



Local Advisory Board

Terms of Reference

Owner:	Head of Governance
Approved by:	Trust Board
Last reviewed:	December 2024
Next review due by:	December 2025

Thongsley Fields Primary School and

St Peter's School

Local Advisory Board

Terms of Reference 2024-2025



1.0 Glossary of Terms

1.1 In this document:

“School”	means the school named in the document;
“Articles”	means the Articles of Association for the time being of the Trust;
“Chief Executive”	means the person appointed by the Trustees as an employee to oversee and co-ordinate all Trust activities;
“Local Advisory Board member”	means a member of the Local Advisory Board;
“Local Advisory Board”	means the Local Advisory Board for the school as described in the articles and constituted as provided by Clause 3 of this document;
“Master Funding Agreement”	means the agreement between the Secretary of State and the Trust dated 13 th January 2011, as amended in March 2018 v4;
“Memorandum”	means the Memorandum of Association of the Trust;
“One percent shareholding”	means an interest in a company which represents no more than one per cent of the issued shares of the relevant class;
“Parent Member”	means the parent member either elected by parents of registered students or appointed by the Trustees to the Local Advisory Board in accordance with Articles 53-56;
“Personal Financial Interest”	means any interest in the employment or remuneration of, or the provision of any other benefit to, a Local Advisory Board member as further detailed within clauses 97 and 98 of the Articles;
“Principal”	means the member of staff at the school who has been appointed to have overall day to day control of and responsibility of the school;
“Secretary”	means the Head of Governance of the Trust or any other person appointed to perform the duties of Head of Governance to the Trust;
“Staff Member”	means a member (if any) elected to the Local Advisory Board by members of staff of the relevant school;
“this document”	means these Terms of Reference;
“the Trust”	means The CAM Academy Trust, a company limited by guarantee having registered number 07491945;

“Trust Finance Manual” means the finance manual endorsed by the Trust from time to time;

“the Trustees” means those persons appointed as directors of the Trust.

1.2 Unless the context requires otherwise, a reference to:

1.2.1 a numbered clause is a reference to the clause so numbered in this document; and

1.2.2 a numbered paragraph is a reference to the paragraph so numbered in the clause in which the reference appears; and

1.2.3 words importing one gender shall include any other gender, the singular number shall include the plural and vice versa and the headings are included for convenience only and shall not affect the construction of this document.

2.0 Responsibilities of Trustees and Local Advisory Board

2.1 The Trust is a charitable company limited by guarantee. It has entered into the Master Funding Agreement and an associated Supplemental Funding Agreement (together the “Funding Agreements”).

2.2 The Trustees are the charity trustees within the terms of the Charities Act 2011 and as such are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association.

2.3 The Local Advisory Board shall be a committee of the Trustees established pursuant to Articles 100-104.

2.4 The Trustees retain authority and responsibility for the following:

2.4.1 determination of the corporate planning and strategy for the school and the Trust in consultation with the Local Advisory Board;

2.4.2 ensuring quality of educational provision and challenging and monitoring performance;

2.4.3 compliance with the provisions of the Funding Agreements;

2.4.4 oversight with regard to the finances of the Trust and the school, including, but without limitation, responsibility for compliance with the financial and accounting requirements detailed within the Funding Agreements;

2.4.5 determination of the school’s annual funding;

2.4.6 compliance with the Academy Trust Handbook including, but without limitation, determination of procurement policies for the Trust;

2.4.7 determining the cash flow policy and procedures for the Trust and the School and monitoring income and expenditure for the Trust and the school and setting targets each financial year;

2.4.8 determining any additional financial and reporting targets for the school;

2.4.9 the determination, after suitable consultation, of the extent of the central services provided to the School by the Trust and how the costs should be allocated;

