

TERMS OF REFERENCE LOCAL ADVISORY BODIES

1. Values and Principles

- 1.1 Local Advisory Bodies (the LAB) of Windsor Academy Trust (WAT) will at all times:
- Observe the highest standards of impartiality, integrity and objectivity in relation to the governance of WAT;
 - Be accountable to the Board of Directors, its stakeholders and regulatory bodies for its activities;
 - Engage in a partnership with the Trust's Executive Team and Academy Senior Leadership Team (SLT) that enables and supports high and improving standards of education in the academy;
 - Act in accordance with the Trust's Governance Principles and Scheme of Delegation;
 - Respect the important, confidential and sensitive nature of its work.

2. Powers, responsibilities and functions of the Local Advisory Body

- 2.1 The Committee's powers and functions are those delegated to it by the Board of Directors, as shown in the Trust's Scheme of Delegation. As currently determined, the LAB's responsibilities and functions include making recommendations and proposals for decisions made elsewhere. It also has responsibility for considering the reinstatement of excluded students/ pupils.
- 2.2 In general terms, the LAB is responsible for the oversight of the performance of the Academy at the local level, including:
- Local scrutiny and challenge of the work of the school and the outcomes of its pupils, monitoring performance and the achievement of objectives;
 - Supporting the school's SLT to provide the best possible education for its pupils;
 - Encouraging the academy to reflect the vision, strategy, ethos and values of the Academy Trust;
 - Engagement with the school's local stakeholders;
 - Overseeing the implementation of the Trust's policies, and contributing to the development of the Trust's policies and practices with the aim of disseminating successful practice to the benefit of all the schools in the Trust;
 - Communicating local issues to the Board of Directors as required.
- 2.3 In relation to considering the reinstatement of excluded students/ pupils, the LAB is responsible for considering exclusions under circumstances specified in the exclusions policy and statutory guidance. The LAB will establish a panel of three members to do this.

3. Accountability of the Local Advisory Board

- 3.1 The LAB is accountable to the Board of Directors and reflects the Board's wider accountabilities.
- 3.2 Through the Board of Directors, the LAB is also accountable to:
- The beneficiaries of the Trust (student/pupils at the Academy, their parents/carers and the local community);
 - The DfE, the Education and Skills Funding Agency and the Secretary of State under the terms of the Funding Agreement.

4. The Business of the Local Advisory Body

- 4.1 The LAB is expected to scrutinise and challenge the Academy's performance and standards, with the aim of identifying good practice to be shared and poor performance to be addressed.
- 4.2 The work of the LAB must reflect a good understanding of performance data, and knowledge of the progress and performance of students/pupils in the Academy. It should encourage and promote collaboration between academies within the Trust, and with other schools and other sectors, including employers, locally and nationally.
- 4.3 The work of the LAB must:
- Ensure effective reporting to the Board, and to other parties as appropriate;
 - Encourage and promote collaboration between Academies within the Trust, and with other schools to help ensure that best practice is identified and promoted;
 - Involve periodic review of its policies and practice, making use of experiences and expertise outside the LAB when appropriate;
 - Reflect the corporate nature of the LAB, meaning that the Board acts as an entity and that Advisers' roles must be exercised by them personally and may not be delegated;
 - Involve engagement and communication with stakeholders, including parents/carers, staff, and employers.
- 4.4 In carrying out its work, the LAB will follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (referred to as the Nolan Principles and set out in Appendix 1), and will comply with:
- [The Articles of Association](#)
 - [The DfE Academy Trust Governance Guide](#)
 - [The Academy Trust Governance Code](#)
 - [The Academy Trust Handbook](#)
 - These terms of reference
 - The Scheme of Delegation
 - The Conflicts of Interest Policy
 - The Code of Conduct for Local Advisory Bodies
 - All other relevant policies of the Trust
- 4.5 The LAB shall have regard to the framework for inspecting schools in England under section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children's Services and Skills (Ofsted).
- 4.6 The LAB will:
- Report back to the Board of Directors after each LAB meeting;
 - Undertake regular reviews of the LAB's effectiveness including benchmarking against best practice.
 - Provide a summary of its role and responsibilities and actions taken to discharge them, for inclusion in the Annual Report.

5. Delegation of powers of the LAB

- 5.1 The LAB cannot delegate its powers. It can, however, make proposals to the Trust for changes to the Scheme of Delegation.
- 5.2 The LAB may establish time-limited task groups as long as these relate directly to the delegated powers of the LAB, and to these terms of reference and provide for a more efficient and effective way of working.

