- 4. West Lakes Academy Local Governing Board**
  - 4.1. Performance and Quality**
  - 4.2. Student Personal Development and Welfare**
    - 4.2.1. Admissions Sub-Committee**
  - 4.3. Premises Health and Safety**
  - 4.4. Discipline**

## Appendix 2

### The Register of Trust Board Members

Adrian Thompson, Sellafield Ltd. (SL) -

Sponsor-appointed Trustee

Chair of Trustee Board 2019 - 2020

Resigned 31.08.2020 - successor to be appointed as Sponsor Trustee

Michelle Pearse, Nuclear Decommissioning Authority (NDA) -

Sponsor-appointed Trustee

Vice Chair of Trustee Board 2019 - 2020

Chair of Trust Finance and General Purposes Committee 2019 - 2020

Rick Wylie - The University of Central Lancashire (UCLan)

Sponsor-appointed Trustee

Chair of Audit and Risk Committee 2019 - 2020

Peter Oldfield - Sellafield Ltd. (SL)

Sponsor Appointed Trustee

Member of Trust Finance and General Purposes Committee

Stephen Asquith - Nuclear Decommissioning Authority (NDA)

Sponsor Appointed Trustee

Vice Chair of Trust Finance and General Purposes Committee 2019 - 2020

Professor Stjohn Crean - The University of Central Lancashire (UCLan)

Sponsor-appointed Trustee

Member of Audit and Risk Committee

Jackie Oakes - Sellafield Ltd. (SL)

Co-opted Appointed Trustee

Member of Trust Finance and General Purposes Committee

Safeguarding Trustee

Nicole Nicholson - LLWR

Co-opted Appointed Trustee

Member of Trust Finance and General Purposes Committee

Simonne Walker - Temporary co-opted to Audit and Risk Committee

Co-opted member of Audit and Risk Committee 2020 - 2021

Professor Mick Waters - The University of Wolverhampton

Co-opted Trustee

Member of Performance and Quality Committee

The role of Chief Executive Officer (CEO) - Jonathan Johnson

The CEO has the delegated responsibility for the operation and performance of the Trust.

The CEO is the Accounting Officer so has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the executive management team of the Trust. The CEO will delegate executive management functions to the executive management team and is accountable to the Board for the performance of the executive team.







**West Lakes Academy**

NAME AND ROLE C = CHAIR VC = VICE CHAIR A = ATTENDEE	Link	LGB	P&Q 8	P,H&S 7	SPDW 7
Sue Alderson Parent Governor	English, Literacy and Safeguarding	VC	A		A
Dan Bloomer Sponsor Governor NDA	Data Mathematics	A	A		
Ian Curwen Co-Opted Governor	SEND CIEG & PSHE	A		A	A
Andrew Haslop Staff Governor - RESIGNED - Staff Governor Vacancy		A		A	A
James Jackson Principal (Ex-Officio)		A	A	A	A
Claire Maxwell-Smith Sponsor Governor NDA	HPA	C	A	A	
David Southward Community Governor	H&S, Community	A		A	
Simonne Walker Sponsor Governor Sellafield Ltd. RESIGNED Sponsor Governor Vacancy	Student Council Promoting FBV	A	A		A
Suzanne Wilson Sponsor Governor UCLan	Disadvantage, Sex & Drugs Ed Attendance	A	A		A
Craig Ivison Co-opted Governor	Science Post-16	A		A	A
Philip Holdsworth Parent Governor - RESIGNED Parent Governor Vacancy	Boys' Achievement	A	A	A	
Vacancy Sponsor Governor Sellafield Ltd.					
Vacancy Sponsor Governor UCLan					

**NAMED ROLES - SAFEGUARDING (KCS), HEALTH AND SAFETY (H&S), PUPIL PREMIUM (PP), SEND, CURRICULUM (CUR), ASSESSMENT (ASS), BEHAVIOUR AND ATTENDANCE (B&A), PERFORMANCE MANAGEMENT (PM)**



## **Appendix 3**

### **Powers & Functions Delegated**

#### **Remit and Responsibilities of the Audit & Risk Committee**

The quorum for the Board Committee is fixed at three Trustees.

The powers and functions delegated by the Board to the Audit & Risk Committee are as set out below.

#### **External Audit**

- 1 To consider the appointment of the external auditor and assess independence of the external auditor, ensuring that key audit personnel are rotated at appropriate intervals.
- 2 To recommend the audit fees to the Board and pre-approve any fees in excess of £10,000 in respect of non-audit services provided by the external auditor and to ensure that the provision of non-audit services does not impair the external auditors' independence or objectivity.
- 3 To oversee the process for selecting the external auditor and make appropriate recommendations through the Board to the members of the Trust to consider at any general meeting where the accounts are laid before members.
- 4 To discuss with the external auditor the nature and scope of each forthcoming audit and to ensure that the external auditor receives the fullest co-operation.
- 5 To review the external auditor's annual management letter and all other reports and recommendations, together with the appropriateness of management's response.
- 6 To review the performance of the external auditor on an annual basis.
- 7 To recommend to the Board the appointment/re-appointment of the external auditor.

