



The Circle Trust Document: **Terms of Reference for St Crispin's School Local Advisory Board**

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1.0	28.6.2021		New Document	First release
1.1				
1.2				
1.3				

1. Preliminary

- 1.1. An essential core value held by The Circle Trust (the Trust) is the belief that schools should be run by, and their improvement driven by, their staff led by their Leadership Team and Local Advisory Board (LAB).
- 1.2. As a result, the Trust Board delegates via the Scheme of Delegation ([here](#)) many of its powers and functions with regard to the leadership and performance of each school in the Trust to the school's LAB and Headteacher.
- 1.3. In fact, a LAB is a committee of the Trust Board.

2. Membership

- 2.1. The LAB will be made up of not less than 8 and no more than 14 Local Advisors of which 2 must be elected Parent Local Advisors, 1 an elected Staff Local Advisor and the remaining Local Advisors co-opted.
- 2.2. Having first consulted the Trustees and taken account of their advice (if any) in accordance with the Trust's Scheme of Delegation, the LAB will appoint co-opted Local Advisors as it considers from time to time necessary or appropriate provided that:
 - 2.2.1. the total number of co-opted Local Advisors who are eligible to be elected as Staff Local Advisors under the Trust's Local Advisor election arrangements when counted with the Staff Local Advisor must not exceed one third of the total number of serving Local Advisors; and
 - 2.2.2. the total number of co-opted Local Advisors who are eligible to be elected as Parent Local Advisors under the Trust's Local Advisor election arrangements when counted with the Parent Local Advisors must not exceed one half of the total number of serving Local Advisors.
- 2.3. The LAB may choose to co-opt the Headteacher if they are willing to act as a Local Advisor. Any such appointment is dependent on their holding this post and will automatically end should they cease to be Headteacher.
- 2.4. The term of office for any Local Advisor will run for four years from the date of appointment or election.
- 2.5. The position of Chair and Vice Chair of the LAB will be agreed by the LAB annually at its first meeting of the academic year. Should a vacancy in the position of LAB Chair or LAB Vice Chair occur during the year, the LAB will as soon as practical elect one of their number to fill the vacancy. The LAB may, if it so determines appropriate, agree to remove the Chair or Vice Chair of the LAB. In accordance with the Trust's Scheme of Delegation, the LAB must first consult with the Trust Board on the appointment and removal of the LAB Chair.
- 2.6. In the absence of the LAB Chair or the LAB Vice Chair at a meeting, the LAB shall choose one of the Local Advisors present to chair that meeting.

- 2.7. A person who is eligible to be elected as a Staff Local Advisor may not serve as Chair of the LAB or chair any LAB meeting.
- 2.8. The Chair of the LAB may invite others to attend and contribute to meetings of the LAB, but they will have no voting rights at the meeting.

3. Clerk to Local Advisory Board

- 3.1. The LAB will appoint a Clerk to the LAB, such appointment to be ratified by the Trust Board (ratification not to be unreasonably withheld) in accordance with the Scheme of Delegation.
- 3.2. The LAB may remove from post a Clerk, having first consulted with the Executive Headteacher and then following the direction of the Executive Headteacher and any professional advisers to the Trust.

4. Quorum

- 4.1. The quorum for LAB meetings and votes will be any 3 Local Advisors or, where greater, any one third (rounded up to the nearest whole number) of the total number of Local Advisors serving at the date of the meeting, in either case present and entitled to vote.
- 4.2. Advisors must be present to vote and may not appoint a proxy or alternate to vote for them.
- 4.3. Advisors may participate in meetings by telephone, video conference or an online platform and will be counted in the quorum and as present if they are able to hear and be heard.

5. Voting and interests

- 5.1. Any decisions taken must be determined by a majority of votes of Local Advisors present and entitled to vote on the matter under consideration.
- 5.2. Each Local Advisor will have one vote unless there is an equal division of votes, in which event the Chair of the meeting shall have a second and therefore the casting vote.
- 5.3. At the beginning of each meeting, the Chair is required to ask if there are any declarations of interest. If any interest is declared, the meeting will determine how the interest will be dealt with before any further business is conducted. This shall include but is not limited to the Local Advisor concerned absenting themselves from the discussions and not taking part in the decision or vote on the specific agenda item. Each declaration of interest and how it is dealt with will be formally recorded in the meeting minutes.
- 5.4. A written resolution signed by all the Local Advisors entitled to receive notice of a meeting of the LAB shall be valid and effective as if it had been passed at a meeting and may consist of several documents in the same form, each signed by one or more Local Advisors.