6. Chair and Vice Chair of Local Advisory Bodies

- 6.1 The Chair of each LAB is appointed by the Board of Directors on an annual basis.
- 6.2 At the first meeting in each school year, the LAB shall elect a Vice Chair from among their number. An employee of Windsor Academy Trust holding a position at the Academy served by the LAB is not eligible for appointment as Chair or for election as Vice Chair. Any election of the Vice Chair which is contested shall be held by secret ballot.
- 6.3 The main role of the Chair is to chair meetings of the LAB. They also provide leadership to the LAB and act as the main point of contact between the LAB and the Director with responsibility for LAB liaison on the Board of Directors. The Chair is also expected to carry out an annual review of each Adviser's contribution to the LAB's work and performance and to ensure that each Adviser is investing in their own development.
- 6.4 The Chair has no special powers or rights over any other Adviser. If the Chair is to carry out certain specific functions then these must be expressly delegated to him or her by the Board of Directors.
- 6.5 It is recognised that periodic changes to the Chair and Vice Chair can be beneficial and the Board therefore expects that neither the Chair nor Vice chair will hold the same role for more than six years.
- 6.6 The Board of Directors will develop succession plans and invest in the development of Advisers to prepare them for the role of Chair and Vice Chair.
- 6.7 The Board of Directors may remove from office the Chair or Vice Chair, or any appointed Advisers.

7 Meetings of the LAB

- 7.1 There will be a minimum of three meetings of the LAB each academic year. Meetings will take place at times set by the LAB, within the parameters set down by the Board of Directors, to enable timely communication and coordination.
- 7.2 The quorum for meetings will be three LAB members - of which the majority must be non-staff.
- 7.3 In determining the agenda for LAB meetings the LAB will have regard to decisions made by the Board of Directors, and the requirement on the LAB to adhere to the schedules and timescales set by the Board of Directors in the Trust's annual plan. This will enable the Board of Directors to comply with the Funding Agreement and the current version of the Academy Trust Handbook (or successor documents) and ensure that the LAB is able to make full contributions to the development of the work and policies of the Trust.
- 7.4 Dates for meetings should be advised to members of the LAB as far ahead as possible, and no less than seven days before a proposed meeting. Agendas should be issued at least seven days before the meeting date, accompanied by relevant documentation to support effective contributions and working at meetings.
- 7.5 The LAB should have a clerk to take appropriate minutes of the meetings. These minutes should be a succinct summary of discussions and decisions and not a verbatim record.

8 Risk Management

- 8.1 The Trust's statements of recommended practice ("the SORP") set out requirements for reporting on the risks to a charity, and the Trust Board will wish to ensure that risks are identified, and managed and mitigated as appropriate
- 8.2 The LAB must therefore be alert to potential risks and advise the Board of Directors of major risks that apply to the Academy, with advice on how these may be mitigated.

9 The Management of Conflicts of Interest

- 9.1 The LAB must at all times act in the best interests of the Academy and of the Trust as a whole.
- 9.2 The Trust's Articles of Association require members of LABs to declare their interests annually, and update the declaration as required. And, in the case of any conflict of interest, a LAB member must:
- Declare the nature and extent of any interest in any matter relating to the Trust;
 - Avoid any conflict of interest between that interest and the interests of the Trust.
- 9.3 Further details are set out in the Trust's Conflicts of Interest Policy with which LAB members are obliged to comply.

10 Membership of the Local Advisory Board

- 10.1 The LAB will have up to 10 members in the case of a LAB serving one academy or up to 12 members in the case of a combined LAB serving more than one academy, and a minimum of 5. It is essential that the LAB has an appropriate mix of skills, experience and perspectives. Members of the LAB who are appointed by the Board of Directors are appointed as such for a period of four years.
- 10.2 As required by the Trust's Articles of Association, two members of the LAB will be parents. The number of Parent members of the LAB required shall be made up by Parent members appointed by the Directors if the number of parents standing for election is less than the number of vacancies. Therefore, the LAB is required to hold an open election for parent vacancies. Parents can be appointed only in the event that the number of candidates is equal to or less than the number of parent vacancies.
- 10.3 Parent members of the LAB are encouraged to bring the perspective of a parent to the work of the Board, but must appreciate that they are appointed in a personal capacity and not as a representative of the parent body. The LAB may wish to hold information sessions for interested parents and highlight that candidates with particular experience of areas such as finance estates etc. are particularly encouraged however, that all are welcome to stand for election.
- 10.4 In appointing a parent member of a LAB, the Board shall appoint a persons who are the parent of a registered pupil at the Academy at the time when he or she is appointed or, where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.
- 10.5 One of the members of the LAB will be the Headteacher of the Academy, and a further member of the LAB will be a staff member, elected by the staff at the academy for a term of four years.
- 10.6 The remaining members of the Local Advisory Board will be appointed by the Trust Board, which will ensure that new LAB members understand the responsibility they are taking on and consent to act as a LAB member. The Trust Board will aim to ensure that the LAB includes the range of skills, experience and attributes necessary for its work.
- 10.7 The Articles of Association make the Trust Board responsible for ensuring that members of the LAB are not disqualified from taking this role. Those disqualified from becoming members of Local Advisory Boards include those:
- who are disqualified as a company director or charity trustee
 - who are aged under 18 at the date of his/her election or appointment
 - who are current pupils of any of the Academies in the trust
 - who are incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs
 - who are absent without the permission of the LABs from all their meetings held within a

period of six months and the Trust Board resolves that his office be vacated

- Whose estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or is the subject of a bankruptcy restrictions order or an interim order
- subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- 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 72 of the Charities Act 1993
- included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or is (b) disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or (c) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

