



Scheme of Delegation

made between

The Diocese of Chelmsford

Vine Schools Trust

and

Local Governing Body of

Colne Engaine

Church of England Primary School

Our Vision and Values



Scheme of Delegation

This Scheme of Delegation is between the Diocese of Chelmsford Vine Schools Trust (Trust) and the Local Governing Body (LGB) of Colne Engaine Church of England Primary School, an academy within the Trust, in accordance with the Constitution of the LGB (wherein this Scheme of Delegation is referred to as “the Scheme”).

Subject to the requirements of the Trust set out in this Scheme the Trust delegates to the LGB its responsibility and powers as the Governing Body of the Academy which shall be discharged by the LGB in accordance with its Constitution and Terms of Reference, the Policies of the Trust and advice published from time to time by the Department for Education and OFSTED.

Responsibilities and powers delegated to the LGB may be further delegated to a Committee or to the Headteacher of the Academy. It should be remembered that although decisions may be delegated, the LGB together with the Trust as a whole remains responsible for any decision made under delegation.

All policies referred to in this Scheme of Delegation means the current policy by that title as published at www.vineschoolstrust.org

Members of the LGB agree to:

- o Attend such training as is reasonably required by the Trust in order to update and improve the knowledge and skills available within the LGB to fulfil its role in respect of the Academy and as part of the Academy Trust operated by the Trust;
- o Provide the information required by the Trust in the form indicated in this Scheme and not to withhold any information which the Trust reasonably requires;
- o Refer certain decisions to the Trust for approval as set out in this Scheme, and not to act, or to omit any act, in reliance on such a decision prior to obtaining such approval;
- o To delegate local governors to attend meetings of a Leadership Board made up of Trust Directors, the Senior Leadership Team of the Academy and Academy Improvement Advisors, and to assist the Senior Leadership Team in the implementation of the Academy Improvement Plan in accordance with decisions made by that Leadership Board.

Membership of a Local Governing Body (LGB)

Governor	Number	Term	Appointment Process
Trust Appointed	3	4 years	By Vine Trust Board - the Board will take into account any representations made by the Local Governing Body
Headteacher	1	N/A	Ex-officio
Staff	1	4 years	Appointed from the staff body
Parent	2	4 years	Appointed from the parent body
Incumbent	1	N/A	Ex-officio
PCC	1	4 years	Appointed by the PCC
Chair of LGB	From above	2 years	Appointed by the Vine Trust Board
Vice Chair of LGB	From above	1 year	Election within the LGB

Trust Board members may also attend Local Governing Body meetings as full members.

2019 Amendments:

- 0.3
- 1.11
- 2.2(a)
- 2.23
- 2.25
- 2.26
- 2.27
- 5.1
- 6.3
- 7.2
- 8.1
- 12.4
- 15.1

General Duties - Decision Level Matrix

KEY

Level 1: Vine Trust Board (VTB)

Level 2: Vine Trust Board, in consultation with Local Governing Body

Level 3: CEO of the Trust

Level 4: Local Governing Body

Level 5: Chair of Local Governing Body (CLGB) in consultation with Trust CEO

Level 6: Headteacher

Although decisions may be delegated to the Local Governing Body or Headteacher, the Trust Board as a whole remains responsible for any decision made under delegation and may overrule the Local Governing Body or Headteacher where appropriate

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
Academy Improvement	0.1	Appoint an academy improvement consultant							Frequency of visits will be dependent on the effectiveness of the academy and be in line with the Academy Improvement Policy
	0.2	Develop and monitor an academy improvement plan				✓		✓	With AIL and AIC and with regard to the Trust Strategic Plan
	0.3	Ensuring the academy provides at least a 'good' level of education to all pupils.						✓	'good' refers to the VTB RAG rating
	0.4	Ensuring at least 'good' academic progress and standards.						✓	

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
1. Budget	1.1	To recommend the first formal budget plan in each financial year to the VTB				✓			LGB to send final formal budget to the VTB for approval.
	1.2	To approve the first formal budget plan in each financial year and prepare the annual Budget Forecast Return	✓		✓				CEO to sign and submit to the EFA
	1.3	To approve interim/revised budget plans				✓			Notify the VTB through the CEO
	1.4	To monitor monthly income and expenditure against budget plans				✓		✓	In conjunction with COO
	1.5	To establish a charging and remissions policy				✓			Use model VTB policy. Report to VTB on effectiveness of this policy
	1.6	To enter into contracts	✓			✓			As per Finance Manual and Trust Finance Policy
	1.7	To make payments				✓			As per Finance Manual and Trust Finance Policy
	1.8	Miscellaneous financial decisions				✓			As per Finance Manual and Trust Finance Policy
	1.9	Capital Programmes	✓			✓			LGB in consultation with the Diocese Schools Officer and VTB
	1.10	Income generation				✓			Income generated belongs to the LGB of the individual academy / s as appropriate
	1.11	Investments	✓						Where appropriate the VTB will make investments in accordance with the investment management policy.

