



NORTHERN EDUCATION TRUST

ACADEMY COUNCIL

TERMS OF REFERENCE

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INTERPRETATION

In this document:

“Academy” means the Academy which is part of Northern Education Trust;

“Academy Council” means the local body for the academy(ies);

“Articles” means the Articles of Association of the Trust;

“Chief Executive” means the person appointed by the Trustees as an employee to oversee and co-ordinate all Trust activities;

“Chief Operating & Financial Officer” means the person appointed by the Trustees as an employee, under the overall direction of the Chief Executive, to oversee the financial and operational aspects of the Trust;

“Company Secretary” means the Trust Secretary or any other person appointed to perform the duties of Trust Secretary;

“Executive Principal” means the person(s) appointed by the Trustees as an employee, under the overall direction of the Chief Executive, to oversee academy improvement in a number of academies;

“Governor” means a member of the Academy Council;

“Governors’ Handbook” means the handbook prepared by the Trust explaining the role of governors in force from time to time;

“LA” means the Local Authority in which the academy is situated;

“Parent Governor” means a member elected to the Academy Council by secret ballot;

“Personal Financial Interest” means any interest in the employment or remuneration of, or the provision of any other benefit to, a governor as further detailed within Article 6 of the Articles; [A copy can be downloaded from the Trusts website: www.northerneducationtrust.org]

“Principal” means the member of staff at the academy who has been appointed as an employee (in accordance with the Trust’s Scheme of Delegation) to have overall day to day control of and responsibility of the academy;

“Staff Governor” means a member of teaching or support staff elected by secret ballot to the Academy Council by members of staff of the academy(ies);

“Support Staff Governor” means a member elected by secret ballot to the Academy Council by members of the support staff of the academy(ies);

“Teaching Staff Governor” means a member of teaching or support staff elected by secret ballot to the Academy Council by members of staff of the academy(ies);

“the Trust” means Northern Education Trust, a company limited by guarantee having registered number 07189647;

“the Trustees” means those persons appointed as directors (under company law) and trustees of the Trust (under charity law).

Please see **Annex C** for other Common terms and Abbreviations

SECTION 1 – NORTHERN EDUCATION TRUST GOVERNANCE

1. VISION AND VALUES

The Trust's mission is as follows:

Our Vision

Our vision is to be the leading multi-academy trust in England by continuously improving what we do and the outcomes for young people.

Our Purpose

We provide education to primary pupils and secondary students in academies in the north of England. We aim to transform young people's lives through excellent learning experiences leading to outstanding outcomes that ensure they can fulfil their potential.

The Best Provision for Young People

- We provide excellent teaching.
- We deliver excellent outcomes.
- We provide excellent support for everyone's safety and personal development.
- We provide excellent sports, creative arts, outdoor education and leadership development.
- We nourish strong partnerships with families to support their children's learning.
- We work in partnership with other agencies to keep children and young people safe
- We provide excellent environments within which to learn.

The Best Value for Money

- The Department for Education consider the provision in our academies to be value for money
- Our academies contribute to the success of the communities they serve.
- Our academies and the Trust work in partnership with stakeholders toward common goals

The Northern Education Trust derives its inspiration and values from the wealth of experience amongst its trustees and education leaders. These values provide the basis of our work with pupils and students in our academies. We expect all adults who work for the Trust to share our commitment to safeguarding and the health and wellbeing of our students. We work in a multi-cultural society and are proud to be based in the North of England.

The Trust's academies are located in diverse communities, some of them located in and serving some of the most deprived communities in England. Whatever the area, we believe that with high quality teaching, the right help, and high expectations even the most vulnerable children can transform their lives and fulfil their potential.

Our Principles and Values

Our values are the set of guiding principles which, taken together, define what we do and how we do it. They allow us to make decisions and take actions which drive us towards our vision. Our values ought to be seen throughout the Trust and in every one of our academies. They are the foundation upon which we expect everyone to demonstrate; in everything we do, at every level, in order to achieve our strategic objectives.

The welfare of others is the first concern of all

Such a guiding value requires all those skills and attitudes that encompass such words as tolerance, flexibility, sensitivity, compassion and respect.