10.8 Where a person becomes disqualified from holding, or continuing to hold office as a local adviser; and they are, or is proposed, to become a LAB member, he or she shall upon becoming so disqualified give written notice of that fact to the Clerk.

10.9 The Trust Board will ensure that there is a system in place which ensures that all relevant checks, including an enhanced DBS check, are completed before a LAB member takes up position.

10.10 It is the duty of a new LAB member to ensure that they are familiar with the Objects of the Trust; its history and ethos and the nature and extent of its activities; and the content of the Trust's Articles of Association.

10.11 The Directors shall provide each new LAB member with:

- the Academy Trust's Articles of Association
- these terms of reference
- the Scheme of Delegation
- the Code of Conduct for Members of LABs
- the Conflicts of Interest Policy
- all other relevant policies.

10.12 Members of LABs are required to sign the WAT LAB Member Declaration within two weeks of appointment, and within two weeks of any agreed revised Declaration.

10.13 The Trust Board must be able to identify potential new members of the LAB in order to ensure that the LAB has sufficient members and in order to plan for succession, combining continuity of experience and expertise with new ideas and energy. In normal circumstances, no LAB member should serve for longer than two terms of office and the chair is renewed at least every six years. LABs should aim to identify potential members of LABs through their engagement with parents and the wider local community, and encourage them to express an interest in joining the LAB.

11 Training and Development of Members of LABs

11.1 The Trust shall ensure that the LAB has the skills and experience needed to perform its functions effectively. Members of LABs shall also be kept up to date with developments in the legal and regulatory framework in which the Academy Trust operates and shall make themselves available for training and briefing.

12 Stakeholders

12.1 The LAB is expected to engage with its various local stakeholders and to put in place arrangements to receive feedback and to respond appropriately, providing advice to the Trust Board as required. These stakeholders shall include:

- students/pupils
- parents/carers
- Staff
- the local community

WINDSOR ACADEMY TRUST LOCAL ADVISORY BODY CODE OF CONDUCT

1. Introduction

- 1.1 This code of conduct is designed to set out the conduct required of members of Local Advisory Body (LAB) in order to ensure that LABs contribute to the highest standards of governance.
- 1.2 It is recognised that members of LABs give their time and commitment on a voluntary basis and receive no remuneration. This does not diminish the significance of the role of LABs, which have responsibilities for scrutiny, challenge, engagement and communication in their respective Academy.
- 1.3 The conduct of members of LABs provides an opportunity to demonstrate the Trust's vision and ethos, and the conduct and behaviours expected across the Trust. The contribution of individual members of LABs should reflect this.

2. Basis for LAB Members' Code of Conduct

- 2.1 Being a member of a LAB is a personal office and cannot be transferred to another individual.
- 2.2 The conduct of members of LABs must reflect the Trust's obligations to comply with statutory and fiduciary duties, including:
 - to act in accordance with the Trust's Articles of Association and in the Academy Trust's interests only and without regard to their own private interests
 - to declare any interests a Local Advisor may have in matters to be discussed at LAB meetings and not put themselves in a position where their personal interest or a duty owed to another conflicts with the duties owed to the Trust
 - to act impartially and objectively and not let their personal views or prejudices affect their conduct as members of LABs
 - to act within the scope of any authority given and in particular in accordance with the Trust's Scheme of Delegation
 - to use the proper degree of skill and care when making contributions
 - not take personal benefit from the Academy Trust or any Academy
- 2.3 LAB members' conduct must reflect their commitment to Windsor Academy Trust's (WAT) values and objectives as well as the Trust's Governance Principles, Scheme of Delegation and other Trust policies. They must be mindful at all times of the interests of the beneficiaries of WAT and of the objects for which the Trust is established.

