



Academy Local Councils

Terms of Reference

1. Interpretation

1.1. In these terms of reference (“Terms”), unless the context otherwise requires:

“Academy”	means the individual Academy;
“Annual Meeting”	as defined in paragraph 7.2 of these Terms;
“Articles”	means the Articles of Association of the Trust as amended from time to time;
“Chair”	means the chair of the Council appointed pursuant to paragraph 8.1 or in his/her absence any person appointed as chair pursuant to paragraph 8.2;
“clear days”	means in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
“Chief Executive”	means the Chief Executive of the Trust from time to time;
“Clerk”	means the clerk to the Council appointed pursuant to paragraph 6.1 or in his/her absence any person appointed as clerk pursuant to paragraph 6.2;
“Code of Conduct”	means the code of conduct for Council Members as approved by the Trust Board from time to time;
“Council”	as defined in paragraph 2.1 of these Terms;
“Council Members”	means the board of Council members from time to time as constituted pursuant to paragraph 4.1 of these Terms;
“LA Council Member”	means the Council Member appointed by the Local Authority pursuant to paragraph 4.3;
“Local Authority”	means the relevant Local Authority;
“Parent Council Member”	means the parent of a pupil at the Academy appointed pursuant to the provisions of and the arrangements made under paragraph 4.5;

“Personal Interest”	a Council Member has a personal interest in a matter which is to be discussed or determined by the Council if he or a close relative will be directly affected by the decision of the Council in relation to that matter;
“Principal”	means [executive] principal of the Academy from time to time;
“Staff Council Member”	means the employee of the Academy appointed pursuant to the provisions of and the arrangements made under paragraph 4.4.
“Trust”	means Greenwood Academies Trust (CRN: 06864339);
“Trust Board”	means the board of trustees of the Trust from time to time;
“Trust Council Member”	means the Council Members appointed by the Trust Board pursuant to paragraph 4.2 of these Terms;
“Trustees”	means the members of the Trust Board from time to time.

2. Establishment of the Council

- 2.1. The Trust Board has established the Local Council under the Articles referred to in these Terms as the “Council”.
- 2.2. The Trustees shall review annually these Terms.
- 2.3. These Terms may only be amended by the Trust Board.

3. Terms of Reference of the Council

The Council shall:

- 3.1. consider budget monitoring information and make recommendations to the Principal in relation to any potential overspending;
- 3.2. act as a critical friend to the Principal including advice in relation to annual budget proposals;
- 3.3. represent the views of the community in discussions on budget issues that relate to community engagement and activity and make recommendations to the Principal; and
- 3.4. support the Principal in recruitment and selection, grievance, disciplinary and exclusion processes where appropriate.

4. Council Members

4.1. The membership of the Council shall be as follows:

For Nottingham, Nottingham Girl's and Skegness Academies:

- 4.1.1. six Trust Council Members;
- 4.1.2. one LA Council Member;
- 4.1.3. one Staff Council Member;
- 4.1.4. one Parent Council Member;
- 4.1.5. the Principal; and
- 4.1.6. the Chief Executive.

For all other Academies:

- 4.1.7. six Trust Council Members;
- 4.1.8. one LA Council Member;
- 4.1.9. one Staff Council Member;
- 4.1.10. two Parent Council Members;
- 4.1.11. the Principal; and
- 4.1.12. the Chief Executive.

4.2. The Trust Board shall from time to time appoint six persons as Trust Council Members and shall have the power to remove from office any such Council Member.

4.3. The Local Authority shall from time to time appoint one person as a LA Council Member and shall have the power to remove from office any such Council Member.

4.4. The Council Members shall (subject to the approval of the Trust Board) make all necessary arrangements for, and determine all matters relating to, the election of one Staff Council Member.

4.5. The Council Members shall (subject to the approval of the Trust Board) make all necessary arrangements for, and determine all other matters relating to, an election of a Parent Council Member, including any question of whether a person is a parent of a registered pupil at the Academy. Any election of a Parent Council Member which is contested shall be held by secret ballot.

4.6. The term of office for any Council Member shall be three years, save that this time limit shall not apply to the Principal or Chief Executive. Subject to remaining eligible to be a particular type of Council Member, any Council Member may be re-appointed or re-elected.