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
2. Staffing	2.1	Headteacher appointments (selection panel)	✓		✓				CEO and VTB to involve and consult with LGB
	2.2	Deputy appointments (selection panel)				✓		✓	Consult with CEO. VTB to be represented on the selection panel
	2.2(a)	All matters regarding the employment of an Academy Business Manager		✓	✓			✓	COO, supported by the LGB and HT to carry out all employment matters including performance management.
	2.3	All matters regarding the employment of school based teaching and all support staff				✓	✓	✓	Consultation with LGB for teaching appointments CLGB to consult with CEO and inform LGB and VTB over suspensions
	2.4	All matters regarding the employment of central Trust staff (shared services and central administration)	✓		✓				
	2.5	All matters regarding the employment of staff shared between individual academies.				✓	✓	✓	HTs and LGBs to consult the CEO and COO before any appointments.
	2.6	Agree a pay policy for all staff	✓						
	2.7	Implement pay policy				✓		✓	Headteacher in consultation with CLGB has day to day conduct of pay policy. Consultation with CEO, LGB and VTB as required.
	2.8	Receive annual recommendation on Headteacher salary	✓	✓	✓				Committee of VTB to give final approval
	2.9	Receive annual recommendations on salary (other staff)				✓			VTB / CEO input as required
	2.10	Decisions/appeals arising out of pay policies	✓	✓		✓			A further committee of the VTB to be established to hear any Headteacher appeals and a committee of the LGB to be established to hear any other staff appeals.
	2.11	Undertake Headteachers performance review	✓	✓	✓				VTB / CEO in consultation with LGB and advice from independent advisor. Committee of the VTB to hear recommendation and appeal
	2.12	This is blank							
	2.13	Establish staff disciplinary and capability procedure	✓						
	2.14	Dismissal of Headteacher	✓						VTB in consultation with LGB and with advice from the CEO
	2.15	Dismissal of other school based staff				✓		✓	Committee of LGB with appeals committee. Consult the CEO.
	2.16	Suspension (and ending suspension) of Headteacher			✓				CEO to consult with LGB and VTB
	2.17	Determining staff complement in each school				✓		✓	LGB on recommendation of the HT
	2.18	Determining staff complement – central Trust services	✓		✓				VTB on recommendation of the CEO
	2.19	Determining complement of any staff shared between academies			✓	✓	✓	✓	HTs and LGBs to consult the CEO and COO before any appointments.
	2.20	Determining dismissal payments/ early retirement (school based staff)		✓					VTB HR policy
	2.21	Determining dismissal payments/early retirement (Trust central staff)	✓		✓				VTB HR policy
	2.22	Formal meetings for school based staff re discipline, sickness absence and capability, grievance, special leave of absence, staffing adjustment						✓	Ensure CLGB is kept informed
	2.23	Headteacher has a grievance	✓	✓	✓				Follow the VTB Grievance Policy
	2.24	Formal meetings for central shared service staff re discipline, sickness absence, capability, grievance adjustment				✓			CEO to appoint independent panel
	2.25	Formal warnings			✓			✓	Headteacher for school staff; CEO for central staff.(Except where dismissal involves the Headteacher in which case CLGB and VTB - Disciplinary Policy)
	2.26	Receive concerns from whistle blowers and determine whether a whistle blowing investigation is appropriate	✓		✓	✓	✓	✓	VTB Whistle Blowing Policy
	2.27	This is blank							
	2.28	Determine application from employee for special leave for revision				✓		✓	Line Manager as appropriate. LGB to review applications from time to time
	2.29	Staffing adjustment decision to consult -school staff; consider response				✓			
2.30	Staffing adjustment decision to consult – central staff; consider response	✓							

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
	2.31	Staffing adjustment decisions following consultation – school staff						✓	Consult with the CLGB and LGB as necessary
	2.32	Staffing adjustment decisions following consultation – central staff			✓				Consult with the VTB as necessary

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
3. Curriculum	3.1	Ensuring national curriculum taught to all students and to consider any disapplication	✓			✓		✓	Curriculum review annually to LGB who report to the VTB
	3.2	Establish a curriculum policy and curriculum policies				✓		✓	
	3.3	Implement curriculum policy and curriculum policies						✓	
	3.4	Monitor implementation of curriculum policy and curriculum policies				✓			
	3.5	Implement action to maintain teaching standards						✓	
	3.6	Monitor action to maintain teaching standards				✓			
	3.7	Determination of which subject options are to be taught, given the available resources						✓	
	3.8	Responsibility for each child's education						✓	
	3.9	Determine sex education policy for each school	✓			✓		✓	Headteacher and LGB within guidelines set out by the VTB
	3.10	Monitor implementation of sex education policy				✓			
	3.11	To monitor for any political indoctrination				✓		✓	

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
4. Performance Management (Appraisal)	4.1	Determine a performance management policy	✓						
	4.2	Implement performance management policy			✓	✓		✓	
	4.3	Annual review of performance management policy		✓					Annual report to VTB on PM from LGB
	4.4	Performance management of Headteacher	✓	✓					CEO with LGB representative
	4.5	This is blank							
	4.6	Performance management of all other school staff				✓		✓	Headteacher with annual report to the LGB
	4.7	Performance management of Vine Central staff	✓	✓					COO and CEO as appropriate
	4.8	Performance management of shared staff						✓	Agreed between Headteachers with CEO / COO advice as necessary

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
5. Target Setting	5.1	To set and publish targets for student achievement						✓	Report to the LGB who collate and report to the VTB. Update data every term / half term as directed by the CEO.