- 8 To review and consider the circumstances surrounding any resignation or dismissal of the external auditor.

### **Internal Audit**

- 9 To set and review the internal audit programme and ensure that the internal audit function is adequately resourced and has appropriate standing within the Trust.
- 10 To review the reports and recommendations of the internal audit, together with the appropriateness of management's response.
- 11 To monitor the implementation of action agreed by management in response to reports from the external auditor internal audits.

### **Financial Management & Policies**

- 12 To keep under review the Trust's financial management and reporting arrangements, providing constructive challenge (where necessary) to the actions and judgements of management in relation to the interim management and financial accounts, statements and reports and the annual accounts and financial statements, prior to submission to the Board, paying particular attention to:

12.1 critical accounting policies and practices, and any changes in them

12.2 decisions requiring a major element of judgement

12.3 the extent to which the financial statements are affected by any unusual or complex transactions in the year and how they are disclosed

12.4 the clarity and transparency of disclosures

12.5 significant adjustments resulting from the audit

12.6 the going concern assumption

12.7 compliance with accounting standards

## 12.8 compliance with DfE and legal requirements

- 13 To review the Trust's policy and procedures for handling allegations from whistleblowers.
- 14 To review the Trust's policies and procedures for handling allegations of fraud, bribery and corruption.
- 15 To receive reports on the outcome of investigations of suspected or alleged impropriety.
- 16 To review the adequacy of policies for ensuring compliance with relevant regulatory, legal and code of conduct requirements.
- 17 To ensure that any significant losses are investigated and reported to the DfE/EFA where required.
- 18 To review the Trust's risk management policy, strategy, processes and procedures for the identification, assessment, evaluation, management and reporting of risks.
- 19 To review the adequacy and robustness of risk registers.
- 20 To keep under review the adequacy and effectiveness of the Trust's governance, risk management and internal control arrangements, as well as its arrangements for securing value for money, through reports and assurances received from management, internal audit, the external auditor and any other relevant independent assurances or reports (eg from the National Audit Office).
- 21 To review all risk and control related disclosure statements, in particular the Trust's annual "Statement on Internal Control", together with any associated reports and opinions from management, the external auditor and Responsible Officer, prior to endorsement by the Trust Board.
- 22 To review any recommendations made by the Secretary of State for Education for improving the financial management of the Academies.

## **General**

- 23 To review or investigate any other matters referred to the Audit & Risk Committee by the Board.
- 24 To draw any significant recommendations and matters of concern to the attention of the Board.

## **REMIT OF THE BOARD COMMITTEE**

The quorum for the Board Committee is fixed at three Trustees.

### **TRUST FINANCE AND GENERAL PURPOSES**

The powers and functions delegated by the Board under Trust Finance & General Purposes are as set out below.

#### **Funding**

- 1 To consider each of the Academies indicative funding, notified annually by the DfE/EFA and to assess its implications for the relevant Academy. This will be in consultation with the CEO Team together with the Principal and the Business Manager (or similar) of the relevant Academy, in advance of the financial year, drawing any matters of significance or concern to the attention of the Board.
- 2 To consider and recommend acceptance or non-acceptance of the Academies budgets each financial year.

#### **Budgeting**

- 3 To contribute to the formulation of the Academies strategic plans, through the consideration of financial priorities and proposals, in consultation with the relevant the Principal and the Business Manager (or similar) and with the stated and agreed aims and objectives of the relevant Academy.
- 4 To receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year. This will include the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the development priorities set out in each of the Academies' strategic plans.
- 5 To liaise with and receive reports from appropriate committees and make recommendations to those committees about the financial aspects of matters being considered by them.

- 6 To consider the spending plans of other committees and report back and advise the Board.
- 7 To delegate the day to day management of the approved budget to relevant the Principal, within agreed authorisation limits.
- 8 To consider requests for supplementary expenditure and make appropriate recommendations to the Board.
- 9 To consider and act upon matters not covered by other sub-committees.
- 10 To review financial policy including consideration of long term planning and resourcing in accordance with each of the Academies' development plans.

#### **Expenditure**

- 11 To monitor and review expenditure on a regular basis and ensure compliance with the overall financial plan for the Academies, and with the financial regulations of the Trust, drawing any matters of concern to the attention of the Board.

#### **Financial Procedures**

- 12 To monitor and review procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and where appropriate make recommendations for improvement.
- 13 To prepare the financial statement to form part of the annual report of the Board to stakeholders and for filing in accordance with requirements of the Companies Act, Charity Commission and Funding Agreement (including the AFH)

#### **Health & Safety**

- 14 To receive each term the relevant Principal's Health and Safety report and advise as necessary.

- 15 To monitor compliance with the Academies' Health & Safety policies and statutory obligations under the Health and Safety at Work Act 1974.

### **Asset Management**

- 16 To receive reports from the relevant Principal on the management of assets including premises and their security.
- 17 To confirm that an asset recording system is in place, including an inventory and fixed asset register for each Academy.

