

Local Academy Board Handbook 2020-2021

Introduction

On transfer into the Birmingham Diocesan Multi-Academy Trust there will be a variety of governance models within our schools. For those schools who were previously stand-alone academies their previous model would have involved governors being directors of the company and directly responsible for the finances and provision within the schools. For those who were local authority, some of these responsibilities remained with the local authority.

On transfer into BDMAT the previous governing body is re-defined as a Local Academy Board to distinguish that a change has occurred; this is because, as with any MAT the ultimate responsibility now rests with the main board of directors – the current directors on the board can be located at <https://bdmatschools.com/staff-department/directors/>. Local academy boards are technically committees of the main board of directors, although no directors sit on LABs.

This handbook has been developed to support LAB chairs and clerks. If the answer to any query that you have isn't here then please contact Michele Fullwood (Head of School Support) at m.fullwood@bdmatschools.com

Further details about governance across our Trust can be located in our Governance Plan, which should be read in conjunction with this handbook; this can be located at <https://bdmatschools.com/documents/governance-plan-policy/>

The role of Local Academy Boards

LABs have a number of key roles in both a strategic and operational manner; some of these may be undertaken by the full board, others delegated to either a standing committee, a role specific group or an individual governor, all of which will report back to the full board. These roles include:

Vision and values

- For our church schools, ensuring that they preserve, develop and promote the Christian distinctiveness of the school, working closely with Church of England representatives;
- Monitoring the implementation of BDMAT's vision of 'life in its fullness for all', 'success for all' and 'positive well-being for all' and the Church of England's vision of education that allows for the development of wisdom, knowledge and skills; promotes dignity and respect; values community and living well together; and pupils having hope and aspiration;

- Monitoring the implementation of the school's own vision and aims, ensuring they are in sympathy with those of the BDMAT and in our Church of England schools the Church of England;
- Undertaking learning walks on a regular basis to ensure that the school's Christian ethos is being promoted (where appropriate),

Safeguarding and health and safety

- Ensuring that all procedures are followed to safeguard pupils when appointing staff and that records are maintained;
- Monitoring the school's safeguarding mechanisms, ensuring that they are meeting national and local requirements;
- Ensuring all Governors receive annual update training from a designated safeguarding leader at the school, including knowledge of PREVENT;
- Ensuring that the safeguarding governor receives more detailed training on a regular basis from the local safeguarding board;
- At least termly, analyse the school's data regarding number of pupils at risk and referrals made to Social Care for patterns and potential concerns;
- LABs should receive, discuss and challenge leaders annually on their section 175 audit return to the safeguarding board and the BDMAT safeguarding audit;
- Termly, evaluating the school's single central record, cross referencing it to a staff list to ensure all staff have received the relevant checks;
- Ensuring that the school has in place an Educational Visits Co-ordinator who is adequately trained and approve any educational visits that involve residentials, medium to high risks and all visits in the proximity of water. Where required request additional guidance from outside agencies;
- Undertaking termly site visits to identify potential health and safety risks;
- Ensuring that leaders have in place effective risk assessments for the school and out of school activities;
- Ensuring that the standards of catering and cleaning within the school meet the highest possible expectations through reviewing or commissioning reviews;

Risk management

- Monitoring the school's specific risks and evaluating progress towards the school risk register at each main LAB meeting;

Financial probity

- Ensuring that governors and school leaders comply with the latest version of the Academies Financial Handbook issued by the Department for Education;
- Receiving regular finance reports from the Central Team and use this information to guide discussions regarding the allocation of resources, and inputting to the development of the annual budget;
- Monitoring the spending of Pupil Premium and Sports Premium to ensure that both restricted funds are having an impact, and ensuring the school's website accurately reflects the position regarding these funds;

Staff appointments and staff management

- Appointing all staff (with the exception of the headteacher and deputy, which is in partnership with the CEO), and ensuring their performance is measured by school leaders and that staff are rewarded accordingly. Governors should follow the correct BDMAT procedures for these;
- Monitoring the school's staff sickness and absence policy – meeting with staff as required by the local policy;

School improvement

- Ensuring that the school improvement plan, once approved by the Central Team is implemented and has impact;
- Ensuring that statutory requirements are being made regarding the support offered to SEND pupils, that they are having impact and that the school's SEN statement on its website is accurate;
- Receiving regular reports from the headteacher regarding the quality of teaching, monitoring improvements and reporting any concerns that you have to the Central Team if you feel that the quality of teaching is not improving;
- Monitoring the school's curriculum statement on its website. Ensuring that it clearly identifies what children will learn and the skills they will develop and that it is guided by an 'intent' that aligns with the school's and BDMAT's visions and values;
- Set targets for pupil attendance for the whole school and vulnerable groups (SEND, pupil premium and other specific school vulnerable groups e.g. EAL) and

monitor progress toward these targets; monitor authorised and unauthorised pupil leave in term time;

Pupil admissions

- Acting as the admission body, on behalf of BDMAT;
- Annually review the school's over subscription criteria.