3. Relationships with Others in the Trust

- 3.1 All involved with WAT are expected to relate to each other with respect and courtesy. Members of LABs should listen respectfully to the view of Directors, members of the executive team, other LAB members, Academy staff and external advisers, taking cognisance of differences of opinion. Members of LABs should not cause offence to others or undermine the standing of their colleagues as a LAB member.
- 3.2 Members of LABs must ensure there is a clear understanding of the scope of authority delegated to their LAB. LAB members must be careful, individually and collectively, not to undermine the authority of the Board of Directors either by word or action.
- 3.3 LAB members' relationships and communication with staff members should reflect the authority of the Board of Directors, CEO, the Executive and the Headteacher, which include the management of staff. If a LAB member has concerns relating to the performance of a member of staff, they should contact the chair, who will take up the matter with the CEO or the Headteacher.

4. Expectations of WAT LAB Members

4.1 Reflecting the key purpose of WAT, LAB members must be committed to ensuring the highest levels of educational achievement and progression for pupils in their Academy.

4.2 All LAB members are required:

- to follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (referred to as the Nolan Principles);
- to comply with:
 - [The Articles of Association](#)
 - [The DfE Academy Trust Governance Guide](#)
 - [The Academy Trust Governance Code](#)
 - The Terms of Reference for Local Advisory Bodies
 - The Scheme of Delegation
 - The Conflicts of Interest Policy
 - This Code of Conduct for Local Advisory Bodies
 - all other relevant policies of the Trust
- to ensure they understand their duties, rights and obligations, and that they are familiar with the function and role of WAT and with the Academy;
- not to misuse information gained in the course of their LAB membership for personal gain, nor seek to use the opportunity of service to promote their private interests or those of connected persons, firms, businesses or other organisations;
- to participate actively in the induction process and any relevant training
- to be diligent, careful and well informed about the Academy's and Trust's affairs
- to respect the sensitive and confidential nature of the work of the LAB
- to act in person and use their own independent judgement but to recognise that the LAB acts as a single body and that the agreed views of the LAB must be reflected by LAB members, despite any personal differences
- to sign the Member of Local Advisory Bodies Declaration within two weeks of appointment, and within two weeks of any revised Declaration being agreed.

5. Local Advisory Bodies meetings

5.1 The meetings of the LAB are the main forum for exercising its functions. LAB members are therefore expected to attend LAB meetings.

5.2 LAB members have an obligation to contribute to and share responsibility for the work of the LAB. LAB members must therefore ensure that they are prepared, by reading LAB papers and attending training sessions and other relevant events.

5.3 Open discussion and debate is actively encouraged, in which a full range of objective opinion is welcomed. LAB members should be prepared to challenge where necessary to ensure that the best interests of the pupils are being met. LAB members should also be prepared to commend high performance and other achievements of the pupils and the Academy.

5.4 LAB members should take into account all relevant factors that they believe, in good faith, will promote the overall success of the Academy, such as:

- the impact on pupils' learning outcomes
- the likely consequences of any decision in the long term
- the interests of the Trust's employees
- the need to foster the Trust's and Academy's relationships with stakeholders

- the impact of the Trust's and Academy's operations on the local community and the environment
- the reputation of the Trust and the Academy
- the need to act fairly

5.5 Where consensus is not achieved, the collective view of the LAB will be determined during LAB meetings by calling for a vote by those present. LAB members who abstain on, or vote against, any motion may request an appropriate note be made in the minutes. Once the LAB has come to a collective view, this must be supported by all LAB members

5.6 While the LABs should aim to conduct their business openly, it is inevitable that some matters must be confidential either for a time or always. Local Advisers must respect and maintain this confidentiality.

5.7 In order to maximise the effectiveness of LAB meetings, an annual programme of dates and agenda items will be developed. Papers will be circulated in good time to prepare for meetings, except where this is impractical as a consequence of external factors.

5.8 Any LAB member wishing to include an item on an agenda should propose this to the Chair in good time. Priority will always be given to items directly related to the role and functions of the LAB.

6. Outside Local Advisory Board Meetings

6.1 Members of LABs have an important role in supporting the Academy, and should take opportunities to attend academy events. Where appropriate, and with the agreement of the Headteacher, LAB members should spend time in school, observing it in action and meeting with staff and pupils.

6.2 LAB members should actively encourage a positive view of the Academy and the Trust and should never denigrate the Trust or its academies in public. Any concerns about the Academy or Trust should be raised with the Chair, Headteacher or CEO.

6.3 LAB members should accept the need for care and restraint when talking about LAB matters in any other forum. LAB members must accept that it is inappropriate for any private or public references to "who said what", except in dialogue with other LAB members.

7. Disagreements

7.1 Where a LAB member has a disagreement on any matter, he or she should raise the matter informally with the Chair or through the normal procedures at a LAB meeting. If not resolved, he or she may request the matter be taken further by the Chair. If a satisfactory conclusion is not reached, the Chair may refer the matter to the Board of Directors.

The Seven Principles of Public Life set out by the Committee on Standards in Public Life (the Nolan Principles)

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.