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
6. Discipline and Exclusions	6.1	To establish a behaviour and discipline policy	✓			✓		✓	VTB model policy to be reviewed and customised by each academy
	6.2	To review the level of exclusions in each school				✓		✓	Termly monitoring with report to LGB and VTB
	6.3	To review any permanent exclusions and fixed term exclusions where the student is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination	✓			✓			LGB to review and to report all permanent exclusions to the VTB
	6.4	To direct reinstatement of excluded students				✓			LGB to consult CEO and VTB as necessary
7. Admissions	7.1	To consult annually before setting an admissions policy				✓		✓	HT to report to the LGB

	7.2	To consult before amending the admissions policy	✓			✓			LGB to propose the admissions policy to the VTB for approval. Follow the Vine admissions policy. LGB to consult with the DBE
	7.3	To establish an admissions policy	✓			✓	✓		VTB model policy to be reviewed and customised by each academy
	7.4	Admissions: application decisions				✓	✓		Committee of the LGB
	7.5	Admissions; appeals				✓	✓		Appeals to be dealt with by independent panel (purchase from ECC). HT to present academy case; LGB to be kept advised

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
9. Religious Education	8.1	To establish a Religious Education policy	✓			✓		✓	Establish a syllabus that is in sympathy with the aims, vision and values of the Diocese of Chelmsford to be implemented by each academy with a religious character. Locally agreed syllabus to be implemented by all academies without a religious character.
	8.2	Responsibility for ensuring provision of RE in line with the agreed syllabus				✓		✓	Report annually to LGB
8. Collective Worship	8.3	To establish a Collective Worship policy	✓			✓		✓	VTB model policy to be reviewed and customised by each academy
	8.4	Arrangements for collective worship				✓		✓	Report annually to LGB

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
9. Premises and Insurance	9.1	Buildings insurance and personal liability	✓						
	9.2	Developing school buildings strategy or master plan and contributing as required to Trust Asset Management Planning arrangements		✓					
	9.3	Procuring and maintaining buildings including developing a properly funded maintenance plan		✓					
	9.4	Determine health and safety policy	✓						
	9.5	Monitor implementation of H&S policy	✓			✓			LGB and H&S lead
	9.6	Ensure H&S regulations are followed						✓	

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
10. School Organisation	10.1	Setting times of school sessions, term dates and holidays				✓		✓	Including and requirement from the VTB for joint training days.
	10.2	To ensure school meets for 380 sessions in the school year						✓	
	10.3	To ensure the school meals where provided are nutritious and value for money				✓		✓	

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
11. Information for Parents	11.1	Prepare and publish school prospectus						✓	
	11.2	To ensure the provision of FSM to qualifying pupils						✓	
	11.3	Adopt home-school agreements						✓	

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
12. Local Governing	12.1	Determine terms of reference and any amendments				✓			Within the Scheme of Delegation set by the VTB
	12.2	Appoint / remove CLGB	✓						

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
Body procedures	12.3	Appoint / remove other LGB members	✓						Following recommendations from the LGB
	12.4	Appoint / dismiss local clerk to LGB				✓			LGB to appoint their own Clerk to the LGB
	12.5	Convene at least six LGB meetings in any year				✓			CLGB
	12.6	Establish and maintain Trust register of business interests for LGB				✓			Clerk to maintain and liaise with Company Secretary / COO
	12.7	To approve and set up an Expenses Policy	✓						
	12.8	To monitor provision for disadvantaged pupils, including those receiving pupil premium and those on the SEND register				✓			Annual report to LGB from HT
	12.9	To consider whether or not to exercise delegation of functions to individuals or committees				✓			
	12.10	To regulate the LGB procedures (where not set out in law)	✓						
	12.11	Establish LGB code of conduct	✓						
	12.12	Establish complaints policy	✓						
	12.13	Implement the complaints policy				✓			
	12.14	Monitor implementation of complaints policy			✓	✓			
	12.15	Establish FOI request policy	✓						
	12.16	Implement FOI policy where relevant			✓	✓		✓	
12.17	Monitor implementation of FOI request policy	✓							

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
13. Equalities Act	13.1	Establish single Equality Act policy	✓						
	13.2	Implement single equality act policy (and objectives) at Trust level via equality action plan	✓		✓				
	13.3	Implement single equality act policy at school level via academy equality action plan				✓		✓	
	13.4	Monitor implementation of equality act policy at Trust and local level	✓			✓			

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
14. Data Protection	14.1	Establish data protection policy	✓						
	14.2	Implement data protection policy in each academy						✓	
	14.3	Monitor implementation of data protection policy in each academy				✓			