### **Property Management**

- 18 To determine the use of the Academies premises and grounds outside Academies sessions with regard to the lettings and charging policy.
- 19 To ensure that the Academies premises are inspected on an annual basis and that a planned and costed statement of priorities is prepared and reviewed.
- 20 To ensure the responsibilities of the Board under the Environmental Protection Act are met.
- 21 To advise the Board on environmental issues to ensure the Academies are acting as a responsible institution in its duty to conserve energy, materials and with regard to the local community.

### **General**

- 22 Reviewing or investigating any other matters referred to the Finance Committee by the Board.
- 23 Drawing any significant recommendations and matters of concern to the attention of the Trust Board.
- 24 Receive any complaint relating to, or appeal against, the funding of a particular academy within the Trust.

## TRUST PERFORMANCE, QUALITY AND STANDARDS

The quorum for the Board Committee is fixed at three Trustees.

The powers and functions delegated by the Board to Performance, Quality and Standards are as set out below.

1. The Committee will review and monitor the CEO's plans including:
  - 1.1. The relevant sections of the MAT Development Plan, namely:
    - 1.1.1. Raise standards of attainment across all academies
    - 1.1.2. Ensuring successful engagement with the communities served
    - 1.1.3. Removal of all differences in headline measure
    - 1.1.4. Intervention in academies where required
2. The Committee may review and monitor Trust-wide performance with reference to:
  - 2.1. Attainment, targets and value-added measures
  - 2.2. Student Voice
  - 2.3. Ofsted reports
  - 2.4. Quality Assurance Measures
  - 2.5. Self-Evaluation
  - 2.6. Students' attendance (including inclusions and exclusions) and punctuality
  - 2.7. The use of assessment information
  - 2.8. The use of the outcomes of lesson observations in development
3. The Committee will provide advice to the Board as appropriate, on:

- 3.1. Actions to meet any Ofsted concerns and recommendations
- 3.2. Measures to improve performance
- 3.3. Policies and procedures falling within the remit of the Committee
- 3.4. Preparing of Ofsted visits
4. Additional the Committee may:
  - 4.1. Liaise with the TF&GP Committee on aspects of performance reporting to the Board
  - 4.2. Provide feedback or advice to the CEO from the Committee
  - 4.3. Undertake any other matters relating to performance and quality management

## PAY, PERSONNEL AND PERFORMANCE

The quorum for the Board Committee is fixed at three Trustees.

The powers and functions delegated by the Board to Pay, Personnel and Performance Management are as set out below.

### **Pay**

1. To receive from the CEO Team recommendations for the adoption by the Trust Board of:
  - 1.1. an appraisal policy/performance management; and
  - 1.2. a pay policy for the Academies
2. To operate in accordance with the statutory appraisal regulations and the relevant Trust's adopted policy as follows:
  - 2.1. undertaking the appraisal of the CEO against the targets set together with the guidance in 'Setting Executive Salaries' from DfE;
  - 2.2. agreeing objectives and reviewing the CEO's performance against the targets set together with the guidance in 'Setting Executive Salaries' from DfE criteria;
  - 2.3. NOT USED;
  - 2.4. NOT USED;
  - 2.5. to determine whether the outcome of the CEO's appraisal meets the criteria for pay progression against the guidance in 'Setting Executive Salaries' from DfE;
  - 2.6. to support the CEO with the annual report to the Board on appraisal arrangements and outcomes for all other staff;

- 2.7. a panel selected from the Board to hear any appeal by a teacher against entries made within their appraisal statement.
3. To operate in accordance with the statutory appraisal regulations and the relevant Trust's adopted policy as follows:
  - 3.1. Reviewing and ratifying the appraisal of Principals conducted by LGBs and CEO as advisor;
  - 3.2. Reviewing and ratifying objectives and reviewing Principals' performance
  - 3.3. NOT USED;
  - 3.4. NOT USED;
  - 3.5. to determine whether the outcome of Principals' appraisal meets the criteria
  - 3.6. for pay progression as covered under the adopted pay policy; and
  - 3.7. the Chair of Governors and CEO will support the Principal with the annual report to the Board on appraisal arrangements and outcomes for all other staff.
4. To moderate pay decisions across the Academies.
5. A panel selected from the Committee to hear any appeal by a teacher employed at any Academy against the outcome of their threshold assessment application.
6. To determine annually, in accordance with the School Teachers' Pay and Conditions Document the Appraisal and Pay Policies adopted by the Academy and the Academy's salaries budget, the salaries of teaching staff.
7. To determine annually, in accordance with the adopted Pay Policy and any appropriate regulations and agreements and within the Academies salaries budget, the salaries and gradings of support staff.

8. To deal with any other matters relating to pay, appraisal and employment as may be referred by the Board.

### **Grievances**

9. To consider staff grievances where there is a referral under the grievance procedure adopted by the Board. A panel comprised of members of the Committee will consider the grievance and seek to resolve the matter following a process and hearing conducted in accordance with the adopted procedure.
10. To consider staff complaints of harassment where there is a referral to the Committee under the procedure adopted by the Board. The Committee will consider the complaint and seek to resolve the matter following a process and hearing conducted in accordance with the adopted policy.