- 2.4.10 preparation and approval of these Terms of Reference under which the school is governed and subsequent amendments;
- 2.4.11 the determination of (as the legal employer of all staff) human resource policies, procedures and terms and conditions of service;
- 2.4.12 the determination and review of other core policy (to include without limitation finance, procurement, reserves, complaints, data protection, health and safety, IT acceptable use etc.);
- 2.4.13 oversight of both the fixed asset register and maintenance of the school estate;
- 2.4.14 compliance with all statutory regulations and Acts of Parliament governing the operation of the school, including charity law;
- 2.4.15 agreement of the admissions policy and arrangements for the school in accordance with admissions law and DfE codes of practice;
- 2.4.16 determination of the educational vision of the school in consultation with the Local Advisory Board, including, but without limitation, determination of the school's development plan.
- 2.4.17 oversight of safeguarding standards and compliance
- 2.4.18 oversight of standards of SEND provision and compliance
- 2.5 Subject to para 2.4 above, the Trustees delegate oversight of the running of the school to the Local Advisory Board and specifically the following duties:
 - 2.5.1 support of the vision and values of the Trust for the school;
 - 2.5.2 monitoring of school standards;
 - 2.5.3 representing the views of and engaging with the local community;
 - 2.5.4 monitoring standards of safeguarding and provision for SEND, although overall responsibility for oversight remains with the Trustees
 - 2.5.5 visiting the school;
 - 2.5.6 notifying the Trustees of any significant issues as regards the maintenance of the school estate of which it becomes aware;
 - 2.5.7 ensuring the school has a range of necessary local procedures in place to support its operation and reviewing the same regularly including without limitation behaviour, SEND and curriculum;
 - 2.5.8 monitoring the implementation of Trust core policies in the school;
 - 2.5.9 monitoring the school risk register
- 2.6 The Local Advisory Board members are not, and nothing within this document is intended to make them, charity trustees within the terms of the Charities Act 2011.
- 2.7 Each Local Advisory Board member shall act in the best interests of the school at all times.

- 2.8 The Local Advisory Board members must keep confidential all information of a confidential nature obtained by them relating to the school.
- 2.9 The Trustees reserve the right to withdraw delegated powers from the Local Advisory Board and disband it at any time.

3.0 Composition of Local Advisory Board

- 3.1 The membership of the Local Advisory Board shall be determined in accordance with the following provisions:
 - 3.1.1 The total membership of the Local Advisory Board shall be no less than three and not greater than ten. One board might oversee more than one school;
 - 3.1.2 Subject to para 3.1.3 the members of the Local Advisory Board shall be appointed by the principal, in consultation with the Local Advisory Board chair, CEO and Trustees;
 - 3.1.3 The membership shall comprise of at least two parent members, each to serve for four years (or for so long as they remained eligible as parents with children in the school) from the date of their election;
 - 3.1.4 The Local Advisory Board may appoint up to two staff members, each to serve for four years (so long as they remain members of staff) from the date of their election;
 - 3.1.5 Not fewer than 2, no more than 6 Trust Local Advisory Board members, appointed by the Trust. These Local Advisory Board members are to serve for four years on a four-year rolling cycle, from the beginning of the academic year.
 - 3.1.6 Trust Local Advisory Board members are to be chosen in consultation with the appropriate Local Advisory Board, the regular procedure to be that in each summer term, the Local Advisory Board and Trust will routinely review forthcoming vacancies. In making appointments the Trust will consider the range of skills and experience on each Local Advisory Board. Trust Local Advisory Board members would be eligible for re-appointment for a further term of service, if appropriate.
 - 3.1.7 The Local Advisory Board may continue to act notwithstanding a temporary vacancy in its composition;
 - 3.1.8 The Local Advisory Board shall report regularly on its activities to the Trust Board and in particular shall provide copies of its minutes to the secretary as soon as reasonably practicable following each meeting.

4.0 Resignation and removal

- 4.1 The membership of the Local Advisory Board shall be reviewed regularly by the Trust Board.
- 4.2 A Local Advisory Board member may at any time resign their office by giving notice in writing to the clerk to the Local Advisory Board.
- 4.3 A Local Advisory Board member shall cease to hold office if they are removed by the person or persons who appointed him. This provision does not apply in the case of the parent members.
- 4.4 The Trustees may terminate the appointment of any Local Advisory Board member whose presence or conduct is deemed by the Trustees not to be in the best interests of the Trust or the school.
- 4.5 Any staff member shall automatically cease to hold office if they cease to be employed by the school.
- 4.6 Local Advisory Board members are required to adhere to an adopted Local Advisory Board members' Code of Conduct.