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
15. Safeguarding	15.1	Establish a safeguarding policy	✓			✓		✓	VTB model policy to be reviewed and customised by each academy. LGB to receive and approve the policy.
	15.2	Implement safeguarding policy and procedures				✓		✓	
	15.3	Monitor implementation of safeguarding policy				✓			Termly monitoring plus annual report to LGB. Report to VTB as necessary
	15.4	Refer allegations of abuse against staff to LADO						✓	HT to inform LGB safeguarding Lead and VTB Safeguarding Lead

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
16. IT	16.1	Establish acceptable use policy	✓						Within Code of Conduct Policy

	16.2	Implement acceptable use policy			✓					
	16.3	Monitor implementation of acceptable use policy	✓							

Key function	Ref	Tasks	1	2	3	4	5	6	Comment
17.Social Media	17.1	Establish a social media policy for all Vine Academies	✓						
	17.2	Implement social media policy			✓			✓	
	17.3	Monitor implementation of social media policy	✓			✓			

Constitution and Terms of Reference

THIS CONSTITUTION (which in this document is referred to as the "**Constitution**") is made by the Diocese of Chelmsford Vine Schools Trust, a company limited by guarantee and registered in England and Wales under company number 8709542 (the "Trust") **and sets out the terms upon which the Local Governing Body of each Church of England Academy ("the LGB") is constituted and describes its terms of reference.**

This Constitution should be read in conjunction with the Scheme of Delegation made from time to time between the Trust and the LGB ("the Scheme")

1. DEFINITIONS AND INTERPRETATION

1.1 In this Constitution:

"Academy" has the meaning ascribed to it in clause 2.1;

"Academies Financial Handbook" means the DfE's financial handbook for Academies in force from time to time;

"Academy Financial Year" has the meaning ascribed to it in the Master Funding Agreement;

"Articles" means the Articles of Association of the Trust;

"DBE" means the Diocesan Board of Education for the diocese within which the Academy is situated;

"Directors" means the directors of the Trust;

"Effective Date" means the date given on the front page of this Constitution;

"Incumbent" means the incumbent of the benefice of [to be completed]

"LGB" means the Local Governing Body of the Academy constituted by clause 4.4 of this Scheme and pursuant to Articles 100 - 104;

"Master Funding Agreement" means the Master Funding Agreement entered into by the Trust and the Secretary of State on XXXX

"Headteacher" means the Headteacher or Executive Headteacher of the Academy;

"Relevant Funding Agreement" means the Supplemental Funding Agreement entered into by the Trust and the Secretary of State in respect of the Academy Colne Engaine Church of England Primary School

"Secretary of State" means the Secretary of State for Education and his/her successors

"Trustees" means as defined in the Articles

1.2 Except as expressly provided in this Constitution, words and expressions not defined in this Scheme shall have the same meaning accorded to them in the Articles and the Relevant Funding Agreement entered into by the Trust.

1.3 Reference in this Constitution to clauses, paragraphs and annexes shall, unless otherwise stated, be to clauses, paragraphs and annexes of this Constitution.

1.4 In the event of conflict between any provision of this Constitution and the Articles, the Articles shall prevail.

2. INTRODUCTION

2.1 As a charity and company limited by guarantee, the Trust is governed by a board of Directors who are responsible for, and oversee, the management and administration of the Trust and the academies run by the Trust.

2.2 The Directors are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) for the management of the Trust and quality of the education provided by the Trust and they are required to have systems in place through which they can assure themselves of quality, safety, financial propriety and good practice. As the Academy is a Church of England academy, designated as such, the Directors are also accountable to the DBE under the provisions of the Diocesan Boards of Education Measure 1991, and to the Trustees to ensure that the Academy is conducted as a Church of England school.

2.3 In order to discharge these responsibilities, the Trust may appoint people with appropriate skills and knowledge to serve on the LGB which has been established to assist with the good governance of the Academy in accordance with clause 4.4 of this Constitution and Articles 100 - 104. 2.4 This Constitution and the Scheme explain the ways in which the Trust fulfils its responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Trust and the members of the LGB and the commitments to each other to ensure the success of the Academy.

2.5 This Constitution has been put in place by the Trust from the Effective Date in accordance with the provisions of the Trust's Articles and it should be read in conjunction with those Articles as well as with:

(i) the Trust's strategic plans and policies for its Academies;

(ii) the Scheme; and

(iii) any directions given or rules and regulations set by the Trust Directors.

2.6 References in this Constitution to numbered Articles shall be to the relevant provision of the Articles.

3. ETHOS AND MISSION STATEMENT

3.1 The LGB will implement and uphold the Ethos and Mission Statement of the Trust

4. TRUST POWERS AND RESPONSIBILITIES

4.1 The Directors of the Trust have overall responsibility and ultimate decision making authority for all the work of the Trust. This is both exercised through strategic planning and the setting of policy and is managed through business planning, monitoring of budgets, performance review, the setting of standards and the implementation of quality management processes. The Directors have the power to direct change where required.

4.2 The Directors of the Trust have a duty:

4.2.1 to comply with any lawful directions issued to the Trust;

4.2.2 to act in the fulfilment of the Trust's objects, Ethos and Mission Statement; and

4.2.3 to have regard to the advice of the DBE generally and in particular in respect of upholding the Trust's objects.