6. Frequency of Meetings

- 6.1. The LAB will meet at least 3 times each academic year at appropriate times and otherwise as the LAB may determine to discharge its duties effectively.

7. Notice of meetings

- 7.1. Meetings will be called by the Clerk to the LAB at the request of:
 - 7.1.1. the LAB Chair, or
 - 7.1.2. if there is a vacancy in the position of Chair, the LAB Vice Chair, or
 - 7.1.3. 4 or more Local Advisors, or
 - 7.1.4. the Headteacher or Chair of Trustees if either may consider a meeting necessary.
- 7.2. Notice of each meeting confirming the venue, date and time of the meeting, together with an agenda of items to be considered and the supporting papers, will be sent to each Local Advisor and any other person required to attend at least 7 clear days before the meeting (or, if any supporting paper is not then available, as soon as possible in advance of the meeting).
- 7.3. If, however, the LAB Chair or, in the absence of the LAB Chair or where there is a vacancy in this post, the LAB Vice Chair, or the Chair of Trustees determines there are matters demanding urgent consideration it will be sufficient if written notice of a meeting, the agenda and any supporting papers are given within such shorter period as the LAB Chair, LAB Vice Chair or the Chair of Trustees as the case may be directs.
- 7.4. At the same time as being sent to Local Advisors, the notice, agenda and supporting papers (with the exception of confidential Part 2 items) will be published on SharePoint.
- 7.5. Generally, agendas will be agreed by the Chair of the LAB (or person(s) requesting the meeting) with the Headteacher although new items of business may be introduced at the meeting if the Local Advisors agree.

8. Minutes of meetings

- 8.1. The Clerk to Local Advisors will minute the proceedings and decisions of all LAB meetings, including the recording of the names of those present and in attendance and all interests declared and how those interests were dealt with.
- 8.2. In the absence of the Clerk, the Advisors present will nominate a person (other than the Headteacher or any other member of the Senior Leadership Team) to act as Clerk at that meeting.

- 8.3. Draft minutes will be prepared and agreed by the Chair and Clerk to the meeting and distributed to Local Advisors at the latest two weeks after the meeting. At the same time, the agreed meeting minutes will be published on SharePoint together with any papers considered by the meeting and not previously published, with the exception of Part 2 confidential minutes and papers.
- 8.4. Part 2 minutes and papers will be confidential to the LAB and made available to Trustees promptly but only on request from the Chair of Trustees or Company Secretary.

9. Functions and responsibilities

- 9.1. The functions and responsibilities of the LAB in relation to each School in the Trust will at all times be determined and guided by the Trust's Scheme of Delegation [\[insert hyperlink\]](#)
- 9.2. The core responsibilities of the LAB are:
 - 9.2.1. ensuring clarity of vision, ethos and strategic direction of the School;
 - 9.2.2. holding the Headteacher to account for the educational performance of the School and its pupils, and the effective and efficient performance management of staff; and
 - 9.2.3. overseeing the financial performance of the School and making sure its money is well spent.
- 9.3. In discharging these responsibilities, the LAB will:
 - 9.3.1. collaborate with the School to nurture the distinctive vision, ethos and culture of the School in alignment with the Trust vision and values;
 - 9.3.2. work with the School in identifying its priorities and strategies prompted by the vision of the School and the Trust, ensuring the priorities and strategies are reflected in the School Improvement Plan and hold the School to account for the implementation and impact of that plan;
 - 9.3.3. when requested by Trustees, review, consult on and contribute to the Trust's Trust Improvement Plan;
 - 9.3.4. foster and facilitate links with parents, carers and the local community to inspire confidence in the School and a sense of ownership and encourage and facilitate the School's involvement with the community;
 - 9.3.5. have due regard to views expressed by the School's stakeholders in reaching decisions, and establish mechanisms to enable parents and carers to put forward their views and to then share how those views have influenced decisions;
 - 9.3.6. monitor the School's targets and achievements;
 - 9.3.7. authorise, taking into account the priorities of the School Improvement Plan:

