

Ethos Academy Trust

Academy Performance Review Committee Terms of Reference

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ETHOS
ACADEMY TRUST

Nurturing inclusive learning communities

1.0 Purpose

1.1. In the context of a multi-academy trust, the performance of every individual academy is ultimately the responsibility of the Board of Trustees. The Board discharges this responsibility, primarily, through the function of the Executive Leadership Team of the Trust, who themselves are responsible (to the Board) for the performance of the academy leadership.

1.2. This is reinforced by the work of the Academy Performance Review Committee, which is a forum with a brief to review and challenge the performance at the working level of each academy, independently of Trust management.

1.3. The remit of the APRC is to monitor and provide support and challenge in relation to academy performance within the following areas:

- Safeguarding
- Self-evaluation and school improvement (leadership and management; behaviour and attitudes; personal development; quality of education)
- Pupil progress and outcomes
- SEN and other vulnerable groups
- Pupil Premium
- Attendance
- Staff and pupil wellbeing
- Community and stakeholder engagement
- Risk

1.4. The role of the APRC is to:

- Carry the Trust's mission, vision, core values (detailed at Annex A), policies and priorities forward.
- Provide independent challenge to the academy leadership, primarily in respect of pupil performance, the quality of the academy experience and execution of the academy improvement plan.
 - The independent challenge of academy leadership is provided by non-academy based members of the APRC, primarily through their critical-friend review and challenge of performance data presented by the Head Teacher / Head of School.
 - The non-academy based members report to the Trust Board in an advisory capacity on pupil performance, the quality of the academy experience and execution of the academy improvement plan.
- Formally feedback to the Board, independently of management, on standards of leadership and delivery of the outcomes targeted by the Trust in its Strategic Plan and the academy in its Improvement Plan, highlighting strengths, weaknesses, opportunities for improvement and risks observed at working level in the academies.
- Work in partnership with the Trust and academy leadership to ensure an active, high-quality effective programme of stakeholder and community engagement is delivered.
 - In this respect, there is no distinction in the roles of members of the APRC who are Trust employees and non-employees. The APRC, under the leadership of the Chair, is intended to work as a collective to ensure effective community engagement.

1.5. The governance and leadership structure is summarised at Annex B. Each of the above bodies have detailed Terms of Reference which set out their roles and responsibilities and function. The authority of each group is controlled by the Board via the Scheme of Delegation.

1.6. If there is any discrepancy between these Terms of Reference and the Trust's Articles or its Scheme of Delegation, the Articles and Scheme of Delegation shall take precedence over these Terms of Reference.

2.0 Composition of Academy Performance Review Committees

2.1. Since the APRCs are committees of the Board, all appointments shall be made by the Board in accordance with the following provisions:

The total membership shall be not less than 5, comprising:

- Up to 6 community representatives (these may include parents, employees of the Trust or Local Authority representatives)
- At least 1 executive leader (Exec Head / Head Teacher / Head of School) sit on the APRC in an ex-officio capacity.

The APRC may continue to act notwithstanding a temporary vacancy in its composition.

2.2 Establishing APRCs with a diverse range of suitably capable people is a priority. The role of the Chair of each APRC will be to take the lead in working with the Trust Board and CEO to recruit and maintain a team of people with an appropriate blend of skills and experience to serve the needs to the academy / academies being overseen by the APRC.

2.3 Each Representative on the APRC shall be formally appointed by recommendation from the executive leader and APRC Chair to the Trust Board.

3.0 Composition of Academy Performance Review Committees

3.1. Any representative shall hold and vacate office in accordance with the terms of their appointment but (except in the case of the executive leader) the length of their term of office shall not exceed four years.

3.2. Subject to remaining eligible to be a representative of the APRC they may be re-appointed for consecutive periods.

4.0 Appointment of Chair, Vice Chair and Clerk to the APRC

4.1. The Chair and Vice-Chair of the APRC shall be appointed at the start of each academic year by the Trust Board.

4.2 The Clerk to the APRC will be appointed by the Trust Board.

5.0 Responsibilities of the APRC

5.1. Each APRC holds responsibility for an agreed number of academies within the Trust.

5.2. In order to discharge its role, the APRC will primarily rely on a process of review of performance information and reports, observation and dialogue with the academy leadership in which they question, challenge and support the leadership to the point where they are able to provide an informed view to the Board of their view of performance of the academy and its leadership.