Dispute management and resolution

- Dealing with complaints, disciplinary and grievance issues at the school in line with policies;
- Where necessary, issuing banning notices to parents or warning letters where their conduct on the premises is not acceptable;

Pupil behaviour

- Administering exclusion panels to hear all permanent exclusions and where required, fixed term exclusions (in line with regulations);
- Undertaking learning walks on a regular basis to ensure that the conduct of pupils is good and that the school provides a suitable learning environment;

Relationship with the Central Team

- Reporting any significant concerns to the Central Team;
- Challenging the Central Team if the services / support being provided by the Central Team are not meeting the school's requirements;

Headteacher support and challenge

- Providing effective pastoral support for the headteacher – seeking additional assistance when it is felt that the headteacher requires this;
- Supporting the CEO / Chief School Effectiveness Officer in monitoring and assessing the performance of the headteacher (this will involve the chair of governors, CEO and an additional governor);

Governor training

- Ensuring that an effective training programme is in place for governors and that an annual skills audit of all governors is undertaken to identify future training and gaps in the LAB's skills set;

Stakeholder and community engagement

- Regularly consulting with pupils, parents and staff regarding the school;

- Act as a link between the school, BDMAT and the local community – ensuring that the school is playing an active role with its local community, including other schools;
- Ensure that there is an effective and mutually productive relationship between the school, the church and, where appropriate, other local faith organisations.

Policies

- Review and monitor school specific policies that are not covered by generic BDMAT policies including safeguarding, health and safety, performance management and subject specific policies.

Transferring from governing body to LAB governor

When schools transfer into BDMAT, governors will need to apply to continue being a LAB governor within a BDMAT school. This is a simple process and the form for this can be located in appendix 11.

Terms of office

Governors will normally serve four-year terms. On joining BDMAT any remaining terms of office will transfer with each governor into the LAB. For example, if a governor was appointed in Sept 2019 and the school joined BDMAT in Sept 2020 the governor would remain in post until Sept 2023. On transfer, governors will be asked to complete a transfer form, stating that they wish to transfer as a governor and agreeing to abide by BDMAT's code of practice (see appendix 1).

Governor conduct

Appendix 1 includes the code of practice for governors, including reference to the conduct that governors are expected to follow. It is a requirement of BDMAT that this is signed annually and that the clerk keeps a record on site of the signed copies (this can be completed via Governor Hub). Where there are issues with a governor's conduct these should be brought to the attention of the chair of governors; for issues related to the chair of governors these should be referred to the CEO. Following an investigation, the chair of governors in consultation with the CEO will decide if the governor has broken the code of conduct; they will then decide if the governor should be removed from post or issued with a warning / guidance note. If the complaint refers to the chair of governors, once the investigation has concluded the CEO will consult with the Chair of BDMAT regarding the next steps.

Role of governors

Each LAB should have the following on its board:

Chair (recommended annually by the LAB but the position is appointed by the board of directors, delegated to the CEO)

Vice Chair (selected annually by the LAB)

Special Educational Needs Governor

Safeguarding Governor

Pupil Premium Governor

Clerking

Each LAB requires a clerk to record its meetings and ensure that procedures are adhered to. A model job description and person specification for a clerk to governor can be located in appendix 2. In the absence of the clerk, neither the chair nor the headteacher should be asked to clerk the meeting.

Agendas for meetings should be sent out to all governors on the LAB / committee 7 clear days before the meeting using the BDMAT template (appendix 3). In order to ensure consistency across the Trust, some agenda items are set by the Central Team for each meeting – this allows for accurate and effective reporting on issues at the same time of year to our main board. LABs will supplement the agendas with their own local agenda items.

The minutes of the meeting should be recorded on appendix 4. Once the draft minutes have been approved by the chair of the board / committee, a set should be emailed directly to the Head of School Support at m.fullwood@bdmatschool.com

Frequency of meetings

Recently the majority of LABs within BDMAT have moved to having a full meeting each half term with no additional committees. If the LAB continues to have committee meetings then a full board meeting might only be required once per term. Governors should be mindful of the number of meetings that they hold outside of normal work hours and the additional pressure that this places on school leaders.