### **Staff Discipline/Dismissals**

11. Under the disciplinary or capability procedures for the Principal adopted by the Trust Board, to consider formal action against the Principal and for a panel comprised of members of the Committee to make a determination as provided for under either procedure. The Committee will be responsible for the future review of any sanction short of dismissal as required under the relevant procedure.
12. Under the disciplinary or other relevant procedures (e.g. relating to capability, staff reductions or incapability due to ill-health) adopted by the Board, to make any determination that any member of staff employed at an Academy should be dismissed from their post. The Principal has delegated responsibility for recommending dismissal.
13. Before taking a decision on dismissal, to give the member of staff concerned an opportunity to make representations on the proposed action and to consider those representations at a formal meeting conducted in accordance with the relevant adopted procedure.

14. Where it is determined that a member of staff should be dismissed, to ensure that the member of staff is notified of the decision, the reason for it and that the member of staff has a right of appeal against the decision.

### **Staff Appeals**

15. Under the disciplinary procedure or capability procedure adopted by the Board, to consider any appeal against a sanction short of dismissal issued by the Principal or by the staff discipline/dismissal Committee to a member of staff employed at the Academy.
16. Under the disciplinary or other relevant procedures (e.g. relating to capability, redundancy or incapability due to ill health) adopted by the Board, to consider any appeal against a decision of the staff discipline/dismissal Committee to dismiss from their post a member of staff employed at the Academy.
17. To consider appeals under other procedures as may from time to time be delegated by the Trust Board, including appeals under the Academy's adopted Pay Policy.

### **Personnel**

18. To receive reports and make recommendations to the Board on all aspects of matters relating to staff at the Academies.
19. To advise on the strategic planning of human resources.
20. To monitor the communication and consultation of policies and processes to staff and review feedback.
21. To advise on the means of achieving active participation by staff in policy development.
22. To advise and recommend revisions to those policies which affect staff, including but not limited to those which relate to recruitment, retention, record-keeping, induction, training, allegations against staff, equalities, discipline and grievance, professional

conduct, professional development, charging and remissions, training, performance management, management of stress, trade unions, whistle-blowing and pay.

23. To ensure the legal requirements for NQT induction are complied with.
24. To hear, consider and make any initial decisions about matters relating to the discipline of staff or staff grievances in accordance with adopted procedures.
25. To carry out a review of the staffing establishment whenever there is a vacancy and at least once per year in relation to the staffing element of the Academy development plan.
26. To advise the Board on the appointment of the relevant Principal.
27. The Board delegate the appointment of supply staff and temporary staff appointed for one term, and non-teaching staff to the relevant Principal.
28. Non-teaching staff, appointed to support children with special needs, will be appointed in consultation with the Academy SENCO.

### **REMIT AND RESPONSIBILITIES OF THE LGBS**

Any role or responsibility not explicitly delegated to the LGB or the committees will remain with the Trustees.

The powers and functions delegated by the Board to the LGBs are set out in detail in the Trust's Scheme of Delegation as approved by the Board and in summary include the following:

- 1 To oversee the running of the academies in terms of learning, standards, safety and wellbeing.
- 2 To hold local academy leadership to account for academic performance, quality of care and provision.
- 3 To oversee and monitor the effectiveness of learning strategies.
- 4 To ensure that the Academy or Academies are conducted in accordance with the objects of the Trust, the terms of any trust governing the use of the land which is used for the purposes of an Academy, any agreement entered into with the Secretary of State for the funding of the Academy or Academies and these Terms of Reference.
- 5 To consider budget monitoring information and make recommendations to the Principal/Headteacher in relation to any potential overspending.
- 6 To act as a critical friend to the Principal/Headteacher (including but not limited to advice in relation to annual budget proposals).
- 7 To adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the Academy and are delegated to them in order to support the Board and its committees in relation to proper use of funds & delivering high quality educational provision.
- 8 To represent the views of the community (including but not limited to in discussions on budget issues that relate to community engagement and activity and make recommendations to the Principal/Headteacher).

- 9 To support the Principal or Principals in recruitment and selection, grievance, disciplinary and exclusion processes where appropriate.
- 10 To promptly implement and comply with any policies or procedures communicated to the LGB by the Board from time to time.
- 11 To support the Trust's senior management staff deal with parental complaints pursuant to the Trust policy on parental complaints.
- 12 To draw any significant recommendations and matters of concern to the attention of the Board.

A high-level summary of the key activities and functions to be undertaken throughout the year by the LGB is set out on the next page.

## LOCAL GOVERNANCE SCHEME OF DELEGATION AND COMMITTEE TERMS OF REFERENCE

West Lakes Academy, Thornhill primary school and Arlecdon primary school are part of West Lakes Multi-Academy Trust (**WLMAT**) (the **Trust**).

