

RMET

Scheme of Delegation

Appendix 5 – Terms of Reference

Academy Committee

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1 st September 2023	0.1	New Policy
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1. Constitution and Standards

- 1.1. The Board of Trustees for RMET (“**Trust Board**” or “**the Trust**”) has established individual committees for each School within the Trust, which will be known as the Academy Committee (“**the Committee**”).

2. Membership

- 2.1. Members of the Academy Committee will be known as “**Academy Committee Members**”
- 2.2. The Academy Committee shall have a minimum of three Academy Committee Members and a maximum of ten Academy Committee Members. Membership of the Academy Committee will be constituted as follows:
 - 2.2.1. One Headteacher or Executive Headteacher (Ex-officio position)
 - 2.2.2. Two Staff Elected Academy Committee Members (in accordance with paragraph 2.3)
 - 2.2.3. Two Parent Elected Academy Committee Members (in accordance with paragraph 2.4)
 - 2.2.4. Up to five Co-opted Academy Committee Members (in accordance with paragraph 2.5)
- 2.3. The Academy Committee will ensure that arrangements have been made for the election of two Staff Elected Academy Committee Members, including:
 - 2.3.1. Ensuring that the total number of persons employed by the Trust does not exceed one third of the total number of Academy Committee Members on the Academy Committee;
 - 2.3.2. Inviting nominees from all staff employed under a contract of employment with the School;
 - 2.3.3. Any election of persons who are to be the Staff Elected Academy Committee Members which is contested shall be held by secret ballot.
- 2.4. The Academy Committee will ensure that arrangements have been made for the election of two Parent Elected Academy Committee Members (which includes carers), including:
 - 2.4.1. Ensuring that the Parent Elected Academy Committee Members have a child registered as a pupil of the School at the time when they are due to start their term of office;
 - 2.4.2. Inviting nominations from all eligible parents of the School, by completing the necessary form;
 - 2.4.3. Any election of persons who are to be the Parent Elected Academy Committee Members which is contested shall be held by secret ballot.
- 2.5. The Academy Committee will ensure that arrangements have been made for the appointment of up to five Co-opted Academy Committee Members, including:
 - 2.5.1. Ensuring that the Head of Governance has advertised the position on the School website, social media, Trust website and through Inspiring Governance;
 - 2.5.2. Ensuring that any specific skill requirements or experience are provided along with the application form;

- 2.5.3. Completed application forms to be provided to the Chair of Trustees for review prior to interview;
- 2.5.4. The Trust Board will approve all Co-opted Academy Committee Members.

- 2.6. The term of office for Staff Elected Academy Committee Members shall be four years. At the expiration of the term of office, the Academy Committee will arrange for notification to staff that a vacancy is due to arise and invite nominations in accordance with paragraph 2.3.

- 2.7. The term of office for Parent Elected Academy Committee Members shall be four years. At the expiration of the term of office, the Academy Committee will arrange for notification to parents that a vacancy is due to arise and invite nominations in accordance with paragraph 2.4.

- 2.8. The term of office for Co-opted Academy Committee Members shall be four years. Prior to the expiration of the term of office, the Co-opted Academy Committee Member should confirm their intention to request re-appointment for a further term of office of four years (a maximum of two terms/8 years). The Trust Board will re-appoint Co-opted Academy Committee Members in accordance with paragraph 2.4. Should re-appointment not be confirmed the Trust Board will conduct a new appointment in accordance with paragraph 2.5.

- 2.9. The term of office does not apply to the Ex-officio, who will serve for as long as they remain in office.

- 2.10. The Trust Board will appoint the Chair of the Academy Committee. The term of office for the Chair will be two years.

- 2.11. The Trust Board will appoint the initial Vice-Chair of the Academy Committee. Subsequent Vice-Chair positions will be elected by the Academy Committee Members. The term of office for the Vice-Chair will be two years, and the election will be held biannually, at the first meeting of the academic year by secret ballot.

- 2.12. No person can act as the Vice-Chair of the Academy Committee if they are also an employee of the Trust.

- 2.13. The Chair and Vice-Chair may only be removed from office by the Trust Board in accordance with these terms of reference.