Timing of meetings

Ideally, governor meetings involving school staff should take place during school hours but BDMAT understands that this is often difficult for governors. Where meetings have to be held outside of normal work hours the following should be followed:

- Arrangements should be put in place by governors to ensure that the headteacher is not left alone at the end of the meeting to lock-up etc;

- The meetings should be no longer than 2 hours in duration.

Scheme of delegation / remits

LABs are required to follow the latest scheme of delegation which is available on the BDMAT website. The current scheme of delegation can also be located in appendix 5. This scheme of delegation acts as the 'remit' for the LAB. If LABs establish any additional committees they will need to develop a remit for that committee and seek approval from the full LAB board and the CEO.

Appointment of new governors

It is important that Local Academy Boards remain representative of the communities they serve, their Christian foundation (for our church schools) and in some cases their historical foundation. Therefore, schools should ensure that the following are represented on their LABs:

Christian faith representatives (for our church schools). For schools previously designated as Voluntary Aided (VA), 50% of your governors should be appointed to promote the Christian faith; for schools previously designated Voluntary Controlled, 25% of governors should represent the Christian faith. This does not necessarily mean that these governors attend Anglican churches, but they should be committed to promoting our Christian values and upholding the Anglican tradition in our schools. Such governors will need approval from the Diocesan Board of Education to be classed as a 'Christian faith' governor.

Foundation governors (for those schools with an historical foundation, other than the church) e.g. The Nethersole Trust and the Lady Katherine Leveson Foundation. This will normally be one governor to represent the foundation.

Parents (a minimum of 2 per school), elected by the parent body.

Staff (two members, both elected by staff, one to represent the teaching staff and the other to represent support staff). If the staff do not put forward representatives the headteacher can ask members of the SLT to represent the staff – if this does occur then all staff should be balloted to confirm that they are happy with this arrangement.

In addition, LABs may increase the number of governors, whilst ensuring that the Christian faith is still proportionately represented through appointments of the following:

Community governors – local academy boards may appoint additional governors that represent the community the school serves.

Co-opted governors – governors that bring a specific skill set to the LAB that is currently missing.

The headteacher and the incumbent (church schools only) will be *ex officio* governors; both can elect not to serve as governors on appointment or at any other point during their tenure by informing the chair of the LAB. Headteachers will still have a duty to report and attend governor meetings as required but within a non-governor capacity. The incumbent can delegate their role to another Church of England Parochial Church Council member, but the role will remain classed as '*ex officio*'.

As the local authority has no control over the school there is no requirement to have local authority governors on the board; chairs could request to the board of directors that previously designated LA governors remain on the board but as co-opted / community members but they would cease to represent the LA.

A *suggested* composition in a previously designated VA school:

Headteacher (ex officio)

Incumbent (ex officio)

2 parents

2 staff

6 Christian faith governors

Therefore 7 of 12 governors represent the Christian foundation (over 50%)

A *suggested* composition in a previously designated VC school:

Headteacher (ex officio)

Incumbent (ex officio)

2 parents

2 staff

2 Christian faith governors

1 community governor

1 co-opted governor

Therefore 3 of 10 represent the Christian faith (over 25%)

Extension of governors' terms of office

All governors serve four-year terms. At the end of the four-year term the body that appointed the governor (foundation, PCC, LAB or diocese etc) should be consulted by the chair of governors to discuss if they wish to re appoint the governor or select another governor to represent them. For staff and parent governors once the four-year term has concluded there should be an election for either their continued representation or replacement.

Appointment of governors

Prior to taking-up post, all new governors will need approval from the BDMAT Central Team and the Church of England, Birmingham. Appendix 6 contains the pro-forma for requesting approval from these bodies.

Appointment of chairs of local academy board

On the resignation of a chair of governors the CEO should be informed and be involved in the appointment of a new chair. Following resignation, the LAB board should meet to propose a new chair of governors to the LAB. The CEO will then act on behalf of the main board of directors to approve or reject the proposed nomination.

Resignation of governors

All resignations of governors should be brought to the attention of the LAB and CEO.

Governor complaints

If individual governors have complaints regarding any issue these would normally be dealt with in an informal manner by the chair of governors. If the governor feels that they cannot speak to the chair or they do not feel that the chair of governors dealt with their complaint sufficiently they should follow the Staff and LAB Governor Complaints Policy (see appendix 7); this policy should also be used when the Local Academy Board has a complaint against either a member of the Central Team or the BDMAT Board of Directors.

