

**These Terms of Reference were adopted in September 2020**

**Review Date: July 2021**

**1. Establishment of Local Education Committees (LEC)**

1.1 Weaver Trust is a company limited by guarantee. The Directors of the Trust (known as Trustees) are responsible for the leadership, management and administration of the Trust and the Schools within it. The powers of delegation set out in the Articles of Association enable the Trust Board to enact a Local Education Committee (LEC) for each school. The following Terms of Reference shall be reviewed by Trustees on an annual basis and should be considered alongside the Scheme of Delegation.

**2. Function of Local Education Committees**

2.1 Local Education Committees are expected to provide local context, challenge and support to the Headteacher and respective senior leaders, to ensure the best local offer is provided in each School for all pupils regardless of their ability.

2.2 The specific powers and roles delegated by the Trust Board to Local Education Committees are set out in the Trust Scheme of Delegation. The Trust Board reserves the right to de-delegate governance functions or specific elements of the Scheme of Delegation as required.

**3. Composition of LECs**

3.1 The LECs in all schools should have a minimum membership of the following;

- 1 Headteacher / Head of School (Ex Officio)
- 2 Parent Governors
- 1 Staff Governor
- 4 (but up to 6) Co-Opted Governors

3.2 The Trust Board also reserves the right to add or remove governors from LECs as required.

3.3 In order to be a representative on the LEC, all Governors will need to pass an enhanced DBS check.

**4. Appointment of Governors**

4.1 Parent Governors are to be elected by the parent body of the School. The LEC shall make all necessary arrangements for an election of parent members. It must take all reasonable steps to ensure that every qualified candidate is informed of the vacancy, validates their entitlement to stand as a candidate and their right to vote. It will put procedures in place for an election via secret ballot in the event of their being more candidates than the number of vacancies and will ensure that all those entitled to vote in said secret ballot have the opportunity to do so. Outcomes of the any election process will then be published within the school in the interests of openness and transparency.

4.2 The staff Governor is to be elected by the staff body of the School. The LEC shall invite nominations from all staff employed at the School under a Weaver Trust contract of employment. If more than one nomination is received, the LEC shall put procedures in place to have an election by way of a secret ballot. All staff employed

under a contract of employment at the school have the opportunity to vote. The Headteacher / Head of School holds ex-officio office on the LEC, aligned with their appointment to the role. They can elect not to remain as a voting member of the LEC, but would still be expected to attend meetings where they were presenting paperwork or at the request of the LEC Chair.

- 4.3 Where there is an Executive Headteacher in post, they will attend LEC meetings in an associate capacity.
- 4.4 Co-Opted Governors are nominated and appointed by the LEC; typically based upon the skills and experience each individual can bring to support the strategic leadership of the school.
- 4.5 The Clerk of each LEC must maintain an accurate and up to date list of all Governors, to be made available via the school website and upon request of any interested persons.
- 4.6 New Governors will follow an induction process arranged by the Chair of the LEC, supported by appropriate induction materials and mentoring opportunities from other Governors where this is considered necessary.
- 4.7 The LEC is considered non-compliant at any time that its membership falls below 7 members. Should this situation occur, the LEC may only function for the purpose of filling vacancies and the CEO will be informed by the Clerk.
- 4.8 Schools entering the Trust under a sponsorship agreement will have revised delegated authority and responsibility, which may include a Trustee being part of the LEC and/or the Trust directly appointing Co-Opted Governors. It is anticipated that this arrangement will remain in place until such time as the school next receives a Good or better OFSTED inspection grading.
- 4.9 A Governor may be removed from office by the Trustees where he/she becomes disqualified from acting as a Governor or where it is decided by the Trust Board that he/she is not acting in the best interests of the School, it's pupils or the Trust. Upholding the LEC Code of Conduct and NOLAN Principles of Public Life will be used when determining such matters.

## **5. Term of Office**

- 5.1 The standard term of office for all Governors will be two years. This term of office does not apply to the Headteacher / Head of School, who is expected to serve as an ex-officio Governor for as long as he/she remains in office.

## **6. Undertakings of Governors**

- 6.1 All Governors shall, upon commencement of their Term of Office, give undertaking to the Members and Trustees of the Trust to uphold the vision and values of the Trust, as well as acting in a fully compliant manner by observing the Code of Conduct and NOLAN Principles of Public Life.
- 6.2 Confidentiality must be maintained by each governor at all times including the ongoing commitment to maintain confidentiality after their term of office has been completed.
- 6.3 All Governors will provide the Trust annually with a written undertaking to observe the Code of Conduct for Governors.
- 6.4 The Trust Board expect all Governors to engage in any necessary training and development to support the function of their role.
- 6.5 LECs are predominantly protected from any personal liabilities as a result of their work; provided that decisions taken are in line with Trust approved policies and practice.

6.6 Individual Governors hold no individual decision-making authority – apart from in urgent circumstances, where the Chair of the LEC in conjunction with the Headteacher / Head of School may be required to make decisions that are time bound. The decision made and reason for urgency must be reported to the next scheduled full LEC meeting.