The education of every child is held to be of equal value in the comprehensive community school.

This principle applied to practice, needs more precise thought, determined implementation and constant monitoring than systems pretending greater simplicity. It must overarch decisions, guide planning and inform the style of relationships in each academy. It is through the discovery of organisational and human relationships which reflect this principle, that expectations can be raised.

Exercising ethical stewardship of the Trust

The commitment of trustees and our staff to high levels of probity and transparency, whilst making the best use of all our resources to provide the education for children and young people so that they can fulfil their potential.

Developing leaders

The Trust aims to employ and retain people of talent and integrity who are committed to working together and to supporting its principles. Relationships are based on mutual consideration, courtesy and respect, with as much equality between its members as differences of responsibility permit.

A Single Rule

There is a single overarching rule that the Trust expects to be promoted and upheld by staff in the Trust and its academies:

“All pupils, students and adults are expected to behave in a responsible manner, both to themselves and others, showing consideration, courtesy and respect for other people at all times”

2 ARTICLES OF ASSOCIATION

2.1 The Northern Education Trust (NET) Articles of Association [as found on the Trusts [website](#)] set out the responsibilities and procedures for the running of NET (which is a charitable company limited by guarantee as per Companies Act of 2006). The Articles state that:

2.2 The Object of NET is to advance for the public benefit:

Education in the United Kingdom, in particular but without prejudice to the generality of the foregoing by establishing, maintaining, carrying on, managing and developing schools (“**the mainstream Academies**”) offering a broad and balanced curriculum or educational institutions which are principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless alternative provision is made for them (“**the alternative provision Academies**”) or 16 to 19 Academies offering a curriculum appropriate to the needs of its students (“**the 16 to 19 Academies**”) or schools specially organised to make special educational provision for pupils with Special Educational Needs (“**the Special Academies**”).

- 23 NET will have overall responsibility for the operation of member Academies and will delegate limited powers to the Academy Councils of those Academies.
- 24 A list of Member Academies and Trustees together with a chart illustrating the governance structure can be found at Annex B. The term of office for Trustees is 6 years.

3 THE BOARD OF TRUSTEES

- 3.1 NET is governed by Trustees constituted under a Memorandum of Association and Articles of Association. This Board of Trustees (or Trust Board) is responsible for ensuring that high standards of corporate governance are maintained. It will exercise its powers and functions with a view to fulfilling a largely strategic leadership role in the running of the Academies. This will allow greater opportunities for collaboration not only with regards to teaching but also in terms of the management of each Academy, including the procurement of goods and services.
- 3.2 The Board is also governed by the terms of any Funding Agreements that are in place and the Academies Financial Handbook.

4 RESPONSIBILITIES OF THE TRUSTEES

- 4.1 The role of the Trustees mainly involves strategic oversight across the Trust, governance, contractual relationships with third parties and setting the Trust's vision and policies.
- 4.2 The Trustees are responsible for:
 - 4.2.1 Compliance with all statutory regulations and Acts of Parliament governing the operation of each academy, including health and safety.
 - 4.2.2 Compliance with the provisions of the Funding Agreements.
 - 4.2.3 Compliance with the Academies Financial Handbook.
 - 4.2.4 Setting the risk management strategy, reviewing the strategic risk profile, considering strategic risks in the context of future Trust planning and decision making and reviewing the effectiveness of the risk management arrangements.
- 4.3 The Trustees delegate responsibility to the Chief Executive Officer for:
 - 4.3.1 Appointment of the Principal at an academy.
 - 4.3.2 The determination of the extent of the services provided to the academy by the Trust and how the costs should be allocated.
 - 4.3.3 Determination of the educational targets of the academy.
 - 4.3.4 Determining any additional financial and reporting targets for the academy.

- 4.3.5 Determination of any statutory policies and procedures for the academy and other policies and procedures as the Trustees deem necessary to fulfill their responsibilities.
- 4.3.6 Identifying resources to effectively and efficiently implement the risk management strategy.
- 4.3.7 Reporting regularly to the Trust Board on the performance of its academies and conduct the performance management of the Principals.