- i. for submission to the Chief Operating Officer (by 1 June) for input into the Trust annual budget plan, the annual school budget which has been recommended by the Resources Committee;
 - ii. for submission to the Chief Operating Officer by the first school day in the second half of Autumn term, the annual school capital programme which has been recommended by the Resources Committee;
- 9.3.8. ensure the School observes and adheres to the Trust’s financial management standards;
- 9.3.9. evaluate and recommend the School’s Pupil Admission Number and admissions arrangements for approval by the Trust Board within the timescales prescribed by the Department for Education;
- 9.3.10. oversee implementation by the School of all Circle Trust policies and procedures and discharge the specific responsibilities allocated by such policies to the LAB and Local Advisors at the School. In particular, but without limitation, the LAB will:
 - i. with the Executive Headteacher and Trustees, be principally involved in the appointment of a new Headteacher of the School including all stages of recruitment, shortlisting and interviewing;
 - ii. establish a Performance and Pay Committee (or similar committee), made up of 3 Local Advisors (one of whom should be the LAB Chair), to participate with the Executive Headteacher in the review of the Headteacher’s performance and to determine the performance related pay recommendation for the Headteacher;
 - iii. evaluate and prioritise risks affecting the School in conjunction with the Headteacher, have oversight of the Headteacher’s management of such risks and the School’s Register of Risks and, as and when requested, collaborate with the Trust Board and the Executive Headteacher in maintaining and evaluating the Trust’s Register of Risks;
 - iv. receive a termly health and safety report and investigate any major health and safety incident or issue affecting the School;
 - v. be satisfied that data handling and protection is actively managed with the appropriate controls in place and working effectively in the School;
- 9.3.11. ensure the Trust’s latest Adapt and Adopt policies are promptly adapted for the School and adopted by the LAB;
- 9.3.12. approve the Trust’s Equalities Policy once adapted by the Headteacher for the School;
- 9.3.13. oversee the approval and maintenance of such policies as may be delegated by the LAB to any Committee it establishes;

- 9.3.14. establish and delegate its functions and responsibilities to Committees of the LAB, groups and individuals (including the Headteacher) as the LAB may consider appropriate for its optimal effectiveness, any such delegation (including its terms, remit and any written Committee Terms of Reference) to be in accordance with governance procedures and policies of the Trust and ratified by the Trust Board, if and as required by the Scheme of Delegation, and monitored, reviewed and agreed annually (or otherwise as the LAB may consider necessary or appropriate);
- 9.3.15. receive reports from those Committees, groups and individuals to which it has delegated any of its functions or responsibilities at least 7 clear days before each meeting of the full LAB and consider at the meeting whether any further actions are necessary or appropriate;
- 9.3.16. provide a named Local Advisor for each of the following specific areas within the School:
- i. Safeguarding
 - ii. SEND and the ASD unit, if any
 - iii. Pupil Premium
 - iv. Looked After Children
 - v. Health and Safety
 - vi. Careers' Advice and Guidance (in a secondary school only)
 - vii. Local Advisor Professional Development
 - viii. Such other areas as may be agreed by the LAB with the Headteacher or requested by the Trust Board from time to time;
- 9.3.17. establish and operate if and as required:
- i. a Local Advisor Discipline Committee, made up of any three or more Local Advisors, in accordance with the School's Behaviour Policy;
 - ii. a Complaints Panel, made up of two Local Advisors and a suitable Independent Person identified by the Trust, in accordance with the School's Complaints Policy; and
 - iii. a Staff Disciplinary Panel, made up of three Local Advisors, in accordance with The Circle Trust's Staff Disciplinary Policy.
- 9.3.18. adopt and adhere to (i) The Circle Trust code of conduct for Local Advisors and (ii) arrangements for the election of Parent and Staff Local Advisors to the LAB which in each case have been approved or ratified by the Trust Board in accordance with the Scheme of Delegation;
- 9.3.19. as agreed with the School, run an "In school day" for Advisors at least once each academic year to facilitate and enhance across all Advisors levels of understanding of how the School operates as well as provide an opportunity for staff and pupils to understand better the role and workings of the LAB;
- 9.3.20. engage in relevant training and coaching that will support highly effective governance;

9.3.21. act on all matters delegated to it or which may occasionally be requested of it by the Trust Board or one of its Committees;

9.3.22. work and liaise as necessary with the Trust Board, ensuring the interaction between the LAB and the Trust Board is reviewed regularly, and challenge when the LAB considers it warranted to do so the strategic decisions taken or proposed to be taken by the Trust Board.