4.3 Directors of the Trust will have regard to the interests of the other academies for which the Trust is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.

4.4 Article 101 provides for the appointment by the Trust of committees to whom the Trust may delegate certain of the functions of its Directors. In further recognition of the Trust's power to delegate under Articles 102 and 105, and the responsibility for the running of the Academy from the Effective Date will be delegated to the committee established by this Constitution and in accordance with the Scheme and which Committee shall be known as the Local Governing Body (LGB) of the Academy.

4.5 The constitution, membership and proceedings of the LGB are determined by the Trust and this Constitution expresses such matters as well as acknowledging any authority delegated to the LGB by the Scheme in order to enable the LGB to assist with the running of the Academy and fulfil the Academy's mission.

5. CONSTITUTION OF THE LGB

5.1 Members of the LGB

5.1.1 The number of people who shall sit on the LGB shall be not less than three but, unless otherwise determined by the Trust, shall not be subject to any maximum.

5.1.2 The LGB shall have the following members:

5.1.2.1 A minimum of 5 members, appointed under clause 5.2.1;

5.1.2.2 1 staff member, appointed under clause 5.2.3;

5.1.2.3 2 parent members elected or appointed under clause 5.2.6;

5.1.2.4 the Headteacher; and

5.1.2.5 any additional members, if appointed by the Trust at the request of the Secretary of State pursuant to clause 102(c) of the Master Funding Agreement.

5.1.3 The LGB may also have co-opted members appointed under clause 5.3.

5.1.4 The Directors of the Trust (all or any of them) shall also be entitled to serve on the LGB and attend any meetings of the LGB. Any Director attending a meeting of the LGB shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGB.

5.1.5 By accepting appointment or election to the LGB each Member gives an undertaking, written to the Trust to uphold its object, Ethos and Mission Statement Trust.

5.2 Appointment of members of the LGB

General members

5.2.1 The Trust may appoint a minimum of 5 persons to serve on the LGB, including where appropriate the Archdeacon's nomination (the incumbent or another nominated person) and a nomination from the Parochial Church Council (PCC).

Staff members

5.2.2 The Trust may appoint up to 1 person, in addition to the Headteacher, who is employed within the Academy to serve on the LGB in accordance with sub-clause 5.2.3 below, provided that the total number of such persons (including the Headteacher) does not exceed one third of the total number of persons on the LGB. The positions held by the employees may be taken into account when considering appointments.

5.2.3 In appointing employees to serve on the LGB, the Trust may invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the Academy (excluding a Headteacher) and, where there are any contested posts, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Trust.

Parent members

5.2.4 Subject to clause 5.2.7, the parent members of the LGB shall be elected by parents of registered pupils of the Academy and he or she must be a parent of a pupil of the Academy at the time when he or she is elected.

5.2.5 The Trust shall determine all matters relating to, an election of the parent members of the LGB, including any question of whether a person is a parent of a registered pupil of the Academy. Any election of persons who are to be the parent members of the LGB which is contested shall be held by secret ballot which shall be arranged by the LGB.

5.2.6 The arrangements made for the election of the parent members of the LGB shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he prefers, by having his ballot paper returned to the Academy by a registered pupil at the Academy. Where a vacancy for a parent member of the LGB is required to be filled by election, the LGB shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil of the Academy is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.

5.2.7 The number of parent members of the LGB required shall be made up by persons appointed by the Trust if the number of parents standing for election is less than the number of vacancies.

5.2.8 In appointing a person to be a parent member of the LGB pursuant to clause 5.2.7, the Trust shall appoint a person who is the parent of a registered pupil of the Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

5.3 Co-opted members of the LGB

5.3.1 The Trust may appoint up to 5 persons to be "co-opted" to the LGB. A person who shall be "co-opted" to the LGB means a person who is to serve on the LGB without having been appointed or elected to serve on the LGB. The Trust may not co-opt a person who is employed at the Academy if thereby the number of persons employed at the Academy serving on the LGB would exceed one third of the total number of persons serving on the LGB (including the Headteacher).

5.4 Term of office

5.4.1 The term of office for any person serving on the LGB shall be 4 years, save that this time limit shall not apply to:

- (i) A Headteacher who shall be treated for all purposes as being an ex-officio member of the LGB;
- (ii) the Archdeacon's nomination, whether the Incumbent or otherwise, (if so appointed as a member by the Trust under clause 5.2.1) who shall be treated for all purposes as being an ex officio member of the LGB; or
- (iii) persons who are "co-opted" to the LGB, who shall serve for 1 year. Subject to remaining eligible to be a particular type of member on the LGB, any person may be re-appointed or re-elected (including being "co-opted" again) to the LGB.

5.5 Resignation and removal

5.5.1 A person serving on the LGB shall cease to hold office if he resigns his office by notice to the LGB (but only if at least three persons appointed under clause 5.2.1 will remain in office when the notice of resignation is to take effect).

5.5.2 A person serving on the LGB shall cease to hold office if he is removed by the person or persons who appointed him. This clause does not apply in respect of a person who is serving as a parent member on the LGB, who may be removed by the Trust.