The board of trustees is accountable in law for all decisions about the Trust. Certain responsibilities are retained for the Trustee Board (the **Board**) whilst some decisions are delegated including to Local Governors' committees in accordance with the WLMAT Scheme of Delegation.

The governing Boards takes a strategic role, acting as a critical friend to West Lakes Academy, Thornhill primary school and Arlecdon primary school and are accountable for their decisions to the Board. They set aims and objectives and agree, monitor and review policies, targets and priorities.

Any role or responsibility not explicitly delegated to the LGB or the committees will remain with the Trustees.

The scheme of delegation defines which functions have been delegated and to whom. It is a simple and systematic way of ensuring Members, the Board, LGB committees, the Principal and leaders are clear about who has responsibility for making which decisions in the Trust. The governance scheme of delegation complements and sits alongside the scheme of delegation.

West Lakes Academy governing Board has a number of committees: Performance and Quality, Premises, Health & Safety, Student Behaviour and Welfare, Admissions Committee and Discipline Committee. Although Thornhill and Arlecdon primary schools do not have these committees they should have regard to these when fulfilling the requirements of those functions within their full governing Board.

Ad-hoc committees may also be established, as required, for short term projects. All Governors must undertake training relevant to the role which will include some statutory training. Where the number of available Governors for any ad-hoc committee (such as disciplinary or exclusion hearings) within any academy falls below the number required to be quorate, it is expected the other GBs will offer support by providing such Governors as to satisfy the requirements to be quorate.

## **ROLES AND RESPONSIBILITIES**

### **The role of the LGB members**

All Governors, other than the Principal, are governors only. The Members appoint the Board to ensure that the Trust's charitable object is carried out and so can remove Trustees and LGB Governors if they fail to fulfil this responsibility. The Board submits an annual report on the performance of the Trust. Members are also responsible for approving any amendments made to the Trust's articles of association.

### **The role of LGB Committees**

The Board have established committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the LGB and Trust Board. However these committees are not legally responsible or accountable for statutory functions - the Board retains overall accountability and responsibility. The responsibilities of board committees are set out in their own terms of reference. The Trust Board may appoint committee members and committee chairs.

### **The role of Principal**

The Principal has delegated responsibility for the operational management of the academy.

**THE TERMS OF REFERENCE FOR THE FULL GOVERNING BOARD**

1. To ensure the provision of the highest standard of educational provision
2. To agree constitutional matters\*, including procedures where the Governing Board has discretion
3. To recruit new staff and parent member(s) as vacancies arise
4. To hold at least three Full Local Governing Board meetings a year\*
5. To appoint or remove the Chair and Vice Chair subject to Paragraph 4 of MAT Committee Terms of Reference
6. To appoint or remove the Clerk to the Governing Board subject to Board approval
7. To appoint the Chair of any committee
8. To appoint or remove a Clerk to each committee
9. To suspend a governor when appropriate subject to Board approval
10. To delegate responsibilities for specific policies to appropriate committees\*
11. To receive reports from any individual or committee to whom a decision has been delegated and to consider whether any further action by the Local Governing Board is necessary\*
12. To monitor the progress of work being undertaken by committees and individuals
13. To review the delegation arrangements annually\*
14. Ensuring delegated funding is used for the purposes intended
  - a. Enable more detailed consideration to be given to the best means of fulfilling LGB responsibility to ensure sound management of the academy's delegated finances and resources, including proper planning, monitoring

and probity

- b. Consider the Academy's delegated funding, and to assess its implications for the Academy, in consultation with the Principal, in advance of the financial year, drawing any matters of significance or concern to the attention of the Board. The Academy has the right to appeal to the Board in respect of delegated GAG funding decisions.
- c. Monitor and review expenditure on a regular basis and ensure compliance with the overall financial plan for the Academy and with the financial regulations of the ESFA drawing any matters of concern to the attention of the Board
- d. Make appropriate comments and recommendations on such matters to the Trust Board on a regular basis
- e. Refer major issues to the Trust Board
- f. Investigate any activity and to seek any information it requires from staff, who are requested to co-operate with the LGB in the conduct of its inquiries. Requests for work, and reports received, from Responsible Officers will be channelled through the Principal, to whom the Responsible Officer reports and the Board will have sight of these
- g. Consider the Academy's staffing structure and make recommendations to the Board regarding any increase in staffing for comment on financial viability before recommending acceptance/non acceptance of any proposed salary increase other than National Pay Awards for teaching and non-teaching staff
- h. Contribute to the ADP
- i. Receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year, ensuring the compatibility of all such proposals with the development priorities set out in the Academy Development Plan

- j. Consider the Human Resource Manager's reports and recommendations in regard to performance management, pay awards, associated Teaching, Learning and Responsibility points as well as the performance of individual holders
- k. Recommending to the Trustees the pay range for the Principal and members of the Academy Leadership Group in accordance with the School Teacher's Pay and Conditions document (STPCD). On determining the appropriate pay range consideration should be given to the permanent responsibilities of the role(s), any challenges that are specific to the role and all other relevant considerations such as Academies' Financial Handbook
- l. The Principal has authorisation to spend up to £5,000 (with the normal associated procedures regarding tender process etc.), authorising of expenditure between £5,001 and £10,000 with the approval of the LGB.

