

## The Leigh UTC Academy Board-Terms of Reference

### **1. Governance**

- 1.1 The Academy Board will be managed in accordance with the Articles of Association of the Leigh Academies Trust ('The Trust').
- 1.2 The Trust has a strategic role in the running and management of the Academy Board.
- 1.3 The establishment, terms of reference, membership, and any constitution will be reviewed by the Directors of the Trust.
- 1.4 The Trust may delegate to any Academy Board such of their powers or functions as they consider desirable to be exercised by them.
- 1.5 Any delegated decision in accordance with the Trust's Scheme of Delegation or other authority received directly from the Trust Board must be reported to the next full Trust Board meeting, but a decision taken under delegated powers is binding and immediately effective.
- 1.6 The Trust has approved a Scheme of Delegation defining the powers and functions that are reserved for the Trust Board and its Committees.

### **2. Membership**

- 2.1 The Academy Board will have no more than 13 members
- 2.2 The Academy Board will comprise:-
  - 2.2.1 2 members appointed by the Directors who will be the Chair and Vice-Chair of the Academy Board;
  - 2.2.2 The Principal of the Academy;
  - 2.2.3 1 Principal from one other Trust Academy appointed by the CEO;
  - 2.2.4 1 elected Staff Governor;
  - 2.2.5 At least 2 elected Parent Governors; and
  - 2.2.6 Other appointees determined by the Trust Board, ENSURING THAT the majority of members shall be representatives of the University<sup>1</sup> and Employer Sponsors<sup>2</sup>.
- 2.3 Members will serve for a term of 4 years from date of appointment and may be re-appointed by a majority vote of the Academy Board.

### **3. Meetings**

- 3.1 The Academy Board will meet at least 4 times per academic year, in advance of main Trust Board meetings, with additional meetings as required.
- 3.2 The Trust will supply a person to act as Clerk to the Governors for each meeting.
- 3.3 The appointed Chair will chair the meetings, but in his/her absence the Vice-Chair will perform this role.

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1 - University Sponsor means the University of Greenwich

2 - Employer Sponsors means Kenard Engineering Ltd, CSB Logistics Ltd, Eurostar International Ltd, Photon Energy Ltd, Lend Lease Corporation Ltd, and Christopher Burch trading as CE Burch Services.

#### **4. Quorum**

The quorum for meetings of the Academy Board is 3 external governors. Non-executive Trust Directors present at the meeting will also count in determining whether a quorum exists.

#### **5. Eligibility Criteria for being a Governor.**

Persons nominated for appointment or election must confirm that they;

- 5.1 are aged 18 or over at the date of election or appointment;
- 5.2 do not hold more than one governorship of the same school at any one time;
- 5.3 are not detained under the Mental Health Act 1983;
- 5.4 are not subject to a bankruptcy restriction order or an interim order, or have been issued with a sequestration of their estate and (in either case) have not been discharged and the bankruptcy order has not been annulled or rescinded;
- 5.5 are not subject to a disqualification order under the Company Directors' Disqualification Act 1986 or disqualification under Part 2 of the Companies (Northern Ireland) Order 1989 or a disqualification undertaking accepted under the Company Directors' Disqualification (Northern Ireland) Order 2002 or an order made under section 429(2)(b) of the Insolvency Act 1986;
- 5.6 have not been removed from the office of trustee for a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or to which they contributed or which they facilitated by their conduct; or have been removed, under the Charities and Trustee Investment (Scotland) Act 2005, from the management or control of any body;
- 5.7 are not included in the list kept under Section 1 of the Protection of Children Act 1999, or are subject to a direction of the Secretary of State under Section 142 of the Education Act 2002 (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);
- 5.8 are not disqualified from working with children under Sections 28 or 29A of the Criminal Justice and Court Services Act 2000;
- 5.9 are not disqualified from registration under Part 10A of the Children Act 1989 from child-minding or providing day care, or from registration under Part 3 of the Childcare Act 2006;
- 5.10 are not disqualified from being the proprietor of any independent school, or from being a teacher or other employee in any school;
- 5.11 have not, in the five years prior to becoming a governor, received a sentence of imprisonment, suspended or otherwise, for a period of not less than three months without the option of a fine;
- 5.12 have not, at any time, had passed on them a sentence of imprisonment for a period of not less than five years, or had passed on them a sentence of imprisonment for a period of not less than two and a half years in the preceding 20 years;
- 5.13 have not been convicted or fined, in the five years prior to becoming a governor, for causing a nuisance or disturbance on educational premises pursuant to Section 547 of the Education Act 1996.

#### **6. Responsibilities of the Academy Board include, but are not limited to, the following:**

- 6.1 To review the Academy's performance through the Raise Online and associated data profiles (do we need to mention other data sources?);
- 6.2 To set targets for, and monitor and review throughout the academic year, progress by the Academy, paying particular attention to ensuring that specific groups, such as pupil premium, looked-after children and special educational needs and disabilities (SEND), are making at least the same progress as all other students;

- 6.3 To **approve**, monitor and review the Academy Performance Agreement;
- 6.4 To receive and review reports from the Finance Manager, to monitor the finances of the Academy and to approve the Academy's budget annually;
- 6.5 To **actively promote and facilitate** the safety and welfare of all students and staff;
- 6.6 To receive reports from the Business Manager relating to the upkeep of the Academy site so as to ensure compliance with the Trust's Health and Safety Policy;
- 6.7 To ensure compliance with all safeguarding and SEND requirements;
- 6.8 To report to parents effectively by way of newsletter or through minutes or other parent forum;
- 6.9 To monitor the curriculum and the effectiveness of related strategies in delivering the best possible outcomes for all students;
- 6.10 To monitor the pay progression of staff as it relates to academic performance and the quality of teaching and learning;
- 6.11 To monitor the work and academic standards of individual Colleges within an Academy, where appropriate.

## **7. Powers Retained by the Trust Board**

- 7.1 To ensure compliance with the Trust's duties under Company Law, Charity Law and agreements made with the DfE, including the funding agreement(s) and any deed of gift;
- 7.2 To determine the educational character and mission of the Academy;
- 7.3 To ensure the solvency of the Academy, safeguarding its assets and delivering its charitable outcomes;
- 7.4 To appoint or dismiss the Principal;
- 7.5 To ensure the continued charitable status of the Company;
- 7.6 To set key strategic objectives and targets and review performance against these;
- 7.7 To approve Trust policies (including admissions) not delegated to the Academy Board or Resources or Academic Standards Committees;
- 7.8 To approve the annual estimates of income and expenditure for the Academy at the beginning of the academic year;
- 7.9 To approve the year-end accounts;
- 7.10 To set the Trust's reserves requirements from each Academy;
- 7.11 To enter into all contracts on behalf of the Trust;
- 7.12 To authorise expenditure or income in accordance with the Scheme of Delegation;
- 7.13 To comply with the requirements of the Education (Independent School Standards)(England) Regulations 2010, or such other regulations as may for the time being be applicable, in relation to carrying out enhanced checks through the Disclosure and Barring Service, as required.

## **8. Disclosure and Barring (DBS) Service**

The role of an Academy Governor is a 'regulated activity', meaning that any individual wishing to undertake this role must have a satisfactory DBS Certificate.