- 2.14. A resolution to request the removal the Chair or Vice-Chair from office which is passed at a meeting of the Academy Committee shall not have effect unless:
 - 2.14.1. It is confirmed by a resolution passed at a second meeting of the Academy Committee, held not less than fourteen days after the first meeting;
and
 - 2.14.2. The matter of the Chair's or Vice-Chair's removal from office is specified as an item of business on the agenda for each of those meetings;
and
 - 2.14.3. That before a resolution is passed by the Academy Committee at the relevant meeting as to whether to confirm the previous resolution to request the removal the Chair or Vice-Chair from office, the person or persons proposing

their removal shall at that meeting state their reasons for doing so and the Chair or Vice-Chair shall be given an opportunity to make a statement in response.

2.14.4. That the matter has been brought to the next meeting of the Trust Board, who will decide on the matter of removal and their decision will be final.

2.15. The Academy Committee will ensure that all Academy Committee Members have the knowledge and experience to fulfil their duties.

3. Resignation and removal

3.1. Any person serving as an Academy Committee Member shall cease to hold office if they resign their office by notice to the Academy Committee, but only if there are three persons remaining in office when the notice of resignation is to take effect. The Clerk must notify the Head of Governance upon receipt of any such resignation.

3.2. Any person serving as an Academy Committee Member shall cease to hold office if they are removed by the Trust Board. Whilst at the same time as acknowledging that no reasons need to be given for the removal of a person who serves on the Academy Committee, reasons for removal will be provided and an opportunity for the Academy Committee Member to respond will be duly given.

4. Disqualification of Academy Committee Members

4.1. No person shall be qualified to serve of the Academy Committee unless they are aged 18 or over at the date of their election or appointment. No current pupil of any School within the Trust shall be entitled to serve on the Academy Committee.

4.2. A person serving on the Academy Committee shall cease to hold office if they become incapable, by reason of mental disorder, illness or injury of managing or administering their own affairs.

4.3. A person serving on the Academy Committee shall cease to hold office if they are absent from three consecutive meetings of the Academy Committee and the Academy Committee resolves that their office be vacated.

4.4. A person shall be disqualified from serving on the Academy Committee if:

4.4.1. They have been declared bankrupt and/or their estate has been seized from their possession for the benefit of their creditors and the declaration or seizure has not been discharged, annulled or reduced; or

4.4.2. They are the subject of bankruptcy restrictions order or any interim order.

4.5. A person shall be disqualified from serving on the Academy Committee at any time when they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

4.6. A person serving on the Academy Committee shall cease to hold office if they would cease to be a Trustee 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).

- 4.7. A person shall be disqualified from serving on the Academy Committee 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 to or to which they were privy, or which they, by their conduct contributed to or facilitated.
- 4.8. A person shall be disqualified for serving on the Academy Committee 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 offences 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 of the Charities Act 2011.
- 4.9. A person shall be disqualified from serving on the Academy Committee if they have not provided the Chair with a criminal records 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 be in the opinion of either the Chair or the Chief Executive Officer confirms 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.
- 4.10. A person shall be disqualified from serving on the Academy Committee if they are a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any probation or restriction which takes effect as it is contained in such a direction.
- 4.11. A person shall be disqualified from serving on the Academy Committee where it has been requested but failed to complete the Register of Interests form to confirm any conflicts of interest with RMET.

5. Proceeding of the Committee

- 5.1. Meetings of the Academy Committee shall not be less than four times in every academic year and where appropriate should coincide with key financial dates in the School's reporting cycle.
- 5.2. Meetings of the Academy Committee shall be convened by the Clerk to the Academy Committee on the instructions of the Chair.
- 5.3. Each Academy Committee Member shall be given at least seven clear days before the date of the meeting:
 - 5.3.1. Notice in writing thereof, signed by the Clerk, and sent to each Academy Committee Member using the Trust's inhouse system GovernorHub;
 - 5.3.2. A copy of the agenda for the meeting; and
 - 5.3.3. A copy of the item concerned being on the agenda for the meeting.
- 5.4. Providing that where the Chair or, in their absence or; where there is a vacancy in the office of Chair, the Vice-Chair, 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 they direct.

