



WILMINGTON 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 12 members
- 2.2 The Academy Board will comprise of:-
 - 2.2.1 2 members appointed by the Directors who will be the Chair and Vice Chair of the Academy Board;
 - 2.2.2 One Principal of each 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 1 elected Parent Governor from each Academy governed by the Academy Board, and 2 in total;
 - 2.2.6 Other appointees determined by the Trust Board; and
 - 2.2.7 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 3 times per academic year, in advance of main Trust Board meetings, with additional meetings as required.
- 3.2 The Chair of the Trust, Chief Executive, Deputy CEO, Finance Director, Business Director of the Trust and Principals of any Academy Board are entitled to attend all Academy Board meetings.
- 3.3 Any Governor may be disqualified for failing to attend 3 consecutive Governing Body meetings.
- 3.4 The Trust will supply a person to act as Clerk to the Governors for each meeting.
- 3.5 The appointed Chair will chair the meetings, but in his/her absence it will be the Vice-Chair.

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 the following;

- 5.1 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 not detained under the Mental Health Act 1983;
- 5.4 not subject to bankruptcy restrictions order or an interim order or had a sequestration of my estate awarded and (in either case) not been discharged and the bankruptcy order has not been annulled or rescinded;
- 5.5 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 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 I was responsible or to which I was privy, or to which I contributed or which I facilitated by my conduct; or been removed, under Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body;
- 5.7 not included in the list kept under S1 Protection of Children Act 1999 or subject to a direction of the Secretary of State under S142 Education Act 2002 (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);
- 5.8 not disqualified from working with children under sections 28 or 29A of the Criminal Justice and Court Services Act 2000;
- 5.9 not disqualified from registration under Part 10A Children Act 1989 for child minding or providing day care or from registration under Part 3 of the Childcare act 2006
- 5.10 not disqualified from being the proprietor of any independent school or from being a teacher or other employee in any school;
- 5.11 not, in the five years prior to becoming a governor taking effect, 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 not, at any time, had passed on me a sentence of imprisonment for a period of not less than five years or had passed on me a sentence of imprisonment for a period of not less than two and a half years in the preceding 20 years;
- 5.13 not been convicted or fined, in the five years prior to becoming a governor, for causing a nuisance or disturbance on education premises pursuant to S. 547 Education Act 1996.

6. Responsibilities of the Academy Board includes, but is not limited to, the following:

- 6.1 To review the Academy's performance through the Raise Online and associated data profiles;
- 6.2 To set targets, and monitor and review throughout the academic year progress by the Academy. Pay particular attention to ensure specific groups, such as Pupil Premium, Looked After Children and SEND, are making at least the same progress as all other students;
- 6.3 To 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 annually approve the Academy's budget;
- 6.5 To ensure the safety and welfare of all students and staff;

- 6.6 To receive reports from the Business Manager related to the upkeep of the Academy site to ensure the compliance with the Trust's Health and Safety Policy;
- 6.7 To ensure compliance with all Safeguarding and SEN requirements;
- 6.8 To effectively report to parents by way of newsletter or through minutes or other Parent forum;
- 6.9 Monitor the curriculum and the effectiveness of related strategies to deliver the best possible outcomes for all students;
- 6.10 Monitor the pay progression of the staff as it relates to academic performance and the quality of teaching and learning;
- 6.11 To monitor the work and academic standards with individual Colleges within an Academy where appropriate.

7. Powers Retained by the Trust Board

- 7.1 Ensuring compliance with the Trust's duties under Company Law and Charity Law and agreements made with the DfE, including the Funding Agreement(s), and any Deed of Gift;
- 7.2 The determination of the educational character and mission of the Academy;
- 7.3 Ensuring the solvency of the Academy, safeguarding its assets and delivering its charitable outcomes;
- 7.4 The appointment or dismissal of the Principal(s);
- 7.5 Ensuring the continued charitable status of the Company;
- 7.6 Setting key strategic objectives and targets and reviewing performance against these;
- 7.7 The approval of Trust' policies (including admissions), not delegated to the Academy Board or Resources or Academic Standards Committees;
- 7.8 The approval of the annual estimates of income and expenditure for the Academy at the beginning of the academic year;
- 7.9 The approval of the year end accounts;
- 7.10 Setting the Trust's Reserves requirements from each Academy;
- 7.11 Entering into all contracts on behalf of the Trust;
- 7.12 Authorising expenditure or income in accordance with the Scheme of Delegation;
- 7.13 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 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.