5.0 Persons ineligible to be Local Advisory Board members

- 5.1 No person shall be qualified to be a Local Advisory Board member unless they are aged 18 or over at the date of the election or appointment. No current pupil of the school shall be a Local Advisory Board member; however, a current pupil may be invited to attend a meeting of the Local Advisory Board members at the discretion of the Local Advisory Board members.
- 5.2 A Local Advisory Board member shall cease to hold office if they become incapable by reason of mental disorder, illness or injury of managing or administering their own affairs.
- 5.3 A Local Advisory Board member shall cease to hold office if they are absent without the permission of the Local Advisory Board members from all their meetings held within a period of six months and the Local Advisory Board members resolve that this office be vacated.
- 5.4 A Local Advisory Board member shall cease to hold office if they cease to be a Trustee by virtue of any provisions in the Companies Act 1985 or the Companies Act 2006 or is disqualified from acting as a Local Advisory Board member by virtue of relevant charities legislation.
- 5.5 A person shall be disqualified from holding or continuing to hold office as a Local Advisory Board member:
 - 5.5.1 **If:**
 - A their estate has been sequestrated, and the sequestration has not been discharged, annulled or reduced;
 - B they are the subject of a bankruptcy restrictions order or an interim order;
 - 5.5.2 at any time when they are subject to a disqualification order or a disqualification undertaking under the Company Trustees 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);

- 5.5.3 if they have 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 they were responsible or to which they were privy, or which by their conduct contributed to or facilitated;
 - 5.5.4 at any time when they are:
 - A included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under section 1 of the Protection of Children Act 1999; or
 - B disqualified from working with children under section 28, 29, 29A and 29B of the Criminal Justice and Court Services Act 2000;
 - 5.5.5 if they are a person in respect of whom a direction has been made under section 142 of the Education Act 2002;
 - 5.5.6 where they have, 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 relevant Charities legislation;
 - 5.5.7 if they have not provided to the chairman of the Trustees a criminal record 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 the Chairman 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.
- 5.6 Where a person becomes disqualified from holding or continuing to hold office as a Local Advisory Board member and they are, or is proposed, to become such a Local Advisory Board member, they shall upon becoming so disqualified give written notice of that fact to the clerk to the Local Advisory Board.

6.0 Term of office

- 6.1 Any Local Advisory Board member shall hold and vacate office in accordance with the terms of their appointment. The length of this term is four years, but Local Advisory Board members can be re-appointed for a maximum of three terms. (subject to the provisions of para 4.1).
- 6.2 Local Advisory Board members retiring at the end of their term of office shall be eligible for re-appointment at the discretion of the Trustees.

7.0 Conflicts of interest

- 7.1 The income and property of the school must be applied solely towards the provision of the objects as detailed in the Articles. The restrictions which apply to the Trustees with regard to having a personal financial interest shall also apply to the Local Advisory Board members.
- 7.2 The procedure detailed at clause 6.8 of the Articles shall apply to the Local Advisory Board always provided that, in the case of a personal financial interest for a Local Advisory Board member who is not also a Trustee, the Local Advisory Board may meet to authorise the benefit.
- 7.3 Any Local Advisory Board member who has any duty or personal interest (including but not limited to any personal financial interest) which conflicts or may conflict with their duties as a Local Advisory Board member shall disclose that fact to the Local Advisory Board members as soon as they become aware of it. A Local Advisory Board member must absent themselves from any discussions of the Local Advisory Board members in which it is possible that a conflict will arise between their duty to act solely in the interests of the school and any duty or personal interest (including but not limited to any personal financial interest).

8.0 Appointment of chair

- 8.1 The Chair of the Local Advisory Board shall be appointed by the Chief Executive of the Trust.
- 8.2 If the Chair is absent from any meeting of the Local Advisory Board, those Local Advisory Board members present shall appoint one of their number to chair the meeting.

9.0 Meetings of the Local Advisory Board

- 9.1 The Local Advisory Board shall meet four times a year and shall hold such other meetings as may be necessary.
- 9.2 All meetings shall be convened by the clerk to the Local Advisory Board, who shall send to the Local Advisory Board members written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting. The agenda shall be prepared by the clerk to the Local Advisory Board with input from the principal and chair of Local Advisory Board members.
- 9.3 A special meeting of the Local Advisory Board shall be called by the clerk whenever requested by the chair or at the request in writing by any three Local Advisory Board members. Where there are matters demanding urgent consideration, the chair may waive the need for seven days' notice of the meeting and substitute such notice.
- 9.4 The convening of a meeting and the proceedings conducted shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

10.0 Quorum

- 10.1 Meetings of the Local Advisory Board shall be quorate if three or one-third of Local Advisory Board members are present (whichever is greater) of which at least one person must be a representative of the Trust.