9.4. At all times, the LAB and Local Advisors will act in such a way so as to ensure the LAB and its Committees are compliant, and the way the school is led and managed is consistent, with the Trust's Articles of Association, Scheme of Delegation, Financial Scheme of Delegation, the Trust's and the School's Funding Agreements with the Secretary of State, the policies and procedures agreed by the Trust and all relevant legislation and regulations.

9.5. The LAB must take account of the advice given to them by the Trustees, the Executive Headteacher and the Trust's executive officers and legal, financial and personnel advisers, and must abide by any rules or conditions that the Trust Board may place upon them.

9.6. The LAB has no responsibility for and will not be involved in the day to day running of the School.

10. Reporting obligations

10.1. The LAB will keep the Trust Board informed of progress made by the School with regard to strategic priorities and overall school performance.

10.2. After each meeting of the full LAB or a Committee of the LAB, the LAB will report to the Trust Board on the nature and content of the discussions, recommendations and actions to be taken. Ordinarily, the report will take the form of the meeting minutes and supporting papers and be made available to Trustees on SharePoint as provided in sections 7.4 and 8.3 and supplemented with a high level termly written report from the LAB Chair to the Trust Board. Actions, recommendations or information the LAB wishes the Trust Board to consider or note will be highlighted in red font in the meeting minutes.

10.3. The LAB is responsible for making whatever recommendations to Trustees it considers appropriate on any area within its remit where action or improvement is needed or identified and to challenge Trustees' strategic decisions. Adequate time should be made available for discussion by the Trustees when necessary.

10.4. The LAB will ensure that all statutory and Trust requirements for reporting and publishing information are met and the School website content is fully compliant and presented in an accessible way.

11. Local Advisory Board review

- 11.1. The LAB will ensure a periodic evaluation of the LAB's own performance is carried out.
- 11.2. At least annually in the Spring term, the LAB will review the constitution and Terms of Reference of the LAB and any Committees it has established to ensure they are operating at optimal effectiveness and recommend any changes it may consider necessary or otherwise appropriate to the Trust Board for consideration.
- 11.3. Any changes to these Terms of Reference must be approved by the Trust Board.
- 11.4. The LAB will evaluate and keep under periodic review and as appropriate the size and composition (including the skills, knowledge, experience and diversity) of the LAB and ensure plans are in place and implemented for recruitment and orderly succession to the LAB and the position of Chair.

12. Disqualification and removal of Local Advisors

- 12.1. A person shall be ineligible for appointment to a LAB, and if already appointed, shall immediately and automatically cease to be a member if that person:
 - 12.1.1. is or becomes disqualified from holding office under the Trust's Articles of Association;
 - 12.1.2. is or becomes disqualified from holding office as a governor of maintained school;
 - 12.1.3. is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people;
 - 12.1.4. is barred from any regulated activity relating to children;
 - 12.1.5. is or becomes bankrupt or makes any arrangement or composition with their creditors generally or their estate has been sequestered and the sequestration has not been discharged, annulled or reduced;
 - 12.1.6. is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974);
 - 12.1.7. has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a Local Advisor;
 - 12.1.8. refuses to an application being made to the Disclosure and Barring Services (DBS) for a criminal records check;

- 12.1.9. is absent without the permission of the LAB from all their meetings held with a period of six months or commits a serious breach of the Trust's code of conduct or any protocol implemented by the Board of Trustees and the LAB resolves that their office be vacated;
 - 12.1.10. resigns their office by notice in writing to the Chair of the LAB;
 - 12.1.11. in the case of a Headteacher, ceases to be Headteacher;
 - 12.1.12. their term of office expires and they are not reappointed.
- 12.2. The Trustees shall have the right (at their discretion) to remove or suspend any Local Advisor by written notice to the Chair of Local Advisor if the Advisor commits a serious breach of the Trust's code of conduct or any protocol implemented by the Trust Board.