

25th March 2020

PROPOSED CONSTITUTION OF THE EMERGENCY ADVISORY COMMITTEE FOR THE LOCAL GOVERNING BODIES (EAC)

Purpose of the Advisory Committee

The Government has announced the closure of all state schools to almost all pupils until further notice. The immediate priorities for ODST and our Local Governing Bodies (LGBs) are to ensure the welfare of staff and pupils. To do that we need to establish a regular and manageable channel of communication between the school, the LGB and the Trust; and to identify the urgent business (and other business exercised under delegated powers to the LGB), that cannot be delayed during the period that schools are closed and providing reduced provision. Urgent and extra-ordinary decisions may be needed.

The over-arching purpose of ODST and (by delegation) all of its committees, is to deliver our vision: the belief in educational excellence via our Common Vision for the Common Good. We aim to serve our pupils, staff, parents and their local community by providing schools with the highest levels of academic rigour and pastoral care. Our values of inclusivity, empowerment, community service and abundant living have never been more central to our decision making and life than they are now.

The specific purpose of all of ODST's committees is to enable Trustees to respond to events and matters that have a strategic impact on the wider work of the Board. In doing so, committees may determine and make recommendations on any matters before them as prescribed in the terms of reference set out below. Committees are not authorised to and may not exercise powers reserved to the Board of Trustees of the Company in the Articles and schemes of delegation, or that otherwise have a wider strategic impact. On such matters, the Board of Trustees remains the final arbiter.

In the current circumstances it is necessary to put in place arrangements which ensure that the school's governance arrangements can continue to function so as to carry out urgent business and make recommendations/take decisions during the period that the school is closed. This will involve LGB members holding virtual meetings, exercising powers delegated to the LGB by the ODST Trust Board. ODST's powers under its Articles to appoint committees also extends to whom the Trustees may delegate certain of their functions. This is enacted now to enable an Advisory Committee (EAC) comprising fewer Governors/Trustees to make decisions and decide their approach to exercising Chair's action, in appropriate circumstances.

The ODST Articles of Association (Article 126) state that Trustees (and consequently LGB members) can attend meetings remotely subject to certain stipulations. In cases where there is no provision for, or where it is not possible to approve or implement alternative meeting arrangements, the Trust Board reserves the right to act. A communication and audit trail or a minute, explaining actions agreed by the Advisory Committee will be referred to the LGB as soon as it is practicable to do so in the terms set out below.

CONSTITUTION

Membership

The number of people who shall sit on this Emergency Advisory Committee of the Board of Trustees for each of the Trust's schools, shall be five, unless otherwise determined by the Trustees.

The Committee shall have the following members, appointed by the Trustees:

- The Chair of the LGB or his or her nominated alternative LGB member
- The Headteacher (for the purposes of the Committee she/he is the Designated Safeguarding Lead)
- 1 LGB member appointed from Foundation, Community or Parent categories who are represented on the LGB
- 1 ODST central team member of staff - normally the school's SIA
- 1 Trustee – the Trustees/Directors (all or any of them) or their nominated representative shall be entitled to serve on the Committee and attend any meetings (this clause is designed to facilitate the appointment of additional committee members should local circumstances dictate; it is not expected the trustees will routinely join you for these meetings).

Quorum

The quorum for a meeting of the Committee shall be 3, including an LGB member, the Headteacher, and a Trustee/central team member.

Meetings & proceedings

The Board of Trustees may delegate to any person serving on the Committee, the Headteacher or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation is made subject to any conditions the Trustees may impose and **may be revoked or altered**.

Any member shall be able to participate in meetings of the Committee by telephone or video conference provided that:

(a) She/he has given notice of their intention to do so detailing the telephone number on which they can be reached and/or appropriate details of the video conference suite from which they shall be taking part at the time of the meeting at least 12 hours before the meeting; and,

(b) The members have access to the appropriate equipment; if after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.

Terms of reference - Advisory Committee powers and responsibilities

The ODST Directors (the “Trustees”) have overall responsibility and are the ultimate decision-making authority for all the work of the Company (ODST), including the establishing and running of schools. This is exercised through strategic planning and the setting of policy. It is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality management processes. On behalf of the school, it is done so together with the EAC members, in accordance with the terms and parameters set out in the individual school’s scheme of delegation (sections 5 and 6) and the delegated authority therein for its:

- General provisions
- Ethos & Values
- Finance
- Premises
- Resources
- Other staff
- Curriculum & standards
- Extended schools & business activities
- Other matters
- Operational matters

The Trustees have the power to direct change and set policy where required, in accordance with the terms and parameters of the scheme of delegation and, subject to their powers under the Articles.

Timescale

These committees shall take effect from w/c 30th March until further notice. At least one meeting of the EAC per term shall be fully minuted and clerked virtually so that basic function of the LGB can be maintained and the minutes made available in the normal manner.