5.5.3 If any person who serves on the LGB in his capacity as an employee at the Academy ceases to work for the Academy, then he shall be deemed to have resigned and shall cease to serve on the LGB automatically on termination of his work at the Academy.

5.5.4 Where a person who serves on the LGB resigns his office or is removed from office, that person or, where he is removed from office, those removing him, shall give written notice thereof to the Trust.

5.6 Disqualification of members of the LGB

5.6.1 No person shall be qualified to serve on the LGB unless he is aged 18 or over at the date of his election or appointment. No current pupil of the Academy shall be entitled to serve on the LGB.

5.6.2 A person serving on the LGB shall cease to hold office if he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.

5.6.3 A person serving on the LGB shall cease to hold office if he is absent without the permission of the Chair of the LGB from all the meetings of the LGB held within a period of six months and the LGB resolves that his office be vacated.

5.6.4 A person shall be disqualified from serving on the LGB if:

5.6.4.1 his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or

5.6.4.2 he is the subject of a bankruptcy restrictions order or an interim order.

5.6.5 A person shall be disqualified from serving on the LGB at any time when he is subject to a disqualification order or a disqualification undertaking under the Trust 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).

5.6.6 A person serving on the LGB 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).

5.6.7 A person shall be disqualified from serving on the LGB 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.

5.6.8 A person shall be disqualified from serving on the LGB at any time when he is:

5.6.8.1 included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or

5.6.8.2 disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000;

or

5.6.8.3 barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

5.6.9 A person shall be disqualified from serving on the LGB 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 contained in such a direction.

5.6.10 A person shall be disqualified from serving on the LGB 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 (persons disqualified from being charity trustees or trustees of a charity) of the Charities Act 2011.

5.6.11 Any person appointed or elected to the LGB shall submit to a Disclosure and Barring Service check at a level determined by the Trust in accordance with its policy. In the event that such check, or any other procedure, discloses any information which would in the opinion of either the chairman or the Headteacher confirm their unsuitability to work with children that person shall be disqualified from serving on the LGB. 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.

5.6.12 Where, by virtue of this Scheme, a person becomes disqualified from serving on the LGB; and he was, or was proposed, to so serve, he shall give written notice of becoming so disqualified to the Trust.

5.6.13 This clause 5.6 shall also apply to any member of any committee of the LGB who is not a member of the LGB.

6. OPERATIONAL MATTERS

6.1 The LGB shall comply with the obligations set out in the Scheme which deals with the day-to-day operation of, and delegation of responsibilities to, the LGB.

6.2 The LGB will adopt and will comply with all policies of the Trust communicated to the LGB from time to time.

6.3 Both the Trust and all members of the LGB have a duty to act with integrity, objectivity and honesty in the best interests of the Trust and the Academy and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.

6.4 The LGB will review its policies and practices on a regular basis, having regard to recommendations made by the Trust from time to time, in order to ensure that the governance of the Academy is best able to adapt to the changing political and legal environment.

6.5 The LGB shall provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Trust may require from time to time.

6.6 The LGB shall submit to any inspections by the Trust, and any inspections pursuant to section 48 of the Education Act 2005 (Statutory Inspections of Anglican Schools).

6.7 The LGB shall work closely with and shall promptly implement any advice or recommendations made by the Trust in the event that intervention is either threatened or is carried out by the Secretary of State and the Trust expressly reserve the unfettered right to review or remove any power or responsibility conferred on the LGB under this Scheme in such circumstances.

7. FUNCTIONING OF THE LGB, CHAIRMAN, VICE-CHAIRMAN AND CLERK OF THE LGB

7.1 The chairman of each LGB shall be appointed from among its members by the Trust.

7.2 The clerk of each LGB shall be appointed by the Trust having due regard to, but not being bound by, the views of the LGB.

7.3 The members of the LGB may, for each school year, at their first meeting in that year, elect a vice-chairman from among their number to serve until a successor is elected or a vacancy occurs. Neither a person who is employed by the Trust (whether or not by the Academy) nor a person who is at the time of election already a Director of the Trust shall be eligible for election as vice-chairman.

7.4 Subject to paragraph 7.5, the chairman or vice-chairman shall hold office as such until his successor has been appointed or elected (respectively) in accordance with this clause 7.

7.5 The chairman or vice-chairman may at any time resign his office by giving notice in writing to the Trust. The chairman or vice-chairman shall cease to hold office if:

7.5.1 he ceases to serve on the LGB;

7.5.2 he is employed by the Trust whether or not at the Academy;

7.5.3 he is removed from office in accordance with this Scheme; or

7.5.4 in the case of the vice-chairman, he is appointed in accordance with this Scheme to fill a vacancy in the office of chairman.

7.6 Where by reason of any of the matters referred to in paragraph 7.5, a vacancy arises in the office of chairman, the Trust shall appoint a new chairman.

7.7 Where by reason of any of the matters referred to in this paragraph 7.5 a vacancy arises in the office of vice-chairman, the members of the LGB shall at its next meeting elect one of their number to fill that vacancy.