5 SCHEME OF DELEGATION

- 5.1 The Trust agrees a scheme of delegation which is reviewed at least annually at a Board meeting.
 - 5.2 The Scheme of Delegation clearly states which functions of the Trust are delegated by the Board and which are not. It also documents who these decisions and functions can be delegated to.
 - 5.3 A copy of the most up to date Scheme of Delegation will be made available to all new governors and updates will be circulated to all members of the Academy Council.
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SECTION 2 - ACADEMY COUNCIL

1 COMPOSITION OF THE ACADEMY COUNCIL

1.1 Membership of a Single Academy Council shall be determined in accordance with the following provisions:

1.1.1 The total membership shall be not less than 8 and not more than 16.

1.1.2 The membership of the Academy Council shall be comprised as follows:

(a) the Chief Executive

(b) the Executive Principal

(c) the Principal

(d) up to 8 sponsor Governors (this will increase to up to 10 on combined Councils) whose appointment shall be subject to approval by the Trust

(e) up to 2 Staff Governors (1 x teaching and 1 x support staff)

(f) up to 2 elected Parent Governors

(g) as a sub-committee of the Board, Trustees can attend any meeting of an Academy Council

1.2 The Academy Council may continue to act notwithstanding a temporary vacancy in its composition.

2 GOVERNORS' TERM OF OFFICE

2.1 Any Governor shall hold and vacate office in accordance with the terms of his/her appointment but (except in the case of the Chief Executive, Executive Principal and the Principal) the length of his/her term of office shall not exceed four years.

2.2 Subject to remaining eligible to be a Governor, any Governor may be re-appointed for consecutive periods.

3 RESIGNATION AND REMOVAL OF GOVERNORS

3.1 A Governor may at any time resign his/her office by giving notice in writing to the Clerk to the Academy Council.

3.2 A Governor shall cease to hold office if he/she is removed by the person or persons who appointed him. This provision does not apply in the case of a Parent or Staff Governor.

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

3.4 Any Staff Governor shall automatically cease to hold office if she or he ceases to be employed at the academy. However, a Parent Governor shall not automatically cease to hold office solely by reason of the child (of whom that Parent Governor is a parent or carer) ceasing to be a pupil at the academy.

- 3.5 The Trustees may terminate the appointment of any Governor who has failed to attend an Academy Council meeting for 12 months or more.

4 PERSONS INELIGIBLE TO BE GOVERNORS

- 4.1 No person shall be qualified to be a Governor unless he/she is aged 18 or over at the date of their election or appointment. No current pupil of the academy shall be a Governor.
- 4.2 A Governor shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering their own affairs.
- 4.3 A Governor shall cease to hold office if he/she is absent without the permission of the Governors from all their meetings held within a period of six months and the Governors resolve that this office be vacated.
- 4.4 A Governor 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).
- 4.5 A person shall be disqualified from holding or continuing to hold office as a Governor:
- 4.5.1 If his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced.
- 4.5.2 If he/she is the subject of a bankruptcy restrictions order or an interim order.
- 4.5.3 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 also referred to as the Protection of Children Act (PoCA) list.
- 4.5.4 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.
- 4.5.5 If he/she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 also known as List 99.
- 4.5.6 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.
- 4.5.7 Any other disqualification orders operated by the criminal justice system.
- 4.5.8 If he/she has not complied with the Trust's DBS policies. Governors are required to be familiar with the DBS policies and must act in compliance with them.
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- 4.6 Where a person becomes disqualified from holding, or continuing to hold office as a Governor and he/she is, or is proposed, to become such a Governor, he/she shall upon becoming so disqualified give written notice of that fact to the Clerk to the Academy Council.

5 APPOINTMENT OF THE CLERK TO THE ACADEMY COUNCIL

- 5.1 The Clerk to the Academy Council shall be appointed by the Academy Council. The Clerk shall not be a Governor. Notwithstanding this paragraph, the Governors may, where the Clerk fails to attend a meeting of theirs, appoint any one of their number or any other person to act as Clerk for the purposes of that meeting.