5.3. The independent challenge to the academy leadership is provided by non-academy based members of the APRC through their review and challenge of performance data presented by the executive leader and academy based members of the APRC. The non-academy based members report to the Trust Board in an advisory capacity on pupil performance, the quality of the academy experience and execution of the academy improvement plan.

5.4. In support of their work, the academy and Trust leadership will be expected to provide to the APRC timely, accurate, suitably summarised information and evidence. The APRC will be empowered by the Board to make any reasonable information request necessary for them to fulfil their role.

5.5. In particular, the APRC will have access to the Trust's process of termly Achievement and Improvement review meetings. These are to ensure that each academy is supported and scrutinised in their educational performance. The meetings led by the CEO with the relevant executive leader and Senior Leadership Team ensure that lines of accountability are clear and that individual academies are held to account for their performance.

5.6. The Chair of the APRC is invited to attend the Achievement and Improvement meeting so that the formal mechanism of academy scrutiny and support is open, transparent and enables a member of the local community to be part of the process.

5.7. Each APRC will be empowered to pursue whatever line of enquiry it sees fit in order to assess the effectiveness of the academy in the key focus areas described in the following sub-sections.

5.8. The Chair of each APRC will communicate with the Trust Board on the effectiveness of the operation of the academy/ academies.

Pupil Performance

5.9. The APRC will monitor and challenge how well all pupils are doing, as well as looking at significant and vulnerable groups. This includes:

- Pupils' attainment (including comparisons to targets);
- Pupils' progress (including comparisons to targets);
- Pupils' behaviour;
- Pupils' attendance (including comparisons to targets);
- The extent to which pupils feel safe;
- The extent to which pupils contribute to the academy and the wider community;
- The quality of teaching and learning, and the extent to which the curriculum meets the needs of pupils;
- The effectiveness with which the academy promotes inclusive practice.

5.10. All data provided at APRC meetings will have been validated by the Executive Leadership Team and Head Teachers / Heads of School will use a standardised format for their head teachers' report and dashboard on pupil performance.

5.11. In order to support this aspect of their work, all representatives of the APRC will receive comprehensive training from the Trust on the following areas:

- Academy improvement planning.
- Academy self-evaluation framework.
- Ofsted Common Inspection Framework and School Inspection Handbook, with particular regard to the governance and the effectiveness of leadership and management. This will include pre- inspection training for all APRCs.

Ofsted Monitoring

5.12. In academies who are subject to Section 8 Ofsted monitoring visits, the Board recommend that a small subgroup of the APRC is created who will be responsible for overseeing the implementation of the Post-Ofsted action plan with the Executive Head / Head Teacher / Head of School and executive leadership. These representatives would then be required to meet with Ofsted inspectors during any subsequent Section 8 or Section 5 Ofsted visits.

5.13. Where possible a Member of the Trust Board would also attend the meeting with Ofsted.

Head Teacher Performance Management

5.14. APRCs are not directly involved in the formal performance management of the Head Teacher / Head of School. Each Head Teacher / Head of School is line managed by a member of the Executive Leadership Team.

Linked Representatives

5.15. The APRC will appoint these annually at the first meeting of the academic year. These representatives will be given a named employee of the academy with whom they can liaise to develop their knowledge and expertise in order to monitor the academy's activity and compliance in these areas. They will report updates regularly to the committee, as required within the annual meeting schedule.

Careers and Employability (secondary academies only)

5.16. Supporting the academy to reduce the number of children who are not in education, employment or training at age 16 and beyond.

5.17. Engagement with local employers to encourage them to work positively with the academy in all aspects of employability.

5.18. Exploring local employers who may be able to offer employment routes for students, post education, including apprenticeships. Highlighting to the academy the employability skills and qualifications that are valued highest by these employers.

5.19. Inviting employers, in liaison with the academy's leadership, into the academy to speak to children, introducing them to different careers and employers, as part of the careers and personal development curriculum.

5.20. Monitoring the destination of children leaving the academy.

Community and Stakeholder Engagement

5.21. The APRC is responsible for promoting good links, communication and understanding between the Trust, academy leadership, stakeholders and the local community. A key aspect of the APRC is to enable local people to get involved in the life of the academy and its standing in the community e.g. inputting into communications about the academy, making links with local businesses, attending celebration events.