7.8 Where the chairman is absent from any meeting or there is at the time a vacancy in the office of the chairman, the vice-chairman shall act as the chair for the purposes of the meeting.

7.9 Where in the circumstances referred to in paragraph 7.8 the vice-chairman is also absent from the meeting or there is at the time a vacancy in the office of vice chairman, the members of the LGB shall elect one of their number to act as a chairman for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Trust whether or not by the Academy nor a Director.

7.10 Any election of the vice-chairman which is contested shall be held by secret ballot.

7.11 The chairman may be removed from office by the Trust at any time,

7.12 The vice-chairman may be removed by the LGB in accordance with this Scheme.

7.13 A resolution to remove the vice-chairman from office which is passed at a meeting of the LGB shall not have effect unless:

7.13.1 it is confirmed by a resolution passed at a second meeting of the LGB held not less than fourteen days after the first meeting; and

7.13.2 the matter of the vice-chairman's removal from office is specified as an item of business on the agenda for each of those meetings.

7.14 Before a resolution is passed by the LGB at the relevant meeting as to whether to confirm the previous resolution to remove the vice-chairman from office, the person or persons proposing his removal shall at that meeting state their reasons for doing so and the vice-chairman shall be given an opportunity to make a statement in response.

8. CONFLICTS OF INTEREST

This clause 8 shall also apply to any member of any committee of the LGB who is not a member of the LGB.

8.1 Any member of the LGB who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest as that phrase is defined in paragraph 8.2 below) which conflicts or may conflict with his duties as a member of the LGB shall disclose that fact to the LGB as soon as he becomes aware of it. A person must absent himself from any discussions of the LGB in which it is possible that a conflict will arise between his duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).

8.2 For the purpose of paragraph 8.1, a person has a Personal Financial Interest if he is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the Academy.

9. THE MINUTES

9.1 The minutes of the proceedings of a meeting of the LGB shall be drawn up and entered into a book kept for the purpose by the person authorised to keep the minutes of the LGB, and shall be signed (subject to the approval of the members of the LGB) at the same or next subsequent meeting by the person acting as chairman thereof. The minutes shall include a record of:

9.1.1 all appointments of members and/or officers made by the LGB and/or the Trust; and

9.1.2 all proceedings at meetings of the LGB and of committees of the LGB including the names of all persons present at each such meeting.

9.2 The chairman shall ensure that copies of minutes of all meeting of the LGB (and such of the subcommittees as the Trust shall from time to time notify) shall be provided to the Trust as soon as reasonably practicable after those minutes are drafted.

10. COMMITTEES

10.1 The LGB may establish subcommittees as it sees fit. Subcommittees may include individuals who are not members of the LGB, provided that such individuals are in a minority.

11. DELEGATION

11.1 Provided such power or function has been delegated to the LGB, the LGB may further delegate to any person serving on the LGB, subcommittee, the Headteacher or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions either the Trust or the LGB may impose and may be revoked or altered.

11.2 Where any power or function of the Trust or the LGB is exercised by any subcommittee, any Director or member of the LGB, the Headteacher or any other holder of an executive office, that person or subcommittee shall report to the LGB in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the LGB immediately following the taking of the action or the making of the decision.

12. MEETINGS OF THE LGB

12.1 Subject to the provisions contained in this Constitution and the Scheme, the LGB may regulate its proceedings as the members of the LGB think fit.

12.2 The LGB shall meet at least six times in every school year. Meetings of the LGB shall be convened by the clerk to the LGB. In exercising his functions under this Scheme the clerk shall comply with any direction given by the Trust or by the Chairman or, in his absence or where there is a vacancy in the office of chairman, the vice-chairman of the LGB, so far as such direction is not inconsistent with any provision mentioned in 12.1 above.

12.3 Any three members of the LGB may, by notice in writing given to the clerk, requisition a meeting of the LGB; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.

12.4 Each member of the LGB shall be given at least seven clear days before the date of a meeting:

12.4.1 notice in writing thereof, signed by the clerk, and sent to each member of the LGB at the address provided by each member from time to time; and

12.4.2 provided that where the chairman or, in his absence or where there is a vacancy in the office of chairman, the vice-chairman, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof are given within such shorter period as he directs.

12.5 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.

12.6 A resolution to rescind or vary a resolution carried at a previous meeting of the LGB shall not be proposed at a meeting of the LGB unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.

12.7 A meeting of the LGB shall be terminated forthwith if:

12.7.1 the members of the LGB so resolve; or

12.7.2 the number of members present ceases to constitute a quorum for a meeting of the LGB in accordance with paragraph 12.10, subject to paragraph 12.12.

12.8 Where in accordance with paragraph 12.7 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.

12.9 Where the LGB resolves in accordance with paragraph 12.7 to adjourn a meeting before all the items of business on the agenda have been disposed of, the LGB shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the clerk to convene a meeting accordingly.

12.10 Subject to paragraph 12.12, the quorum for a meeting of the LGB, and any vote on any matter thereat, shall be any three of the members of the LGB, or, where greater, any one third (rounded up to a whole number) of the total number of members of the LGB at the date of the meeting. If the Trust have appointed any additional members of the LGB pursuant to clause 5.1.2.5 of this Scheme, then the quorum must include all such persons.