5. Disqualification and removal of Council Members

A person shall be ineligible for appointment to the Council and, if already appointed, shall immediately cease to be a Council Member if the relevant individual:

- 5.1. is or becomes disqualified from holding office as a governor of a school;
- 5.2. is or becomes bankrupt or makes any arrangement or composition with his/her creditors generally; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced
- 5.3. is, or may be, suffering from mental disorder and either:-
 - 5.3.1. is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or, in Scotland, an application for admission under the Mental Health (Scotland) Act 1960; or
 - 5.3.2. an order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his/her detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his property or affairs; or
- 5.4. resigns his/her office by notice to the Council;
- 5.5. in the case of the Principal, they cease to be the Principal;
- 5.6. their term of office expires and they are not re-appointed;
- 5.7. in the case of the Chief Executive, they cease to be the Chief Executive; or
- 5.8. is convicted of any criminal offence (other than minor offences under the Road Traffic Acts or the Road Safety Acts for which a fine or non-custodial penalty is imposed or any conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974).

6. Clerk

- 6.1. The Council must appoint a Clerk (who must not be the Principal or Chief Executive) and may remove the Clerk from office at any time.
- 6.2. In the absence of the Clerk from a Council meeting, the Council may appoint any one of the Council Members to act as Clerk for the purposes of that meeting.
- 6.3. The Clerk must:
 - 6.3.1. convene meetings of the Council;
 - 6.3.2. attend meetings of the Council and ensure that minutes of the proceedings are drawn up; and
 - 6.3.3. perform any other functions determined by the Council.

7. Proceedings of Committee meetings

- 7.1. The Council shall meet at least three times a year. Other meetings:
 - 7.1.1. may be called as necessary with the agreement of the Chair;
 - 7.1.2. must be called when the Trust Board directs the Clerk, in writing, to convene a meeting of the Council.
- 7.2. The first meeting of the Council on or after 1 September in any year shall be called the “Annual Meeting”.
- 7.3. The Clerk must convene meetings of the Council and, when exercising this function, must comply with any direction given by the Council or the Chair (providing it is not inconsistent with any direction given by the Council).
- 7.4. Subject to any direction given, at least seven clear days in advance of a meeting, the Clerk must provide the following to each Council Member:
 - 7.4.1. written notice of the meeting;
 - 7.4.2. a copy of the agenda for the meeting; and
 - 7.4.3. any reports or other papers to be considered at the meeting.
- 7.5. A shorter notice period than required pursuant to paragraph 7.4 may be given if the Chair believes that matters need more urgent consideration, providing this is made clear in the notice for the meeting.
- 7.6. The quorum for the transaction of the business of the Council shall be three Trust Council Members.
- 7.7. The proceedings of the Council are not invalidated by any vacancy in the membership of the Council or any defect in the appointment of any Council Member.
- 7.8. Every question to be decided at a meeting of the Council must be determined by a majority of the votes of the Council Members present and voting on the question. Subject to paragraph 9.1, each Council Member present in person shall be entitled to one vote.
- 7.9. Where there is an equal division of votes the Chair has a second or casting vote, provided that person is a Trust Council Member.
- 7.10. The Council may not arrange for any of its functions to be delegated or discharged by any sub-committee or other person or body.

8. Chair

- 8.1. At the first meeting of the Council and thereafter at each Annual Meeting the Council Members shall appoint one of their number to be the chair of the Council to hold office until the end of the next Annual Meeting.
- 8.2. Unless he/she is unwilling to do so, the Council Member so appointed shall preside at every meeting of the Council at which he/she is present. But if there is no Council Member holding that office, or if the Council Member holding it is unwilling to preside or is not present within five

minutes after the time appointed for the meeting, the Council Members present may appoint one of their number to be chair of the meeting.

9. Council Members' Interests

9.1. Each Council Member and the Clerk shall, if present at a meeting of the Council, disclose their interest, withdraw from the meeting, and not vote on a matter, if:

9.1.1. there may be a conflict between their interests and the interests of either the Academy or the Trust; or

9.1.2. there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or

9.1.3. they have a Personal Interest in a matter.

10. Conduct and Council Members' Expenses

10.1. All Council Members shall observe at all times the provisions of the Code of Conduct.

10.2. Any Council Member may be paid all travelling, and other expenses reasonably incurred by them in connection with their attendance at meetings of the Council and such other sums as may be determined by the Trust Board.

11. Minutes

11.1. Minutes of the proceedings of a meeting of the Council must be drawn up by the Clerk, or by the person acting as the Clerk for the purposes of the meeting and, subject to the approval of the Council, must be signed by the Chair of the next meeting of the Council.

11.2. The Council must, as soon as reasonably practicable give to the Trust Board a copy of the agenda and signed minutes (or the draft minutes if approved by the chair) for every meeting of the Council and any report or other paper considered at the meeting.