- 10.2 If the number of Local Advisory Board members assembled for a meeting of the Local Advisory Board does not constitute a quorum, the meeting shall not be held. If in the course of a meeting of the Local Advisory Board the number of Local Advisory Board members present ceases to constitute a quorum, the meeting shall be terminated forthwith.
- 10.3 If for lack of a quorum a meeting cannot be held or, as the case may be, cannot continue, the Chair can determine the time and date at which a further meeting shall be held and shall direct the clerk to convene the meeting accordingly.

11.0 Proceedings of meetings

- 11.1 Every question to be decided at a meeting of the Local Advisory Board shall be determined by a majority of the votes of the Local Advisory Board members present and voting on the question. Every Local Advisory Board member shall have one vote. Where there is an equal division of votes the chair of the meeting shall have a second or casting vote.
- 11.2 A Local Advisory Board member may not vote by proxy.
- 11.3 No resolution of the Local Advisory Board members may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.
- 11.4 Any Local Advisory Board member who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Advisory Board at which his remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- 11.5 A resolution in writing, signed by all the committee Local Advisory Board members, shall be valid and effective as if it had been passed at a meeting of the Local Advisory Board members (as the case may be) duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the Local Advisory Board members.
- 11.6 Any Local Advisory Board member shall be able to participate in meetings of the Local Advisory Board members by telephone or video conference provided they have been given reasonable notice to the clerk and that the Local Advisory Board members have access to the appropriate equipment.

12.0 Minutes and publication

- 12.1 At every meeting of the Local Advisory Board the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where the Local Advisory Board members present decide otherwise, and, if agreed to be accurate, shall be signed as a true record.
- 12.2 The clerk to the Local Advisory Board shall ensure that a copy of the agenda for every meeting of the Local Advisory Board members, the draft minutes of every such meeting (if they have been approved by the chair of that meeting), 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 to the Secretary.

13.0 Responsibilities of the principal

- 13.1 Subject to the responsibilities of the Local Advisory Board and the policy statements of the Trust, the Principal shall be responsible to the Local Advisory Board for:
- 13.1.1 implementing the agreed policies and procedures laid down by the Local Advisory Board and the Trust (this includes the implementation of all statutory regulations);

- 13.1.2 advising the Local Advisory Board on strategic direction, forward planning and quality assurance;
- 13.1.3 the leadership and management of the school;
- 13.1.4 the admission of pupils;
- 13.1.5 managing the delegated budget and resources approved by the Trust (or its Finance Committee, if any);
- 13.1.6 advising the Local Advisory Board on the appointment of the Vice Principal and such other senior posts as the Trust and/or the Local Advisory Board may determine;
- 13.1.7 the appointment of all other staff and (except to the extent directed otherwise by the Trustees and/or the Local Advisory Board), the salary grading, allocation of duties, appraisal and discipline of all staff in accordance with Trust policies;
- 13.1.8 the maintenance of good order and discipline by the pupils including their suspension and/or exclusion within the framework laid down by the Local Advisory Board; and
- 13.1.9 all such additional functions as may be assigned under the job description or contract of employment.

14.0 Conduct of staff

- 14.1 The Trust is responsible for determining the Human Resource policies, procedures and terms and conditions of service for all employees including the setting of appropriate rules for the conduct of staff. Changes to such policies and procedures will be affected only after consultation with staff groups where appropriate.

15.0 Rules and byelaws

- 15.1 The Local Advisory Board shall have power to make rules and byelaws in respect of the government and conduct of the school as it shall think fit. Such rules and byelaws shall be subject to the provisions of this document and to approval by the Trustees.

16.0 Amendment of this document

- 16.1 This document has been approved by the Trustees following their meeting on the 4 December 2024 and shall be subject to annual review.
- 16.2 Notwithstanding clause 17.1, this document may be modified or replaced by the Trustees (after consultation with the Local Advisory Board where appropriate), as they may from time to time consider necessary.

17.0 Copies of this document

- 17.1 A copy of this document, and of any rules and byelaws, shall be given to every Local Advisory Board member and shall be available for inspection upon request by members of staff during normal office hours at the offices of the school and the Trust.

18.0 Effective date

- 18.1 This document shall come into effect on the 1 January 2025.