6 APPOINTMENT OF CHAIR AND VICE CHAIR OF THE ACADEMY COUNCIL

- 6.1 The Chair of the Academy Council shall be appointed by the Trust.
- 6.2 The Vice-Chair of the Academy Council shall be appointed at the start of each academic year by the Academy Council from among the Sponsor and Parent Governors. The full procedure for appointment is provided at **Annex A**.
- 6.3 Where the Academy Council is unable to appoint a suitable Vice-Chair from among the Governors the Chief Executive, Executive Principal or a Trustee shall fulfil the role until such time as a suitable Governor can be found.
- 6.4 If both the Chair and the Vice-Chair are absent from any meeting of the Academy Council, the Chief Executive or Executive Principal shall Chair the meeting.

7 RESPONSIBILITIES OF THE ACADEMY COUNCIL

- 7.1 The role of the Academy Council is to:
- carry the Trust vision, policies and priorities forward,
 - provide internal assurance and, in addition,
 - to develop the local community and employer links.

The governors are expected to question, challenge and support the academy leadership and feel comfortable that they know, and are able to discuss, the performance of the academy.

- 7.2 In outlining the terms of reference and responsibilities of the Academy Councils of NET, the Trust recognises that they will work within a framework of 80:20. 80% of the work of Academy Councils will be directed by the Trust Board through these terms of reference, the remaining 20% will reflect the context and needs of the specific academy and specialisms of the governors on the Academy Council.
- 7.3 Vision and Accountability
- Uphold the vision and values of the Trust.
 - To act as an advocate for the Academy and the Trust
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- Implementation of actions required to comply with statutory regulations and the Funding Agreements.
- Implementation and monitoring of the Trust policies.
- Supporting and challenging the leadership of the academy on academic performance, quality of care and quality of provision.

7.4 Academy budget

- Budgets will be drafted by the academy leadership against benchmarking data for the Trust. This includes staffing levels, capital expenditure and curriculum.
- Following Academy Council agreement, the budget is to be submitted to the Trustees for approval and, for the avoidance of doubt, the academy budget shall not be effective until such times it has been approved by the Trustees.

7.5 Risk Management

- The Academy Council shall keep under review the academy risk register and seek assurance that risk management is effective.
- The Academy Council will review the annual health and safety inspection and monitor the completion of actions specified within the resulting action plan. The Health and Safety Linked Governor (see 7.6 below) will undertake at least one health and safety site walk in each academic term and report back to the academy council on their findings.

7.6 Linked Governors

- Each Academy Council will have a named Governor for Special Educational Needs and Disabilities (SEND), Safeguarding (incl. Prevent), Health and Safety, Looked After Children and Careers & Employability. The Academy Council will appoint these annually at the first meeting of the academic year. These governors will be given a named employee of the Academy within whom they can liaise to develop their knowledge and expertise in order to monitor the academy's activity and compliance in these areas.

7.7 Careers and Employability (Secondary only)

- Supporting the academy to reduce the number of children who are not in education, employment or training at age 16 and beyond.
 - Engagement with local employers to encourage them to work positively with the academy in all aspects of employability.
 - 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.
 - 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 PSCE curriculum.
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- Monitoring the destination of children leaving the academy.
- Working with the Trust's independent careers advisors to explore how the academy can support and develop career paths e.g. links with further and higher education.

7.8 Leadership Development

- Create specific opportunities for senior and middle leaders to engage with the Academy Council (over and above their regular attendance at these meetings) as part of their continued professional development, this may involve delivering presentations or providing training on specific elements of the academy's performance and delivery.

7.9 Individual Character and Community Engagement

- 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.
- Promote the work and vision of the academy and the Trust within the local community. 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.
- Work with agencies that can support the health and wellbeing of students.

7.10 Internal Audit/Compliance Monitoring

- Monitor and review the progress of the academy against internal audit action plans. This will include monitoring and challenging performance in statutory and areas of compliance e.g. financial controls, safeguarding.
- Challenge any areas identified of non-compliance.