Policies

The high majority of policies that LABs require will be MAT wide policies developed by BDMAT (see appendix 8 for a list of current policies in place across BDMAT). There is no requirement for LABs to formally approve BDMAT policies. There are also likely to be a set of policies that transferred through TUPE that apply specifically to the school and other policies that relate to your school only e.g. safeguarding and health and safety. Where a policy is school specific, the LAB should have in place a timetable for reviewing these policies – normally on a three-year cycle with the exception of some key policies such as safeguarding and health and safety, which should be annual reviews. LAB governors should be aware that the writing and reviewing of policies is time consuming for staff and therefore governors should consider the necessity of any policies they are requesting.

Attendance at LAB meetings

The clerk to governors will keep a log of all attendance of governors at LAB meetings. It is important for the smooth running of schools that governors aim to attend all meetings where they are required. If a governor has not attended the last 6 months the chair may write to the CEO and request that the governor be removed; this decision will rest with the CEO, who will consult with the Deputy Director of Education, Church of England Birmingham for all Christian faith representatives or the Foundation for such governors.

Quorate rules

LABs should operate a quoracy of 1/3 of the governors on the LAB / committee (rounded-up to the nearest whole number) for the meeting to be classed as quorate. If the meeting is not quorate it can still take place to receive information but cannot act / vote on any matters. In circumstances where a decision is extremely urgent the chair can undertake a vote and then request a decision from absent governors.

Auditing skills

It is imperative that our local academy boards have a wide range of skills in order to effectively support and challenge our school leaders. We therefore expect that once a year an audit of skills will be completed. LABs should use the National Governors Association model, which can be located at appendix 9.

Executive Governing Bodies

When a school is designated as a BDMAT Priority school the CEO will decide if issues regarding leadership mean that the local academy board is suspended and replaced with an Executive Governing Body (EGB). When an EGB is in place it will normally be chaired by a member of the BDMAT executive team. Some or all of the governors on the local academy board are also likely to be asked to be members of the EGB. The EGB will undertake all of the duties of the LAB. The CEO will determine when the LAB should be reinstated.

Constitutions

Unlike with a governing body for a stand-alone academy or a maintained school there is no requirement to have a constitution or articles for the LAB, as these documents refer to the main board of BDMAT only. Each clerk should keep a record of all governors' terms of office and the body that they represent (appendix 10 should be used to record this and a copy should be sent to the Head of School Support following any revisions).

Governor safeguarding checks

It is a requirement that on appointment the following checks are undertaken on all governors, these should then be recorded on the school's Single Central Record:

- Evidence of identity
- DBS clearance
- Section 128 clearance

In addition, the LAB chair and headteacher should informally meet with any prospective governors (including parents and staff) to:

- Outline how the LAB operates
- Ensure that the prospective candidate is happy to support the BDMAT Code of Conduct
- Ensure the prospective candidate will support the Christian ethos of the school and the Trust
- Ensure that their motivations for being a governor are good and that there are no safeguarding concerns
- That they meet the national requirements for being a governor

Support for governors

At times being a governor can be challenging and emotional; you are dealing with the lives of both staff and pupils and have to juggle the fine line of supporting and challenging whilst being there as a pastoral support for the headteacher. If governors need support they should initially contact the Chair of Governors; Chairs of Governors should consult with the CEO for their own support. All governors have access to the BDMAT Health Assured scheme – the Head of School Support can provide governors with details regarding this.

List of appendices

Appendix 1 – BDMAT governor code of conduct – *on Governor Hub*

Appendix 2 – Clerk to governor's model job description and person specification – *on Governor Hub*

Appendix 3 – BDMAT standardised agenda format – *on Governor Hub*

Appendix 4 – BDMAT standardised minute format – *on Governor Hub*

Appendix 5 – Current scheme of delegation [Scheme-of-Delegation-November-2020-FINAL.pdf \(bdmatschools.com\)](#)

Appendix 6 – Approval form for new governor appointment – *on Governor Hub*

Appendix 7 – Local Academy Board and Governors Complaints policy [Complaints-Procedure-2020-2023.pdf \(bdmatschools.com\)](#)

Appendix 8 – Policy status – *on Governor Hub*

<https://app.governorhub.com/document/5fc7d0b262b7d01ed04eda2f/view>

Appendix 9 – NGA Governor skills audit [Governing Board Self-Review | Skills audit and skills matrix - National Governance Association \(nga.org.uk\)](#)

Appendix 10 – Governing body composition record – *on Governor Hub*

Appendix 11 – Transferring from a governing body governor to a LAB governor – *on Governor Hub*