



# Local Advisory Body Terms of Reference

## March 2023

<b>Date Approved by The Board of Trustees</b>	<b>28.03.23</b>
<b>Effective Period</b>	<b>Spring 2023 – Spring 2024</b>
<b>Reviewer</b>	<b>C. Watkins</b>
<b>Date of Review</b>	<b>28/03/23</b>
<b>Next Review Due</b>	<b>Spring 2024</b>

# **THE LOCAL ADVISORY BODY (LAB)**

## **Terms of Reference**

The LAB is a committee of the Trustees and will act in accordance with these Terms of Reference unless otherwise guided by the Trustees. The LAB will report and be accountable to the Trustees for its decisions.

### **1. COMPOSITION**

The Trustees will determine the membership of the LAB and terms of office annually.

The membership of the LAB shall include:

- Headteacher/Executive Headteacher
- 2 parent members elected by parents of pupils registered at the Academy
- 2 community members appointed by the LAB Chair
- 2 staff members
- 2 co-opted members elected by the Trustees as required.

Term of Office shall be 4 years

### **2. THE LAB RESPONSIBILITIES**

**Refer to the MAT Scheme of Delegation for delegated responsibilities.**

### **3. CHAIR AND VICE CHAIR OF THE LAB**

- The Chair of the LAB shall be appointed by the Trustees.
- The term of office of the Chair shall be 1 year.
- Subject to remaining eligible to be a Chair, any member of the LAB may be re-appointed as Chair for consecutive periods not exceeding 2 terms of office in total. Thereafter, a member of the LAB shall not usually be eligible for re-appointment as Chair until one year after his or her retirement, unless otherwise agreed by the Trustees.
- The Vice-Chair of the LAB shall be appointed by the members of the LAB from amongst their number for a term of 1 year. Subject to remaining eligible to be a Vice-Chair, a member of the LAB may be re-appointed for further terms of office as the Vice-Chair.
- The Chair or Vice-Chair shall cease to hold office if:
  - he ceases to serve on the LAB
  - he is removed from office in accordance with the Terms of Reference
  - Or, in the case of the Vice-Chair, he is elected in accordance with the Terms of Reference to fill a vacancy in the office of Chair.
- Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the chairman, the Vice-Chair shall act as the chair for the purposes of the meeting.
- Where the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the LAB shall elect one of their number to act as a

chairman for the purposes of that meeting, provided that the person elected shall not be a person who is employed by the MAT (whether or not at the Academy).

- The Chair or Vice-Chair may be removed from office by the Trustees at any time.

#### **4. CONDUCT OF MEETINGS OF THE LAB AND SUB-COMMITTEES**

- The LAB shall hold at least three meetings in every school year. Meetings of the LAB shall be convened by the Clerk. In exercising his/her functions the Clerk shall comply with any direction:
  - given by the Trustees; or
  - given by the Chairman of the LAB or, in his absence or where there is a vacancy in the office of chairman, the Vice-chair, so far as such direction is not inconsistent with any direction given as mentioned above.
- Each member of the LAB shall be given at least seven clear days before the date of a meeting notice of the meeting and the agenda sent to each member via GovernorHub (GDPR compliant).
- 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.
- The quorum for a meeting of the LAB shall be 3 members or 1/3 of total membership.

#### **5. CONFLICTS OF INTEREST**

- The income and property of the Academy must be applied solely towards the provision of the Objects as detailed in the Articles. The restrictions and procedures which apply to the Trustees in the Articles with regard to having a Personal Financial Interest shall also apply to the members of the LAB.
- Any member of the LAB who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his duties as a member of the LAB shall disclose that fact to the other members of the LAB as soon as he becomes aware of it. A member of the LAB must absent himself from any discussions of the LAB or any committee 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).

#### **6. OTHER MATTERS**

- The LAB will comply with all policies of the Trustees communicated to the LAB from time to time.
- The Trustees and all members of the LAB have a duty to act independently and not as agents of those who may have appointed them and will act with integrity, objectivity and honesty in the best interests of the Company 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.

- The LAB will review its policies and practices on a regular basis, having regard to recommendations made by the Trustees 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.
- The LAB shall provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Trustees may require from time to time.

## **7. EFFECTIVE DATE**

These Terms of Reference shall remain effective and will be reviewed annually on such date as determined by the Trustees approval.

## **8. DISQUALIFICATION OF MEMBERS OF THE LAB**

As MAT Committee Members all Governors/Advisers are subject to the following disqualifications which prevent them from holding or continuing to hold office:

- They are under the age of 18:
- They have failed to attend meetings within a six-month period without apologies being accepted by the trustees
- They are subject to a bankruptcy restriction; interim bankruptcy restriction order; a debt relief restrictions order; an interim debt relief restrictions order; or they have been declared bankrupt and/or their estate has been repossessed for the benefit of creditors and the declaration or seizure has not been discharged, annulled or reduced
- They have been disqualified as a company director or failed to make a payment under a county court administration order
- They have been disqualified as a charity trustee; found to be unsuitable by the Secretary of State; or ceases to be a trustee under any provision in the Companies Act 2006
- They have been removed as a charity trustee on the ground of misconduct or mismanagement
- They have been convicted of any criminal offence except for those 'spent' under the Rehabilitation of Offenders Act 1974, or those for which the maximum sentence is a fine or lesser sentence unless they have been convicted of an offence outlined in Section 178 of the Companies Act 2011
- They have not provided an enhanced Disclosure and Barring Service (DBS) check to the chair; or where they have, the chair, chief executive officer or principal or Secretary of State determines that their unsuitability to work with children renders them disqualified
- They become incapable by reason of illness or injury of managing or administering his own affairs.