7.11 Student Behaviour Management

- Under DfE Guidance 'Exclusion from maintained schools, Academies and pupil referral units in England', convene meetings of the Academy Council Behaviour Committee when:
 - a student has received over 15 days' exclusion in one term;
 - recommendation of permanent exclusion is made by the Principal for a one-off incident, or through the Consequences system.
 - Undertake Behaviour Committees in line with the above guidance and the Trust's Behaviour Policy.
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7.12 Complaints Procedure

- The Trust's Complaints procedure requires the involvement of governors to ensure that complaints are considered fully at appropriate stages.
- Stage 3 complaints will be heard by a panel made up of at least 2 members of the Academy Council and 1 person who is independent of the running and management of the academy. In many cases this may be a governor from another Academy Council.
- Training in considering and managing the complaints procedure will be run at least once a year by the Trust.

7.13 Ofsted Monitoring

- In academies who are subject to Section 8 Ofsted monitoring visits, the Board recommend that a small committee of the Academy Council is created who will be responsible for overseeing the implementation of the Post-Ofsted Action Plan with the Academy Principal.
- This committee of governors would then be required to meet with Ofsted inspectors during any subsequent Section 8 or Section 5 Ofsted visits. Where possible a member of the NET Board would also attend a meeting with Ofsted.

7.14 Skills Audit

- Academy Councils will be required to complete an annual review of their skills. This will provide an opportunity for the Chair to consider the skills requirement for any vacant governor positions.
- The format of the skills matrix is provided at Annex F.

7.15 The Governors 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 Governor may also be a Trustee).

7.16 Each Governor shall act in the best interests of the Trust and academy at all times.

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

7.18 The Trustees reserve the right to withdraw delegated powers from the Academy Council and disband it at any time.

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

- the [Articles of Association](#)
 - the [Funding Agreements](#);
 - these Terms of Reference
 - Code of Practice (Annex G) including the 7 Nolan Principles of Public Life
 - DBS checking
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- 7.20 Each Governor shall also be required to carry out training to ensure their skills and knowledge are up to date.
- 7.21 Each Governor shall also be required to take part an annual self-review and is accountable for meeting his or her own training and development needs. It is a Governors responsibility to consider if, and raise any concerns where, he/she feels that appropriate training and development is not being provided.
- 7.22 Each Clerk to the Academy Council shall record all completed self-reviews along with a 1:1 review with the Chair of Governors. The training and development each Governor undertakes shall also be recorded and reported in the Annual Governance Statement to the Trust.
- 7.23 Each Principal shall allocate a sum (£1,500 Primary/£3,000 Secondary) to ensure Governors are facilitated in their requests for their own and that of the Academy Council as a whole's training and development needs to ensure their skills and knowledge are up to date.

8 MEETINGS OF THE ACADEMY COUNCIL

- 8.1 The Academy Council shall meet at least once in every half term in line with the Assessment Calendar, and shall hold such other meetings as may be necessary.
- 8.2 All meetings shall be convened by the Clerk to the Academy Council, who shall send to the governors written notice of the meeting and a copy of the agenda and associated papers at least seven clear days in advance of the meeting.
- 8.3 A special meeting of the Academy Council shall be called by the Clerk whenever requested by the Chair or at the request in writing by any three governors. Where there are matters demanding urgent consideration, the Chair or, in his/her absence, the Vice-Chair may waive the need for seven days' notice of the meeting and substitute such notice as he/she thinks fit.
- 8.4 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.
- 8.5 The agreed format of the agenda and minutes are provided at Annex D and E respectively.

9 QUORUM FOR ACADEMY COUNCIL MEETINGS

- 9.1 Meetings of the Academy Council shall be quorate if three or one-third of members are present (whichever is greater), which must include at least one sponsor Governor.
- 9.2 If the number of Governors assembled for a meeting of the Academy Council does not constitute a quorum, the meeting shall not be held. If in the course of a meeting of the Academy Council the number of Governors present ceases to constitute a quorum, the meeting shall be terminated forthwith.
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- 9.3 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.