15. Recommend appointment of the Principal to the CEO and Trustee Board\*

16. Appointment of a Business Manager (or similar) in conjunction with the CEO and Principal

\*These matters cannot be delegated to either a LGB committee or an individual

## PERFORMANCE AND QUALITY COMMITTEE TERMS OF REFERENCE

The committee will hold the academy staff to account for, report and make recommendations to the Governing Board on all matters relating to performance and quality as these relate to student progress, achievement and aspiration. The committee is accountable to the Board.

1. The Committee will review and monitor the Academy's plans including:
  - 1.1. The relevant sections of the Academy Development Plan, namely:
    - 1.1.1. Raise standards of attainment
    - 1.1.2. Ensure successful engagement with the community Removal of all differences in headline measure
    - 1.1.3. The Raising Attainment Plan (RAP) where required
    - 1.1.4. The Post 16 Action Plan
2. The Committee may review and monitor the Academy's performance with reference to:
  - 2.1. Attainment, targets and value-added measures
  - 2.2. Student Voice
  - 2.3. Ofsted reports
  - 2.4. Quality Assurance Measures
  - 2.5. Self-Evaluation (Form)
  - 2.6. Students' attendance (including inclusions and exclusions) and punctuality
  - 2.7. The use of assessment information
  - 2.8. The use of the outcomes of lesson observations in development
3. The Committee will provide advice to the Board and Governing Board as appropriate, on:
  - 3.1. Actions to meet any Ofsted concerns and recommendations
  - 3.2. Measures to improve performance
  - 3.3. Policies and procedures falling within the remit of the Committee
  - 3.4. Preparation for Ofsted visits

4. Additionally the Committee may:

4.1. Liaise with the LGB on aspects of staff performance reporting to the Board

4.2. Provide feedback or advice to the Academy from the Committee

4.3. Undertake any other matters relating to performance and quality management as either the Principal or Governing Board may request

5. Membership shall include:

5.1. A member of the Local Governing Board as Chair

5.2. The Vice Principal responsible for raising standards

5.3. Up to a further 8 members of the Governing Board

5.4. Other relevant members of the executive may be invited to meetings whenever relevant. These might include:

5.4.1. Members of the Academy Leadership Group with relevant responsibilities  
Representative(s) of the Academy Student Council

5.4.2. Headteacher of a feeder Primary School

6. Quorum

6.1. The quorum of the committee will be three Governors

7. Voting Rights

7.1. Only governors who are members of the committee may vote at committee meetings. Where necessary, the elected Chair of the committee may have a second or casting vote.

## **PREMISES, HEALTH AND SAFETY COMMITTEE TERMS OF REFERENCE**

The committee will hold the academy staff to account for, report and make recommendations to the Governing Board and the Board on all matters relating to premises, health and safety. The committee is accountable to the Board.

### 1. Membership

1.1. Governors, including Principal

1.2. Business Manager (or similar)

1.3. Facilities Manager

1.4. Responsible Officer - Health and Safety

1.5. Pupil Representatives - on invitation

1.6. Responsible Officer - Cyber Security (as and when required)

### 2. Quorum

2.1. The quorum is 3 members of the Governing Board.

### 3. Meetings

3.1. The committee shall meet as a minimum of 3 times per year and in addition undertake audit/inspections of the facilities.

3.2. The main purpose of the Committee is to lead in the management of resources employed at West Lakes Academy and undertake the functions delegated to it by the Governing Board. This will include the management of land, buildings and plant and monitoring all aspects of Health and Safety within the academy.

### 4. Responsibilities

- 4.1. To assist in the development and oversee implementation of Academy safety rules, risk assessments and safe systems of work. Checking compliance, investigating accidents and reviewing procedures.
- 4.2. Tendering arrangements for contracts related to premises.
- 4.3. Monitor and approve lettings.
- 4.4. Annual review of the Academy's Health and Safety Policy.
- 4.5. The examination of safety audit reports produced by the Academy's external Health and Safety advisors
- 4.6. The consideration of reports and factual information provided by Inspectors of the enforcing authorities appointed under the Health and Safety at Work etc. Act 1974.
- 4.7. The consideration of any reports, which the Health and Safety Co-ordinator or Safety Representatives may wish to submit.
- 4.8. To monitor the effectiveness of the safety content of employee induction and training.
- 4.9. To undertake audit/inspection reports.
- 4.10. To approve the annual Health and Safety Management Plan and oversee its implementation.
- 4.11. To receive reports on the buildings and grounds and review operations.
- 4.12. To have a strategic overview of the Academy facilities and development including plans for improvement, refurbishment and expansion.
- 4.13. Review and support funding applications including the Academies Condition Improvement Fund, SALIX energy efficiency and Department for Education capital expansion programme.

- 4.14. Monitor and evaluate all capital projects.
- 4.15. Undertake an Annual Review of all statutory checks including asbestos, legionella, and fixed wire as examples.
- 4.16. Review the safety of food standards.
- 4.17. Review the risk assessments for educational visits.
- 4.18. Review, endorse and monitor the Disaster Recovery Plan.

## 5. Accountability

- 5.1. The Committee will inform and update, the Board and Local Governing Board and recommend proposals for strategic development.
- 5.2. The minutes of the Committee meetings and copies of audit/inspection reports will be circulated to the Local Governing Board and the Board.

## 6. Voting Rights

- 6.1. Only governors who are members of the committee may vote at committee meetings. Where necessary, the elected Chair of the committee may have a second or casting vote.

## 7. Review period

- 7.1. The Committee membership and responsibilities will be reviewed annually

## **STUDENT PERSONAL DEVELOPMENT, BEHAVIOUR AND WELFARE COMMITTEE**

The committee will report and make recommendations to the Governing Board on all matters relating to student behaviour and welfare as these relate to student progress, achievement and aspiration.

The committee will review and monitor the Academy's plans including the relevant sections of the Academy Development Plan, namely, The Raising Attainment Plan (RAP) and The Post 16 Action Plan.

Students will not be named during the meetings.

1. The committee may review and monitor the Academy's performance with reference to:
  - 1.1. Pupil premium
  - 1.2. The Personal Development programme
  - 1.3. Admissions and student numbers
  - 1.4. Attendance rates
  - 1.5. The use of Alternative Education providers
  - 1.6. Formal exclusions
  - 1.7. Ofsted reports
  - 1.8. Quality Assurance Measures
  - 1.9. Self-Evaluation (Form)
  - 1.10. The use of assessment information

## 2. Quorum

2.1. The quorum is 3 members - one of which must be a member of the Governing Board.

## 3. Meetings

3.1. The committee shall meet as a minimum of 3 times per year and in addition undertake 3 audit/inspections. Other meetings may be scheduled as required.

3.2. The committee will provide advice to the Board and Local Governing Board as appropriate, on:

3.2.1. Management of student numbers

3.2.2. Attendance and exclusion information

3.2.3. Actions to meet any Ofsted concerns and recommendations

3.2.4. Policies and procedures falling within the remit of the Committee

3.3. Additional the committee may:

3.3.1. Provide members to sit on student discipline panels

3.3.2. Provide members to sit on Attendance panels

3.3.3. Provide members that will form the Admissions committee

3.3.4. Provide feedback or advice to the Academy from the committee

3.3.5. Undertake any other matters relating to student behaviour and welfare as either the Principal or Governing Board may request

## 4. Membership shall include:

4.1. A member of the Governing Board as Chair

4.2. The Vice Principal with responsibility for personal development and well-being

4.3. Up to a further three members of the Governing Board

4.4. Other relevant members of the executive may be invited to meetings whenever relevant. These might include:

4.4.1. The governor with responsibility for Safeguarding

4.4.2. Members of the Academy Leadership Group with relevant responsibilities

4.4.3. Representative(s) of the Academy Student Council

## 5. Voting rights

5.1. Only governors who are members of the committee may vote at committee meetings. Where necessary, the elected Chair of the committee may have a second or casting vote.

## 6. Accountability

6.1. The committee will keep the Board and Local Governing Board informed at all times about its activities.

6.2. The minutes of the committee meetings and copies of audit/inspection reports will be circulated to the Board and Local Governing Board

## ADMISSIONS COMMITTEE TERMS OF REFERENCE

### 1. Delegation

1.1. The Board has delegated to the Local Governing Board who have established an Admissions Committee to discharge the functions conferred on it by relevant Education Acts and Regulations in relation to the number of students to be admitted to the Academy and the area served by the Academy.

1.2. All decisions made by the LGB must be reported to the Board.

### 2. Membership

2.1. The Admissions Committee shall exist of not less than three Governors one of whom shall be the Principal. No member of the Committee can be an Associate Member of the Governing Board.

### 3. Quorum

3.1. The quorum of the Committee shall be three Governors. The Governing Board must nominate a Clerk to the Committee. Meetings must be clerked by any person nominated by the full Governing Board, except for the Principal.

### 4. Purpose

4.1. To be responsible for complying with the terms, conditions and timeline of the agreed Local Authority Scheme for Co-ordination of Admissions.

4.2. To be responsible for administering the Governing Board's Admissions Policy, including applying the admissions criteria where the Academy is over-subscribed with parental requests for admission.

4.3. To be responsible for preparing and presenting the Academy's case in response to any parental appeals against the refusal of admission to the Academy.

4.4. To be responsible for raising any issues that arise from the Academy's Admissions

Policy with the full governing Board, for their consideration.

## 5. Procedure

5.1. The Principal will have delegated responsibility to admit students from the Academy's priority admission area in accordance with the arrangements on admissions agreed by the Governing Board.

