



Governance Handbook

Dear Colleague

Welcome to your new role as a school Member/Trustee/Local Governor and thank you for the commitment you are making to the children and young people of Illuminate Minds Trust.

At Illuminate Minds Trust we want all our children to grow up in a society where everyone has the chance to make the most of themselves and where parents are included in shaping the education system for their children. You, along with your fellow school Members, Trustees and Local Governors have a vital role to play in helping to make sure every child has the best start in life. Robust Governance is an intrinsic part of the Government's aim to build an education system that is not only universally excellent, but also universally responsive to its users.

There may seem to be a lot to learn in your new role about our Trust and schools and you will be supported to develop your knowledge whilst contributing your own skills and expertise. Whatever your background you, along with your colleagues will take the strategic decisions about the Trust and schools and ensure that they are accountable to its community. The Chief Executive Officer (CEO) has overall responsibility for the day-to-day management of the school.

To give context to the role and direction of the trust's Scheme of Delegation, Strategic Business Plan, Articles of Association, Funding Agreement and school and trust newsletters will be available to you. The Department for Education's [Governance Handbook](#) together with the [Academy Trust Handbook](#) and information on the [National Governance Association](#). These documents clearly outline your accountability and statutory responsibilities and help make you feel well-prepared for the exciting and challenging role you have taken on. The documents also explain specific link roles for Trustees and Local Governors such as the role of Safeguarding Governor, Health and Safety Governor, Children Looked After and SEND Governor, roles and responsibilities of these roles are outlined in appendix 1.

You can also sign up to receive regular communication from CST-UK ([email CST-UK](#) to request to be added to updates) and [The Key](#) to ensure you keep up to date with educational initiatives and statutory requirements.

We know that you will want to do all that you can to promote high standards and give every child or young person in your school the opportunity to make excellent progress, to succeed and be the best they can be in all aspects of their development. We are delighted that you have decided to give your time, energy and commitment to making a real difference to education and wish you every success in your new role. It is greatly appreciated.

Nicola Harper

Chair of Trustees

Illuminate Minds Trust

How much time do Members/Trustees/Local Governors need to give to the role?

At the time of appointment, the academy will advise you of the length of your term of office and you can resign at any time by giving notice in writing to the clerk. On rare occasions a MAT may decide to ask a governor to leave before the end of their term of office and those who fail to provide a valid reason for non-attendance over a consecutive period of time would automatically be dismissed from the board.

Your main task is to attend meetings in accordance with your position;

- Members have a minimum of one meeting annually
- Trustees have a minimum of five meetings annually.
- Local Advisory Committees meet termly.

Papers are circulated ahead one week in advance of the meetings and are to be taken as read at the meeting to ensure time efficiency. There may be occasions where papers for Trust Board meetings are tabled due to the pace of change and development and in recognition of external factors which may impact on this.

Standard papers which are provided to the LAC meetings are as follows:

- Head Teacher Report (reflecting the previous term's progress and outcomes + data capture alongside an up to date commentary on priorities, issues and actions.
- The School's Self Evaluation Form (SEF) – updated termly.
- The School's Improvement Plan – updated termly and in advance of the meeting.
- An annual report on the curriculum offer and developments.
- An annual Pupil Premium Report.
- An annual Sports Grant Report.

Standard papers which are provided to the Trust Board Meeting are as follows:

- Minutes from the last LAC meeting.
- A report from the Chairs of the Local Advisory Committees (written or verbal).
- KPI dashboards for each school and for comparison reflecting the previous term and an annual overview.
- A termly report from the CEO providing headline performance information by school, an overview of school improvement, staffing and CPD updates and Trust growth.
- A termly report from the COO on estates, health and safety and finance.
- An annual presentation of the SEF for each school and the associated School Improvement Plan.
- An annual SEND report.
- An annual Equality, Diversity and Inclusion report.
- An annual Safeguarding report.
- Any papers relating to proposed changes requiring approval.

Trustees and Local Governors also undertake pre-arranged day time visits to schools as part of their role in monitoring and evaluation to observe practice, meet with staff and to familiarise themselves with the school, these meetings must be coordinated by the Head Teachers. Trustees and Local Governors are usually welcome, by invitation, to attend school performances, events and some staff training. An important element of a governor's/trustees' role is to ensure that they are up to date and to do this they must attend training and briefing sessions.

What training is available?