10 PROCEEDINGS FOR ACADEMY COUNCIL MEETINGS

- 10.1 Every question to be decided at a meeting of the Academy Council shall be determined by a majority of the votes of the Governors present and voting on the question. Every Governor shall have one vote. Where there is an equal division of votes the Chair of the meeting shall have a second or casting vote.
- 10.2 A Governor may not vote by proxy.
- 10.3 No resolution of the Governors 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.
- 10.4 Any Governor who is also an employee of the Trust shall withdraw from that part of any meeting of the Academy Council at which remuneration, conditions of service, promotion, conduct, redundancy of staff are to be considered.
- 10.5 A resolution in writing, signed by all the Governors shall be valid and effective as if it had been passed at a meeting of the Governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the Governors (or the members of an Academy Council, as the case maybe).

11 MINUTES AND PUBLICATION

- 11.1 At every meeting of the Academy Council the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where the Governors present decide otherwise, and, if agreed to be accurate, shall be signed as a true record.
- 11.2 The Clerk to the Academy Council shall ensure that a copy of the agenda for every meeting of the Governors, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the approved minutes (signed by the Chair) of every such meeting will be, as soon as is reasonably practicable, made available to the Trust Secretary by uploading to the NET Portal (see separate guidance and instructions) and informing the Trust Secretary that this has been completed.

12 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 Governors.
- 12.2 The procedure detailed at article 6 of the Articles shall apply to the Academy Council always provided that, in the case of a Personal Financial Interest for a Governor who is not also a Trustee, it will still require the Trustees to authorise the benefit.
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- 12.3 All Governors shall complete a Declaration of Interests form on joining the Academy Council and at the start of each academic year (see Annex I).
- 12.4 Any Governor 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 Governor shall disclose that fact to the Governors 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 Governor must absent him/herself from any discussions of the Academy Council 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 AMENDMENT OF TERMS OF REFERENCE

- 13.1 This document shall be subject to review at least once every twelve months.
- 13.2 This document may be modified or replaced by the Trustees.
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SECTION 3 – CONDUCT OF GOVERNORS

1 CODE OF PRACTICE

- 11 These Terms of Reference also encompass a Code of Practice that has been developed to support local Governors in their role within Northern Education Trust and to assist in its continual development and ensure good governance of the organisation. This Code of Practice has been derived from national good practice for the charity sector.
- 12 All Governors are required to sign and a record be kept by the Clerk of their agreement to abide by The Code of Practice including the 7 Nolan Principles of Public Life. The Code of Practice is included as Annex G.

2 SEVEN PRINCIPLES OF PUBLIC LIFE

All Governors will, at all time, uphold the Seven Principles of Public Life, known as the Nolan Principles. They are:

- 1. Selflessness** Holders of public office should act solely in terms of the public interest.
 - 2. Integrity** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
 - 3. Objectivity** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
 - 4. Accountability** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
 - 5. Openness** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
 - 6. Honesty** Holders of public office should be truthful.
 - 7. Leadership** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.
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Annex A - Process for Election of Vice-Chair of the Academy Council

The process for elections should be as follows:

- The Clerk will ensure that all Governors have an opportunity to nominate themselves as Vice-Chair by calling for nominations at the first meeting of each academic year.
 - All nominations should be duly seconded by another Governor.
 - Nominations can be accepted from a Governor who is unable to attend the election meeting, subject to the Clerk having received written confirmation of their desire to stand.
 - The agenda for the meeting at which the positions are to be voted should agenda this as an item.
 - In the event of only one nomination being received and duly seconded for a particular position, the Clerk will ask for a show of hands to determine the Academy Council's acceptance of this nomination.
 - Where there are contested positions, elections should be carried out by secret ballot at the first Academy Council meeting of the Academic Year.
 - The election process will be managed by the Clerk, who will chair this part of the meeting but who will not have any vote.
 - Should there be a tie in the number of votes for any position; the ballot should immediately be carried out again. If a second ballot results in a tie, the tied candidates should draw lots to determine the outcome.
 - Any Governor not wishing to vote for any of the nominees may choose to abstain, but the total number of Governors voting must at least equal the designated quorum (i.e. three governors, or, where greater, any one third of the total number of Governors holding office at the date of the meeting). In the event this figure is not reached, the election will be postponed until a future meeting.
 - Candidates for Vice Chair will be asked to remove themselves from the room during voting for that position.
 - Formal appointment of the new post holder should take place at the start of the first Academy Council meeting of the new academic year (September).
 - The term of office for all Vice-Chairs should be one year although a Vice Chair can be reappointed for more than one consecutive term. If a Governor is elected as Vice-Chair and his or her term of office as a Governor is due to end before that determined for the office of the Vice- Chair, then the Vice-Chair's term of office ends when the Governor's term of office ends.
 - If the position for Vice-Chair becomes vacant during the year, the Academy Council must elect a new Vice-Chair at their next meeting.
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Annex B: Current NET Members and Trustees