5.2. The Committee will annually review the Academy's Admission Policy, including the published admission number and the area served by the Academy

5.3. The Committee will consider any application for admission that the Principal cannot determine in accordance with the Academy's Admission Policy.

5.4. Where the Committee refuse a request from a parent for admission of their child the Committee will ensure that the parent is informed of their right of appeal against that decision and how that appeal may be made.

The Committee will have full regard to the School Admissions Code and comply with all of the mandatory provisions of the Code.

## 6. Meetings

6.1. Meetings will be held on an as and when needed basis.

6.2. Decisions will be reported to the Full Governing Board

## **GOVERNORS' DISCIPLINE COMMITTEE TERMS OF REFERENCE**

### 1. Introduction

1.1. The Governors' Committee which meets to review exclusions and consider reinstatement of an excluded student is known as the Governors' Discipline Committee and consists of at least 3 Governors.

1.2. All Governors must have the relevant exclusions training and, where appropriate, training on Independent Review Panels since September 2017.

### 2. Attendees

2.1. The Governors, one of whom will act as Chair of the Committee. The Committee must be quorate (there must be a minimum of 3 Governors).

2.2. A Clerk to take notes and can advise on procedure.

2.3. A Local Authority representative may attend for most exclusions of 16 days or more and all permanent exclusions.

2.4. The Principal (or whomever has the recorded delegated authority to exclude in the absence of the Principal) and/or Senior Member of Staff.

2.5. The Parents/Carers - who can invite a friend or advocate/adviser to the meeting to support them the parents/carers

2.6. The Child - unless they are very young or there are strong reasons against them attending. It is important the child is given every opportunity to have his/her say.

2.7. Witnesses may be called to give evidence but do not normally remain for the full meeting.

### 3. Purpose

- 3.1. To review exclusions made by the Academy and, in the case of permanent exclusion, consider reinstatement of the student.
- 3.2. If the exclusion is between six and fifteen days in a term, and the Parents request a meeting, then the Governors' Discipline Committee must meet within 50 school days.
- 3.3. The Governors' Discipline Committee must always meet to consider exclusions greater than fifteen school days in a term and all permanent exclusions.
- 3.4. The meeting must take place between the sixth and the fifteenth school day after the Governing Board has been notified of the exclusion.
- 3.5. The role of the Governors' Discipline Committee is to act as another 'set of eyes' to review the Principal's decision to exclude. Exclusions are very serious and the Governors will review whether the exclusion has been carried out correctly and takes account of the needs of the child. They are not a "rubber stamping" Board.
- 3.6. The Governors' Discipline Committee will review the Academy's Behaviour Policy on an annual basis in regard to statutory guidance for exclusion and best practice.

#### 4. Procedure

- 4.1. The Clerk to the Committee will write to the Parents confirming the date and time of the meeting and send the paperwork which will be considered at the meeting. The paperwork will include written representation if submitted. Other paperwork may include:
  - 4.1.1. Witness Statements and the child's version of events, if appropriate.
  - 4.1.2. A Behaviour Diary and Academic Reports.
  - 4.1.3. Information on the child's special educational needs.

- 4.1.4. If there is an Individual Educational Plan this will include the child's difficulties, the Academy's strategies, support and reviews and information on other services involved.
- 4.1.5. Any plan which may include the involvement of other agencies for students who have been, or are at risk of being, permanently excluded.
- 4.1.6. Attendance Records.
- 4.1.7. Any other relevant documentation.
- 4.2. The meeting will follow a clear agenda which gives everyone an opportunity to have their say. The agenda will be as follows:
  - 4.2.1. Principal's or nominated Representative's Presentation.
  - 4.2.2. Questions by the Parents and Governors.
  - 4.2.3. Parents' representation (a friend or representative and the child may also attend).
  - 4.2.4. Questions by the Principal and Governors.
  - 4.2.5. Local Authority's statement (for permanent exclusions).
  - 4.2.6. Summing up by the Academy.
  - 4.2.7. Summing up by the Parents.
  - 4.2.8. All parties will leave the Governors to discuss the information and make a decision. The Parents will be notified of the Governors' decision within two school days.
- 4.3. The Governors' Discipline Committee must consider on balance of probability:
  - 4.3.1. Whether the child did what he/she is alleged to have done and what

Behaviour Policies were not followed.

4.3.2. Whether the correct procedures were used.

4.3.3. The seriousness of the incident, and the appropriateness of the length of the sanction.

4.3.4. The likelihood of the incident being repeated if the child was allowed to return.

4.3.5. The fairness of the exclusion in relation to any other students involved in the same incident.

4.3.6. Any relevant previous misbehaviour.

4.3.7. The support provided by the Academy and for how long it was provided.

4.3.8. Any special educational needs and disabilities the child may have.

4.3.9. Any mitigating circumstances (e.g. bullied).

4.4. The Governors' Discipline's Committee decision will be to:

4.4.1. **Reinstate the child to the Academy** immediately or on an agreed date (This is officially called reinstatement); or

4.4.2. **Uphold** the exclusion if it agrees with the Principal's decision.

**STRUCTURE**