5.22. The APRC has three elements with regard to community and stakeholder engagement:

5.22.1. Community

- Promote the work and vision of the academy and the Trust within the local community.
- Make sure pupils maximise on local opportunities by finding ways to keep the academy at the heart of the community and acting as a key link between the two.
- Work with the academy's leadership to consider the individuality and uniqueness of the academy's local community and how this can support driving improvements within the academy.
- Act as an ambassador for the academy in the local community.
- Ensuring that the academy's leadership is aware and able to respond to local context and issues.

5.22.2. Celebration

- To help to make sure that celebration of staff, pupils and parents remains a priority for each academy, and to find the best way to do this.

5.22.3. Communication

- To work with pupils, staff and parents/carers to make sure that the academy effectively communicates to all stakeholders, so that everyone feels part of academy life and has the opportunity to access information and events.

- For example, the committee will monitor and provide regular input into communications with stakeholders (eg staff and parent / carer newsletters) to ensure that stakeholders are involved in, and kept informed about, academy and Trust plans and developments.
- The Trust Board builds in discretion so that the APRC has the opportunity and individual responsibility to develop the areas above so that this aspect of the terms of reference allow it to be a sounding board for the academy.
- For example: whilst the APRC is a committee of the Trust Board, it should be able to gauge the ideas and opinions of stakeholders and the community to work together on improving the three key areas and advising on how further improvements and shared learning can be achieved.

Pupil Behaviour Management

5.23. Under DfE guidance 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', convene a panel of the APRC when:

- A pupil has received over 15 days' exclusion in one term.
- Recommendation of permanent exclusion is made by the Head Teacher / Head of School for a one-off incident, or through the Trust's behaviour policy.
- Undertake a behaviour panel in line with the above guidance and the Trust's Behaviour Policy.

Risk Management

5.24. Receive and review the risk register for the academy.

5.25. Monitor academy-based risks against the risk management framework escalating to Trustees where appropriate.

Effectiveness Review

5.26. The APRC will be required to complete an annual effectiveness review. This will provide an opportunity for the Chair to consider the effectiveness of the APRC and any key skills requirement which can support with recruitment to any vacant representative positions.

6.0 Meetings of the APRC

6.1. The APRC shall meet formally six times per year, and shall hold such other meetings as may be necessary.

6.2. All meetings shall be convened by the Clerk to the APRC, who shall send to the Representatives written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting.

6.3. A special meeting of the APRC shall be called by the Clerk whenever requested by the Chair or at the request in writing by any three representatives. Where there are matters demanding urgent consideration, the Chair or, in his absence, the Vice-Chair may waive the need for seven days' notice of the meeting and substitute such notice as he/she thinks fit.

6.4. 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.

7.0 Quorum for APRC Meetings

7.1. Meetings of the APRC shall be quorate if there is one third or three (whichever is larger) APRC representatives (including at least one non-executive member) are present.

7.2. If the number of Representatives assembled for a meeting of the APRC does not constitute a quorum, the meeting shall not be held. If in the course of a meeting of the APRC the number of Representatives present ceases to constitute a quorum, the meeting shall be terminated forthwith.

7.3. If for lack of a quorum a meeting cannot be held or, as the case may be, cannot continue, the Chair shall, if he/she thinks fit, determine the time and date at which a further meeting shall be held and shall direct the Clerk to convene the meeting accordingly.

8.0 Proceedings for APRC Meetings

8.1. Every question / recommendation to be decided at a meeting of the APRC shall be determined by a majority of the votes of the Representatives present and voting on the question. Every Representative shall have one vote. Where there is an equal division of votes the Chair of the meeting shall have a second or casting vote.

8.2. A Representative may not vote by proxy.

8.3. No resolution of the Representatives 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.

9.0 Minutes and Publication

9.1. At every meeting of the APRC the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where the representatives present decide otherwise, and, if agreed to be accurate, shall be signed as a true record.

9.2 The clerks to the APRC shall ensure that a copy of the agenda and approved minutes of each meeting are made available for publication as soon as practical after each meeting.

10.0 Resignation and Removal of APRC Representatives

10.1. A representative may at any time resign his office by giving notice in writing to the Clerk to the APRC.

10.2. A representative shall cease to hold office if he/she is removed by the person or persons who appointed him/her (i.e. the Board of Trustees).

10.3 The Board of Trustees may terminate the appointment of any representative whose presence or conduct is deemed by the Trustees not to be in the best interests of the Trust or the academy.