Member Academies

| <u>Primary</u> | <u>Secondary</u> |
|-------------------|------------------|
| Abbey Park | Blyth |
| The Ferns | Dyke House |
| Frederick Natrass | Grangefield |
| Hilton | Kearsley |
| Merlin Top | Kirk Balk |
| Mount Pellon | Manor |
| Norton | North Shore |
| The Oak Tree | Red House |
| Ryecroft | Thomas Hepburn |
| Southmere | Thorp |

NET Members:

- Les Walton CBE
- Chris Roberts
- Mark Sanders OBE

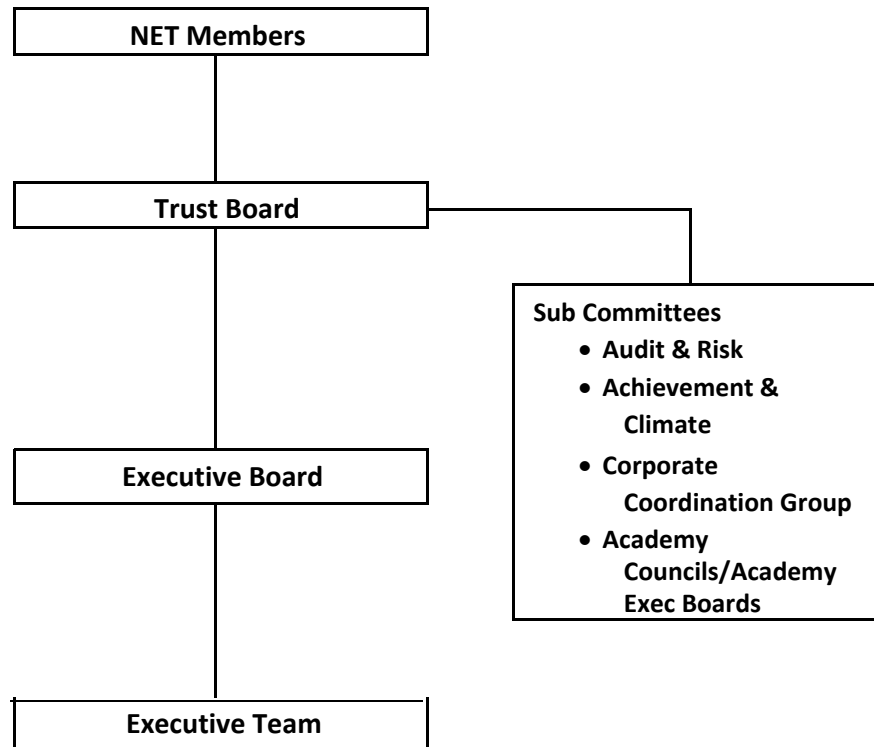
NET Trustees:

- Les Walton CBE - Chair
- Chris Roberts - Vice Chair
- Mark Sanders OBE
- Tom Grieveson
- Suzanne Duncan
- June Foster OBE
- Paul Callaghan CBE DL
- John Copping
- Jo Nolan
- Rob Tarn (Chief Executive and Accounting Officer)

Academy Councils:

| <u>Primary</u> | <u>Secondary</u> |
|-------------------------------------|---------------------------------------|
| Abbey Park | Blyth |
| The Ferns | Dyke House |
| Hilton | Kearsley |
| Merlin Top | Kirk Balk |
| Mount Pellon | Manor |
| Ryecroft | Red House |
| Southmere | Stockton on Tees Secondary (Combined) |
| Stockton on Tees Primary (Combined) | Thomas Hepburn |
| | Thorp |

Trust Governance and Leadership Structure



Meetings scheduled to ensure flow from one to the other allowing information and minutes to be shared in a timely manner.