6.7 Outside of these defined circumstances – Governors may become liable for some personal liabilities.

## **7. Organisation of the LEC**

7.1 The Chair and Vice Chair of the LEC will be elected annually by the Governors at the first meeting in each academic year. The election procedure will be organised by the Clerk to the LEC who will receive written and/or verbal nominations; a Governor is able to nominate him or herself. If there is more than one candidate, nominees will be asked to leave the room, the remaining Governors will vote by secret ballot and the Clerk will tally the votes cast. In the event of a tied vote both names will be put into a hat and the Clerk will draw out one name who will then take up the appointment.

7.2 In the absence of the Chair at a meeting – the Vice Chair will assume the role for the purposes of this particular meeting. If neither the Chair or Vice Chair are present; a governor must be elected Chair at the beginning of the meeting for the duration of the meeting. Similarly, if the Clerk of the meeting cannot attend, an individual to take minutes must be elected at the beginning of the meeting with this decision itself being minuted.

7.3 The LEC will meet as often as is necessary to fulfil its responsibilities, but as a minimum, the LEC will meet at least six times throughout the course of the academic year – this may be adopted as four LEC meetings supplemented by committee meetings where appropriate.

## **8. Administration of Meetings**

8.1 The Clerk will liaise with the Chair on the LEC meeting agenda items and will then upload the meeting agenda and any papers for the meeting at least one week prior to the meeting of the LEC or any of its committees.

8.2 It is expected that all Governors will have read papers as long as they have been circulated at least a few days in advance. Where paperwork has not been received within the above outlined timescale, it is at the Chair's discretion whether the business is covered at the meeting.

8.3 All recommendations and decisions made at meetings will be recorded accurately in writing. The draft meeting minutes and Action Logs will be sent to the Headteacher / Head of School and Chair for initial approval, which will then be formally voted upon at the next meeting of the same body.

## **9. Quorum and Voting**

9.1 The quorum for any meeting of the LEC or its committees is 50% of those Governors of the LEC currently in office (rounded up to the nearest whole number) provided that there are no less than 3 governors at the meeting, 2 of whom are not Trust employees. Attendance quorum should be determined by the Chair at the start of each meeting. If quorum is not in attendance the meeting may still go ahead at the Chair's discretion but no proposals can be submitted and no decisions can be made.

9.2 Each Governor attending will have one equal vote. Where there is an equal split of votes, the Chair of the LEC will have the casting vote.

## **10. Attendance at Meetings**

- 10.1 The Trustees may, from time to time, request for the Chair of the LEC to attend any Trustees' meeting and present on areas pertinent to the LEC committee's responsibilities.
- 10.2 Any Trustee may attend any meeting of a LEC. The Chief Executive Officer and Chief Finance Officer hold the same privilege.
- 10.3 Any Governor may request the Chair of the LEC to invite persons who are not members of the LEC to attend its meetings. This would ordinarily not include any confidential business – unless agreed that the invitee needs to present in relation to such discussions, for example: HR specialists.
- 10.4 If a Governor does not attend and apologies are not accepted for three consistent meetings then the LEC can vote to formally remove the Governor from office. An opportunity for the Governor to explain their reasons for such non-attendance must be provided prior to the vote being held.

## **11. Delegated Matters to each LEC**

- 11.1 This is written aligned to the Trust Scheme of Delegation.
- 11.2 LECs are able to make recommendations to the Trust Board on the following;
- Revised Terms of Reference
  - Removal of the Chair of the LEC
  - MAT/School Performance Review (Triad Model)
  - Headteacher / Head of School Performance Review and Pay
  - Individual Performance Pay Awards
  - Change of School Age Range
  - Expansion or reduction of School PAN
  - Extension of School Provision
  - Admissions Policy

Local Education Committees are able to approve the following;

- Establish LEC Sub Committees
- Appoint a Chair and Vice Chair of each LEC
- Remove the Vice Chair of each LEC
- Appoint Members of the LEC
- Approve and monitor School Strategic Development Plan (aligned with MAT Strategic Plan)
- Approve and monitor the School's 1 Year Plan
- Headteacher / Head of School Appointment (alongside the Trust Chief Executive Officer)
- Senior Leadership Appointments at their school
- Approve the school staff structure and complement
- Restructuring of School Staff at their school
- Extended services on-site at their school
- School non-statutory policies for their school
- Permanent Exclusions of children at their school
- Return of children after school-term exclusion

- Local marketing plan focussed on demographics and projected pupil numbers
- School Prospectus for their school (as appropriate)
- School Website and content for their school
- School logo and branding for their school
- School uniform for their school

LECs are expected to monitor and report on the following;

- Progress on the implementation of the School Strategic Development Plan
- Employment and Staff related policies
- Pupil outcomes

LECs will be consulted upon the following;

- The removal of one or more members of the LECc
- The appointment and removal of the LEC Clerk
- Senior Leadership Appointments
- Suspension of the Headteacher
- Return of Headteacher after suspension
- Dismissal of the Headteacher
- Return of teaching and support staff after suspension
- School times, terms and holidays

In addition to the matters outlined above, the LECs and LEC members will:

- Appoint link governors for particular areas of school-specific focus and priority, including Safeguarding, Health and Safety and SEND
- Update on an annual basis (or at such time it becomes necessary) Declaration of Business and Pecuniary Interest Forms and verbally declare any interests at each meeting
- Ensure statutory compliance of the school website and content
- Undertake specific monitoring of dedicated funding streams e.g. Pupil Premium, Sports Funding and SEND Funding.
- Provide support and challenge to the Headteacher including SEF Judgements, school performance and outcomes, school organisation and the quality of education.