It is acknowledged that well informed Trustees and Local Governors really do make a difference. Ofsted Inspections assess governance as part of the leadership and management judgement and will contact Trustees and Local Governors as part of the Inspection. However, it is the Trustees who are ultimately the point of contact for inspectors as they hold responsibility for strategic Trust decisions and drive performance and standards.

A skills audit is carried out annually to identify Trustees and Local Governor's training needs. Although it takes time for a new Trustees and Local Governors to gain the skills, knowledge, and maybe the confidence required to carry out this role, we know from experience that governors who attend the induction training gain a better understanding of their role and can therefore benefit their governing board by being more effective at an earlier stage in their term of office. Statutory training will be offered annually to all Trustees and Local Governors in relation to statutory compliance and additional training may be arranged to upskills governors and Trustees in relation to specific areas and inspection preparation. Trustees and Local Governors must attend the statutory training.

Can I have time off work because I am a governor/trustee?

The Employment Rights Act 1996 gives employees the right to have time off to perform official duties – as long as time off is “reasonable” in the particular circumstances. If you are in employment, you should clarify with your employer the conditions for releasing employees from work and whether this would be with or without pay. Overseas companies with UK based offices may not extend the same concession to their employees.

What is my legal liability as a governor/trustee?

This question is frequently asked by both new and experienced Trustees and Local Governors. Academy governing boards are corporate bodies so the whole Trust Board is liable for the compliance, performance and standards of the Trust with governors providing challenge in relation to school improvement and providing feedback and advice to the board. The law makes it clear that individual Trustees will not have personal liability for anything done in good faith. In other words, you should act in good faith and exercise reasonable care and common sense, acting within your powers and capacity as a Member, Trustee or Local Governor. Illuminate Minds Trust Governance Professionals (clerks) all hold a professional qualification and have a wealth of experience and knowledge; governing/trustee boards should have due regard to any advice given by the clerk (governance professional) who will ensure your minutes reflect the decision-making process undertaken.

Under company law, those holding the position of Academy Trustee are a director of the business and have a £10 liability should the business fail.

At first you may feel that you have little to contribute, but your confidence will increase when you get involved in visits and other activities in the school. If you sometimes feel like this, talk through a topic that you find difficult with a colleague on the Trust Board. This will help you learn more, but you may also find that others do not know as much as you might think. Develop your own special area of interest, so you can speak from experience on that topic. There are plenty of opportunities to do this through volunteering for a particular area of scrutiny and leading on this as part of your Trustee / Local Governor role.

Reading papers in advance of the meetings is essential as it gives you time to jot down any questions you want to raise either in or prior to the meeting. If you know before the meeting that you want to speak at a certain point you can let the Chair or the Clerk know beforehand. Where meetings are remote, use the “Raise Hand” option and, in face to face meetings, you may be invited to speak or again signal to the Chair that you have something to say. You are there to contribute and to provide challenge in order that assurances can be provided with confidence to the Trustees.

Quorum, Quorate, Inquorate

Before the start of a trustee board/local governor/committee meeting, your governance professional (Clerk) will check to make sure that the meeting is quorate against the current membership of the trustee or local governor board. To take decisions, a trustee board/local governor/committee must be quorate with a minimum of 50% of those in post are present.

Attendance

Any trustee/local governor who, without permission, is absent from meetings of the full governing board for a continuous period of six months will cease to be a trustee/local governor. If you need to offer apologies for a meeting this should be done through the Chair or your governance professional (clerk) in advance of the meeting with the reason for your absence noted.

Confidentiality

Trustee board/ Local Governor meetings are not open to the public and therefore matters discussed remain confidential to the Trustee Board/ Local Governors and should not be discussed even with family members. Trustees/Local Governors observe confidentiality regarding proceedings in meetings and from their visits to school as Trustees/Local Governors. How an individual Trustee/Local Governor votes should always be regarded as confidential and for contentious issues there could be a secret ballot. The minutes of any part of the meeting that are confidential should be kept separate and not made public.

Trustees/Local Governors should exercise the greatest prudence if discussion of a potentially contentious issue affecting the school arises outside the governing/trustee board. The intention of the law is that Trustees/Local Governors should be accountable and business should be transparent with any confidential items being kept to a minimum.

Old documents governors/trustees wish to dispose of should be shredded, given the sensitive nature of some of the information.