12.11 The LGB may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.

12.12 The quorum for the purposes of:

12.12.1 any vote on the appointment of a parent member in accordance with clause 5.2.5 of the Scheme;

12.12.2 any vote on the removal of a person in accordance with this Scheme;

12.12.3 any vote on the removal of the vice-chairman of the LGB; shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on those respective matters.

12.13 Subject to this Scheme, every question to be decided at a meeting of the LGB shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the LGB shall have one vote.

12.14 Subject to clauses 12.10 – 12.12, where there is an equal division of votes, the chairman of the meeting shall have a casting vote in addition to any other vote he may have.

12.15 The proceedings of the LGB shall not be invalidated by

12.15.1 any vacancy on the LGB; or

12.15.1 any defect in the election, appointment or nomination of any person serving on the LGB.

12.16 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the LGB or of a subcommittee of the LGB, shall be valid and effective as if it had been passed at a meeting of the LGB or (as the case may be) a subcommittee of the LGB duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the LGB and may include an electronic communication by or on behalf of the LGB indicating his or her agreement to the form of resolution providing that the member has previously notified the LGB in writing of the email address or addresses which the member will use.

12.16 Subject to clause 12.18, the LGB shall ensure that a copy of:

12.16.1 the agenda for every meeting of the LGB;

12.16.2 the draft minutes of every such meeting, if they have been approved by the person acting as chairman of that meeting;

12.16.3 the signed minutes of every such meeting; and any report, document or other paper considered at any such meeting, are, as soon as is reasonably practicable, made available at the Academy(s) to persons wishing to inspect them.

12.17 There may be excluded from any item required to be made available in pursuance of paragraph 12.16, any material relating to:

12.17.1 a named teacher or other person employed, or proposed to be employed, by the Academy;

12.17.2 a named pupil at, or candidate for admission to, the Academy; and

12.17.3 any matter which, by reason of its nature, the LGB is satisfied should remain confidential.

12.19 Any member of the LGB shall be able to participate in, and be counted as present at for the purposes of the quorum, meetings of the LGB by telephone or video conference provided that: he has given notice of his intention to do so detailing the telephone number on which he can be reached and/or appropriate details of the video conference suite from which he shall be taking part at the time of the meeting at least 48 hours before the meeting; and the LGB has access to the appropriate equipment, and provided that, if after all reasonable efforts it does not prove possible for that person to participate by telephone or video conference, the meeting may still proceed with its business provided it is otherwise quorate.

13. NOTICES

13.1 Any notice to be given to or by any person pursuant to this Scheme (other than a notice calling a meeting of the LGB) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme, "Address" in relation to electronic communications, includes a number or address used for the purposes of such communications.

13.2 A notice may be given by the LGB to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the LGB by the member. A member whose registered address is not within the United Kingdom and who gives to the LGB an address within

the United Kingdom at which notices may be given to him, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him at that address, but otherwise no such member shall be entitled to receive any notice from the LGB.

13.3 A member of the LGB present, either in person or in accordance with paragraph 12.19, at any meeting of the LGB shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.

13.4 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

14. INDEMNITY

Subject to the provisions of the Companies Act 2006 every member of the LGB or other officer or auditor of the Trust acting in relation to the Academy shall be indemnified out of the assets of the Trust against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

15. RB/LGB MEMBERS' ATTENDANCE AT MEETINGS AND GOVERNOR TRAINING

15.1 Each Member of the LGB shall attend such training as is reasonably required by the Trust and consistent with the requirements of his or her particular area of responsibility and or committee membership.

15.2 Each Member of the LGB shall use reasonable endeavours to attend each meeting of the LGB and Sub Committee of which he or she is a Member and to send apologies as far in advance as is reasonably practicable where attendance is not possible.

15.3 Each Member of the LGB with a particular responsibility for Safeguarding or Special Educational Needs shall use reasonable endeavours to attend meetings scheduled by the Trust with a specific focus on their area of responsibility and attended by their counterparts from other Academies run by the Trust. The Trust shall seek to ensure that any training in relation to these specific areas of responsibility is scheduled to coincide with such meetings.

16. ANNUAL REVIEW AND TERMINATION OF THE SCHEME

16.1 The Scheme shall operate from the Effective Date in respect of the named Academy.

16.2 This Scheme may be terminated by the Trust at any time by giving notice in writing to the LGB.

16.3 The Trust has the absolute discretion to review the Scheme at least on an annual basis and to alter any provisions of it provided that no alteration shall limit the powers delegated to the LGB without the consent of the LGB unless the Trust has genuine and substantial grounds to believe that the LGB are operating in breach of any statutory or fiduciary duty, that an academy is in danger of going into deficit, or an Ofsted Category less than "Good"

16.4 In considering any material changes to this Scheme or any framework on which it is based, the Trust will have regard to and give due consideration of any views of the LGB

Signed on behalf of the Trust

Signed on behalf of the LGB.....

Effective Date: