

SOUTH WEST ESSEX COMMUNITY EDUCATION TRUST (SWECET)

LOCAL SCHOOL ADVISORY BOARD (LSAB)

TERMS OF REFERENCE

1. POWERS OF THE BOARD OF TRUSTEES

- 1.1. The Trustees of the Trust Board shall establish the LSAB as a committee of the Trust as set out in the Trust's Articles of Association (Article 100). The LSAB reflects the committee's status as an advisory board to the Trustees.
- 1.2. The Trustees shall determine and approve the LSAB Terms of Reference and shall review the Terms before the start of each academic year (Article 104).
- 1.3. The Trustees shall determine and approve the delegation of powers, responsibilities and duties to the LSAB and shall review this Scheme of Delegation before the start of each academic year (Article 105).
- 1.4. The Trust Scheme of Delegation shall be shared with all LSAB members.

2. POWERS OF THE LSAB

- 2.1. The LSAB members shall exercise the powers, responsibilities and duties delegated by the Trust Board as set out in the Terms of Reference and Scheme of Delegation, and in particular;
- 2.2. The LSAB members shall comply with the SWECET Code of Practice in its entirety;
- 2.3. Members will promote the reputation and impact in the local community;
- 2.4. LSAB members will provide customer feedback and support school policy development;
- 2.5. Act as a critical friend and sounding board;
- 2.6. Support the headteacher in developing and securing the school's own ethos, in line with the vision and ethos of the Trust;
- 2.7. Gather parental views around areas for improvement
- 2.8. Members, where required, are expected to support school HR disciplinary panels and student disciplinary and exclusion panels and appeals if necessary. These are Trust-wide responsibilities and provides greater independence;
- 2.9. Provide feedback to board about key local issues.

3. COMPOSITION, APPOINTMENT OF THE LSAB AND TERMINATION OF APPOINTMENTS

- 3.1. The Trustee shall review the size and structure of the LSAB regularly to ensure it is fit for purpose. As such, all LSAB members should be able to contribute effectively;
- 3.2. The composition of the LSAB shall be as follows;
 - 3.2.1. at least two (2) Parents appointed by the Trustees,
 - 3.2.2. others, appointed by the Trustees, from the parent body or local community as long as the total in 3.2.1 and 3.2.2 does not exceed six (6)'. These are people who in the opinion of the Trustees have the skills required to contribute to the effectiveness of the LSAB.
 - 3.2.3. the Academy Headteacher
- 3.3. General Information on Appointments and Termination of Appointments:
 - 3.3.1. No person shall be qualified to serve on the LSAB unless he is aged 18 or over at the date of his election or appointment.
 - 3.3.2. A person serving on the LSAB shall cease to hold office if he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.

- 3.3.3. A person serving on the LSAB shall cease to hold office if he is absent without the permission of the Chair from two consecutive meetings of the LSAB held and the Chair resolves that his office be vacated.
- 3.3.4. A person shall be disqualified from serving on the LSAB if:
- 3.3.4.1. his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
 - 3.3.4.2. he is the subject of a bankruptcy restrictions order or an interim order.
- 3.3.5. A person shall be disqualified from serving on the LSAB at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 3.3.6. A person serving on the LSAB shall cease to hold office if he would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 3.3.7. A person shall be disqualified from serving on the LSAB if he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.
- 3.3.8. A person shall be disqualified from serving on the LSAB if he has not provided to the Chair a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the chairman or the Chief Executive Officer confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- 3.3.9. A person shall be disqualified from serving on the LSAB if he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if it contained in such a direction.
- 3.3.10. A person shall be disqualified from serving on the LSAB where he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 3.3.11. An individual shall cease to be a LSAB member if he is removed by a resolution of the Trustees.

4. TERM OF OFFICE AND RESPONSIBILITIES OF LSAB MEMBERS

- 4.1. The Term of Office for all LSAB Members is one (1) year unless otherwise specified. The exception is the Academy Headteacher which is an ex officio post. The term of office must be specified at the time of appointment.
- 4.2. LSAB members may be re-appointed if desired and agreed by the Trust Board.
- 4.3. On appointment LSAB members are each required to familiarise themselves and to agree to comply with these Terms,

5. MEETINGS OF THE LSAB

- 5.1. The LSAB shall meet at least once per term and in particular;
- 5.1.1. The LSAB shall meet at the appropriate times set out in the Trust Business Calendar,

- 5.1.2. The LSAB members will receive notice of each meeting 7 clear days before the date of the meeting,
- 5.1.3. Any agenda, papers and minutes of LSAB meetings will sent to the CEO and COO when they are issued to LSAB members,
- 5.1.4. Notes will be taken by the LSAB and shared with Trustees, via the CEO & COO, and are expected to be published once Trustees have met to consider them.

5.2. Quorum for a meeting of the LSAB will be one half (1/2) of the membership.

6. THE LSAB CHAIR

6.1. The Chair of the LSAB shall be the academy headteacher. Should he/she not be available, he/she may delegate this to his/her deputy.

7. LSAB WORKING GROUPS

7.1. The LSAB may establish Working Groups as it sees fit to fulfil its powers, responsibilities and duties.

7.2. The LSAB will be able to invite non-LSAB members, subject to the approval of the Chair.

7.3. The LSAB will set out Working Group Terms of Reference and membership to be agreed and reviewed when required.

8. APPOINTMENT OF ACADEMY HEADTEACHER

8.1. The Trust Board shall set up an appointment panel with Trustees, including the CEO and invite a representative from the LSAB to contribute during the process as required.

8.2. Appointments shall be made under the powers set out in the Trust's Scheme of Delegation.

9. APPOINTMENT OF A CLERK

9.1. No clerk is required and notes will be taken by the Chair.

10. LSAB MEMBERS' EXPENSES

10.1. Payment of expenses to LSAB members is set out in the Trust's Academy Financial Handbook.