Code of Conduct for Members, Trustees and Local Governors

Members, Trustees and Local Governors;

- Should support the aims and objectives of the Trust and promote the interests of the Trust as well as of each school and its pupils in the wider community;
- Should work co-operatively with other Members, Trustees and Local Governors in the best interests of the Trust;
- Should acknowledge that differences of opinion may arise in discussion of issues but, when a majority decision prevails, it should be supported;
- Should base his or her view on matters being presented on an honest assessment of the available facts, unbiased by partisan or representative views;
- Should acknowledge that as an individual Member, Trustee or Local Governor, he or she has no legal authority outside of the Trust;
- Should understand that, unless delegated by the Trust, does not have the right, other than through the chair of either the Trust or school, to make statements or express opinions on behalf of the Trust or school;
- Should resist any pressure to use the position to benefit himself or herself or other individuals or agencies
- Must declare openly and immediately any personal conflict of interest arising from a matter before the Members, Trustees and Local Governors or from any other aspect of the Trust;
- Must respect the confidentiality of those items of business, which the Trust declares from time to time, this confidentiality extends to items discussed in meetings. Unless agreed, recording of any meeting or discussion must not take place ;
- Must follow the Trust Virtual Meeting Policy when attending a virtual meeting
- Should take or seek opportunities to enhance his or her effectiveness through participation in training and development programmes and by increasing his or her own knowledge of the Trust or school;
- Should give priority, as far as practicable, to attendance at meetings and visits;
- Must have regard to his or her broader responsibilities as a Member, Trustee or Local Governor of a public institution including the need to promote public accountability for the actions and performance of the Trust;
- Should visit the school and enter classrooms only by prior arrangements with the Head Teacher or designated Leader, taking care not to intrude upon the teaching staff's professionalism. Formal lesson observations are not to be undertaken. Should report any comments or actions from the visit for information to the Members, Trustees or Local Governors, avoiding OFSTED related judgements
- Must exercise great caution with the use of social networking websites, for example, Facebook, My Space, Bebo, Twitter, etc., and not make any comment regarding the Trust, schools or governance which could bring it into disrepute. Care should also be exercised in relation to material posted including photographs;
- The Trust is committed to safeguarding and it is the responsibility of every Member, Trustee and Local Governor to report any concerns brought to their attention to the CEO or to the Chair of the Trust Board in the case of the Head Teacher.

Visits

- An Ofsted inspection assumes that Trustees have sound knowledge of the strengths and strategic direction of the Trust and the priorities, performance and challenges within each of the Trust schools. Local Governors will be more involved in the granular detail of each school and be able to verbalise the strengths and weaknesses of the school and provide headline details to the Trust Board in their advisory role.

- Trust Boards have a statutory responsibility to monitor and evaluate the effectiveness of the Trust and seek assurances from Local Governors on the quality of provision, outcomes and curriculum offer for each school. Visiting classrooms is one of the ways in which this can be achieved; alternatively visits can take the form of speaking directly to a member of the Senior Leadership Team or with groups of children as required.
- The Governance visit – record sheet must be completed and shared with the Head Teacher and copied to the CEO following any visit.

Visit Protocol

- arrange details and timings of the visit with the Head Teacher (governors) or CEO (Trustees)
- agree the purpose and the organisation of the visit with the CEO/Head Teacher
- observe school guidelines/rules and confidentiality
- fulfil the agreed purpose of the visit
- show courtesy to both the teacher and pupils involved
- share and discuss observations with the CEO/Head Teacher or other designated person as appropriate
- give feedback at the next Trust Board or Local Governor meeting

Meetings will be organised in the main through an annual schedule to ensure that visits are purposeful and in line with the focus areas for inspection and the responsibilities held by the Trust Board. Any additional visits must be agreed with the Head Teacher in order that they do not intrude on the day to day running of the school. Additional visits should be kept to a minimum. There may be occasions where visits have to be rearranged in response to the demands of the operational running of the schools.

Financial Matters

Register of Pecuniary Interests: Members/Trustees/Local Governors and Trust/school staff have a responsibility to avoid any conflict between their business, personal interests, and the interests of the school. A Register of Pecuniary Interests will be completed by every governor annually. This will be published on the governors' page of the school website, recorded on the DfE database called Get information about schools (GIAS) and shared with auditors annually.