10.4. Any staff member shall automatically cease to hold office if she or he ceases to be employed at the Trust.

10.5. The Trustees may terminate the appointment of any representative who has failed to attend an APRC meeting for 6 months or more.

11.0 Members of the APRC

11.1. The representatives are not, and nothing within this document is intended to make them, charity Trustees within the terms of section 97(1) of the Charities Act 1993 (although a representative may also be a Trustee).

11.2. Each representative shall act in the best interests of the Trust and academy/academies at all times.

11.3. The representatives must keep confidential all information of a confidential nature obtained by them relating to the academy and the Trust.

11.4. The Trustees reserve the right to withdraw delegated powers from the APRC and disband it at any time.

11.5. On his or her appointment, each representative shall be required to signify that he/she is familiar and agrees to comply with:

- the Articles of Association.
- the Funding Agreements.
- the Scheme of Delegation.

11.6. Each representative shall also be required to carry out training to ensure their skills and knowledge are up to date.

11.7. Each representative shall also be required to take part in regular self-review and is accountable for meeting his or her own training and development needs. It is a representative's responsibility to consider if, and raise any concerns where, he/she or she feels that appropriate training and development is not being provided.

Eligibility

11.8. No person shall be qualified to be a representative unless he/she is aged 18 or over.

11.9. No current pupil of the academy shall be a representative.

11.10. A representative shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.

11.11. A representative shall cease to hold office if he/she is absent without the permission of the representatives from all their meetings held within a period of six months and the representatives resolve that this office be vacated.

11.12. A representative shall cease to hold office if he/she would be disqualified from acting as a charity Trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re- enactment or modification of that provision).

11.13. A person shall be disqualified from holding or continuing to hold office as a representative:

- If his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced.
- If he/she is the subject of a bankruptcy restrictions order or an interim order.
- If at any time when he/she is 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.
- If at any time he/she is disqualified from working with children under section 28, 29, 29A and 29B of the Criminal Justice and Court Services Act 2000.
- If he/she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002.
- Where he/she has, 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 section 72 of the Charities Act 1993.
- If he/she has not complied with the Trust's DBS policies. representatives are required to be familiar with the DBS policies and must act in compliance with them.

11.14. Where a person becomes disqualified from holding, or continuing to hold office as a representative and he/she is, or is proposed, to become such a Representative, he/she shall upon becoming so disqualified give written notice of that fact to the Clerk to the APRC.

12.0 Conflicts of Interest

12.1. The income and property of the academy 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 representatives.

12.2. The procedure detailed at article 6 of the Articles shall apply to the APRC always provided that, in the case of a personal financial interest for a representative who is not also a Trustee, it will still require the Trustees to authorise the benefit.

12.3. All representatives shall complete a declaration of interests' form on joining the APRC and at the start of each academic year.

12.4. Any representative who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his/her duties as a representative shall disclose that fact to the Representatives as soon as he/she becomes aware of it and notify the Chair at the start of any meeting where that conflict relates to an agenda item. A representative must absent him/herself from any discussions of the APRC in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the academy and any duty or personal interest (including but not limited to any Personal Financial Interest).

13.0 Conduct of APRC Representatives

13.1. These terms of reference also encompass a code of conduct that has been derived from national good practice for the charity sector. It is intended to support local representatives in their role within Ethos Academy Trust and to assist in its continual development and ensure good governance of the organisation. The code of conduct is available separately.

14.0 Amendment of Terms of Reference

14.1. This document shall be subject to review at least once ever twelve months. 14.2. This document may be modified or replaced by the Trustees.

ANNEX

TRUST MISSION

Nurturing inclusive learning communities: Focused on maximising the life chances of all children, Ethos Academy Trust embraces a forward-thinking and open-minded outlook, informed by a thorough understanding of the strengths and needs of our pupils, parents / carers, local schools and the wider community.



Leading
with integrity

- Championing honesty and transparency
- Building trusting relationships



Encouraging
freedom and responsibility

- Working collaboratively
- Investing in effective partnerships



Thinking
innovatively

- Finding creative solutions
- Meeting individual needs



Improving
continuously

- Raising standards
- Developing strong and effective leaders



Celebrating
achievement

- Improving academic progress
- Enriching personal development



Nurturing inclusive learning communities

Annex B: Governance Structure