- 5.5. The convening of a meeting and the proceeding conducted therat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 5.6. In exercising their functions, the Clerk shall comply with any direction given by:
 - 5.6.1. The Trust Board;
 - 5.6.2. The Academy Committee;
 - 5.6.3. The Chair of the Academy Committee or, in their absence or where there is a vacancy in the office of Chair, the Vice-Chair, so far as such direction is not inconsistent with any direction given as mentioned above.
- 5.7. The meeting of the Academy Committee shall be terminated forthwith if:
 - 5.7.1. The Academy Committee Members so resolve; or
 - 5.7.2. The number of Academy Committee Members present ceases to constitute a quorum for a meeting of the Academy Committee.
- 5.8. Where the Academy Committee resolved to adjourn a meeting before all the items of business on the agenda have been disposed of, the Academy Committee 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.
- 5.9. The quorum for any business to be transacted by the Academy Committee shall be three Academy Committee Members (and must include either the Chair or Vice-Chair of the Academy Committee), or where greater, any one third (rounded up to a whole number) of the total number of persons holding office at the date of the meeting.
- 5.10. The quorum for the purposes of:
 - 5.10.1. Any vote on the removal of an Academy Committee Member;
 - 5.10.2. Any vote of the proposed removal of the office of the Chair or Vice-Chair.Shall be any two thirds (rounded up to a whole number) of the persons who are at the time Academy Committee Members entitled to vote on those respective matters.
- 5.11. Every matter to be decided by the Academy Committee must be determined by a majority vote of the Academy Committee Members present in person and entitled to vote on the matter.
- 5.12. Each Academy Committee Member present in person shall be entitled to one vote.
- 5.13. Where there is an equal division of votes the Chair of the Academy Committee will have the casting vote.
- 5.14. In the absence of the Chair, the Vice-Chair will act as Chair for the purpose of that meeting.
- 5.15. In the absence of the Chair and Vice-Chair, those Academy Committee Members present will elect a Chair from amongst their number in accordance with paragraph 2.12.

- 5.16. Any Academy Committee Member may attend the meeting in person, by telephone or by virtual means provided that notice has been given to the Clerk prior to the start of the meeting.
- 5.17. The Academy Committee may invite other guests to attend who are not members, to report or aid the Academy Committee on a particular agenda item. These guests may speak with the permission of the Chair but have no voting rights.
- 5.18. A Clerk will be in attendance to take minutes at the meetings of the Academy Committee.
- 5.19. At the end of every meeting of the Academy Committee, the Chair shall direct the meeting to consider in regard to every decision made or item discussed whether any item be treated as confidential and recorded as such in the minutes of the meeting. Excluded items may include:
 - 5.19.1. A named teacher or other person employed or proposed to be employed, at any School within the Trust;
 - 5.19.2. A named pupil or named student, or candidate for admission or referral to any School; and
 - 5.19.3. Any matter which, my reason of its nature, the Academy Committee are satisfied should remain confidential.
- 5.20. Where the Clerk is not in attendance at any meetings of the Academy Committee, the Academy Committee Members present shall nominate one of their number to take notes and prepare the minutes of the meeting. The Ex-Officio may not act as the minute taker.
- 5.21. The Clerk to the Academy Committee must take steps to protect against the risks of the security of the information stored electronically or on paper. These steps include:
 - 5.21.1. Using GovernorHub to upload the minutes and papers rather than sending by email;
 - 5.21.2. Where it is deemed necessary for minutes and supporting papers for the agenda items to be distributed by email, the Clerk will only use Trust email addresses;
 - 5.21.3. Clerks and Academy Committee Members may not share minutes, agendas or supporting papers outside of the Trust's GovernorHub system or email system;
 - 5.21.4. It is the responsibility of all Academy Committee Members and Clerks to ensure that hard copies of papers are not left unattended.
- 5.22. A register of Academy Committee Member attendance shall be maintained and published annually on the School website.

6. Authority

- 6.1. The Academy Committee is a committee of the Trust Board and is authorised to investigate any activity:
 - 6.1.1. Within these terms of reference;
 - 6.1.2. Specifically delegated to it by the Trust Board.

7. Reporting Procedures

- 7.1. Within fourteen days of each meeting, the Committee will:
 - 7.1.1. Produce and agree minutes of meetings;
 - 7.1.2. Provide the Head of Governance with any amendments to the membership of the Academy Committee;
 - 7.1.3. Provide the Head of Governance with any items for further decision by the Trust Board.
- 7.2. The draft minutes of meetings of the Academy Committee can be agreed with the Chair via email.
- 7.3. The agreed draft minutes of the Academy Committee will be available to Trust Board within fourteen days of each Academy Committee meeting.
- 7.4. The Academy Committee will arrange for any further reports or updates as requested by the Trust Board and be available within an agreed timeframe.