Pecuniary interests are those where an item under discussion may have a financial benefit to the individual trustee/governor/Executive Leader or their spouse, partner or close family member. An example could be the discussion of a school contract which might profit a known individual. Teachers must be able to fulfil their roles elected representatives of the teaching staff, but the teacher must not have a personal interest that is different from the teaching staff as a whole.

Non-pecuniary interests can be defined as any factor which would cause an intelligent observer to think that the judgment of a Trustee/Local Governor /Executive Leader is biased. Most often this will be a case of knowing someone who has a financial interest in the decisions being made or being related to someone who is, or has applied to be, employed at the school. However, it may be a situation where a benefit arises which is non-financial for example being a member of a club which is allowed to use the school's facilities, although such an interest may be one that would only occur should the particular issue arise. As soon as such an issue arises a declaration should be made.

As a general principle a governor should register and declare anything which a member of the public might reasonably think puts the governor at risk of being biased in making a decision by putting private considerations above the public interest.

Trustee / Local Governor Responsibilities:

Trustee Roles:

The following responsibility areas must be covered by Trustees:

- Behaviour and Safeguarding
- Estates / Health and Safety
- Finance (Chair of the Audit Committee)
- SEND and Disabilities
- Quality of Educational Standards
- Staffing and Succession Planning
- Equality, Diversity and Inclusion
- Stakeholder Relationships and Growth Strategy

Local Governor Roles:

The following roles will be undertaken by governors as part of the remit of the Local Advisory Committee for each school:

- Curriculum
- Community Engagement
- Progress and Outcomes
- Attendance and Behaviour
- Admissions, Exits and Exclusions
- Vulnerable Groups
- Professional Development and Training

How these roles are interlinked is shown below. This explains how the tiers of governance for each area relate to each other, inform the reporting to the two tiers and provide the necessary assurances.

GOVERNANCE FOCUS AREAS AND LINKS	
TRUST BOARD	LOCAL ADVISORY COMMITTEE
Behaviour and Safeguarding	Attendance and Safeguarding Admissions, Exits and Exclusions
Estates / Health and Safety	N/A
Finance (Chair of the Audit Committee)	N/A
SEND and Disabilities	Performance of Vulnerable Groups
Quality of Educational Standards	Progress and Outcomes Curriculum
Staffing /Succession Planning	Professional Development and Training
Equality, Diversity and Inclusion	Performance of Vulnerable Groups Admissions, Exits and Exclusions
Stakeholder Relationships and Growth Strategy	Community Engagement

Public Sector Equality Duty

Trustees / Local Governors have a responsibility to ensure that equality and diversity form an integral part of their scrutiny and challenge by

- Eliminating discrimination.
- Advancing equality of opportunity between people who share a protected characteristic and people who do not share it.
- Fostering good relations across all characteristics – between people who share a protected characteristic and people who do not share it.

DBS Checks (Disqualification and Barring Service)

All governors/trustees have a legal responsibility for safeguarding children and young people as set out in the statutory guidance [Keeping Children Safe in Education](#) this guidance is updated every year and governors will need to refresh their knowledge of the duties placed on them.

Disqualification: If any of the following conditions apply, unfortunately you would be ineligible to be a school governor. A person is disqualified from holding or continuing to hold office as a governor/trustee if that person:

- is under the age of 18 years;
- has been absent without the governing/trustees board's consent for six months from the date of the first missed meeting cannot be nominated or re-appointed to the same governing board during the 12 months following their disqualification;
- is the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
- is subject to a disqualification order or 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);
- has been removed as a charity trustee by an order made by the Charity Commission or the High Court on grounds of any misconduct or administrative mismanagement, or under section 7 of the Law Reform (Miscellaneous Provisions (Scotland)) Act 1990.

Privacy Notice

Members/Trustees /Governors must be aware of the Privacy Notice and how personal data will be used.

APPENDIX 1

TRUSTEE & GOVERNOR VISITS FORM

Part 1: plan the visit	
Name and role of governor(s)/ trustee	
Name and role of staff member(s)	
Date, time and location of visit	
Agreed focus for the visit	
Relevant school objective or priority	
Questions to ask <i>Note specific questions you want to ask based on the SIP, or points to follow up on from a previous visit.</i>	

Part 2: in the meeting

What is the school doing within this area of focus?

How do you know the school's actions are having an impact?

What successes stood out and why?

Questions and clarifications to follow up with the Headteacher (LAC) / CEO (Trustee)