8. Conduct of Academy Committee Members

- 8.1. All Academy Committee Members shall observe at all times the provisions of the Trust's Governance Code of Conduct.

9. Academy Committee Members' Interests

- 9.1. Academy Committee members are required to declare any interests in any item being discussed at a meeting and adhere to the agreed protocols within the Trust's Articles of Association.

10. Purpose

- 10.1. The Academy Committee shall maintain oversight of:
 - 10.1.1. Holding the School to account for the agreed School Development Plan (SDP) and Self Evaluation Form (SEF);
 - 10.1.2. Monitoring and evaluating pupil achievement;
 - 10.1.3. Monitoring and evaluating safeguarding arrangements;
 - 10.1.4. Monitoring the curriculum;
 - 10.1.5. Monitoring SEND and the disadvantaged;
 - 10.1.6. Monitoring and evaluating the premiums.

11. Remit and Responsibilities

- 11.1. The remit and responsibilities of the Academy Committee are set out in the Schedule.

12. Review of Performance

- 12.1. Once in every academic year the Academy Committee shall conduct an annual review of its roles and responsibilities in line with the Trust Board requirements and will make any recommendations to the Trust Board accordingly.
- 12.2. Once in every academic year the Academy Committee shall conduct a skills audit of Academy Committee Members using the template provided by the Head of Governance.

Schedule of the Academy Committee

The responsibilities of the Academy Committee:

1. To advise the Trust Board on the adequacy and effectiveness of the duties described in the Terms of Reference for the Academy Committee (paragraph 10).

Strategic Direction:

2. Monitor the vision, philosophy of education, values and culture for RMET, set by the Trust Board.
3. Approve the School's Self Evaluation Form (SIF) and the strategy for the School Development Plan proposed by the Headteacher and the Chief Executive Officer.
4. Review in detail premium funding, spend and impact with the School.
5. Review the Curriculum Offer of the School.
6. Approve and monitor the Equality Duty and Objectives of the School.

Monitoring and Evaluating:

7. Review and evaluate the funding, spend and pupil outcomes of premiums (including but not limited to):
 - Pupil Premium;
 - PE/Sports Premium;
 - Curriculum Provision;
 - National Tutoring Programme.
8. Review cohort performance in respect of:
 - Early Years Foundation Stage;
 - Key Stage 1;
 - Key Stage 2;
 - Key Stage 3;
 - Key Stage 4;
 - 16 – 19 provision.
9. Monitor and evaluate information on SEND and the disadvantaged.
10. Monitor the career's guidance provided by the School.
11. Monitor and evaluate behaviour and discipline within the School.

12. Monitor and evaluate the exclusion of pupils within the School.
13. Monitor and evaluate the attendance of pupils within the School.
14. Monitor the admissions of the School.
15. Monitor and evaluate the curriculum offer including the extracurricular offer to ensure that it fully meets the requirements of the National Curriculum in terms of intent, implementation and impact, as well as being broad and balanced.
16. Monitor and evaluate on other curriculum issues such as spiritual, moral, social and cultural learning.
17. Monitor pupil health, wellbeing and physical literacy.
18. Monitor teaching capacity including impact of continuing professional development on pupil achievement and standards.
19. Monitor and evaluate the School census reports for the School.
20. Approve and monitor School level policies.

Engagement:

21. Engaging pupils, parents and the wider community in promoting and improving educational performance and wider outcomes for all pupils within the School.
22. Ensure the School complies with appropriate bodies including the ESFA and the DfE.
23. Ensure that incorrect or illegal off-rolling is not taking place within the School.

Appoint the following LINK Academy Committee Members:

- Safeguarding
- SEND
- Premiums
- Careers
- Curriculum

Appoint Panels:

24. When required by the School, appoint panels to consider decisions regarding complaints, behaviour, fixed term and permanent exclusions.

Chair's Additional Responsibilities:

25. The Chair will attend regular update meetings with the Headteacher of the School.
26. The Chair will attend the Quality of Education Committee meetings.