Annex C - COMMON TERMS AND ABBREVIATIONS

AAP Associate Assistant Principal
AO Accounting Officer
AP Assistant Principal
AT Academy Trust
ATL Association of Teachers and Lecturers
AWPU Age-Weighted Pupil Unit – the basic unit used in calculating the funding of the academy, weighted according to the pupils’ ages.
CAR Consolidated Accounting Return
CEO Chief Executive Officer
COFO Chief Operating & Financial Officer
CPD Continuing Professional Development
CTF Common student transfer form Cohort Body of students entering a school / college in any one year
CRE Commission for Racial Equality
DfE Department for Education
EBD Emotional and Behavioural Difficulties
ESFA Education & Skills Funding Agency
EWO Education Welfare Officer
EYFS Early Years Foundation Stage
FOI Freedom of Information Act
FSM Free school meal
FTE Full time equivalent
GAG General Annual Grant Allocation
HLTA Higher Level Teaching Assistant
HMCI Her Majesty’s Chief Inspector – the head of Ofsted
HMI Her Majesty’s Inspectorate
HOD Head of Department
ICT Information and Communications Technology
IHCP Individual Health Care Plan
I&E Income and Expenditure
INSET In-service training
ISR Individual School Range – categorisation of a school according to size and type used in calculating the salary level of a Principal
ITT Initial Teacher Training
KS1(2/3/4/5) Key Stage One (Two/Three/Four/Five)
LA Local Authority
MLD Moderate learning difficulties
MPS Main pay scale
MPSRE Moral Personal Social and Religious Education
MUGA Multi-use games area
NAHT National Association of Head Teacher / Principals
NASUWT National Association of School/College Masters Union of Women Teachers
NC National Curriculum
NGC National Governors’ Council
NPQH National Professional Qualification for Headship
NQT Newly Qualified Teacher

NUT National Union of Teachers
NET Northern Education Trust
Ofsted Office for Standards in Education
PAT Professional Association of Teacher
PGCE Post-Graduate Certificate of Education
PPA Preparation, planning and assessment time – time for teachers to prepare for lessons and to assess students' progress
PRU Pupil Referral Unit
PSHE Personal, Social and Health Education
QCA Qualifications and Curriculum Authority
QTS Qualified Teacher Status
RAISE Reporting and Analysis for Improvement through School / college Self Evaluation
SAP System Applications Products in Data Processing
SATs Standard Assessment Tests
SEN Special Educational Needs
SEND Special Educational Needs and Disability
SENDCO Special Educational Needs and Disability Co-Ordinator
SI Statutory Instrument
SLA Service Level Agreement
SLD Severe Learning Difficulties
SLT School Leadership Team
SORP Statement of recommended Accounting Practice (Charity Commission)
TA Teaching Assistant
TTA Teacher Training Agency
TUPE Transfer of undertakings protection employment
UPS Upper Pay Spine
VP Vice Principal
YPLA Young Peoples Learning Agency

Annex D - NET AGENDA TEMPLATE



Meeting of the Academy Council on *insert date, time and location*

| Item | Page | Description | Lead |
|------|------|---|-----------|
| | | Welcome and update from the Chair | Chair |
| 1 | | Apologies & Quorum | Chair |
| 2 | | Declarations of Interest | Chair |
| 3 | | Appointment of Vice Chair <i>(September only)</i> | Chair |
| 4 | | Register of Pecuniary Interests | Chair |
| 5 | | Minutes of Previous Meeting | Chair |
| 6 | | Matters Arising | Chair |
| 7 | | Budget Setting <i>(March/April only)</i> | |
| 8 | | Principal's Report & Dashboard <i>(see Annex H)</i> | Principal |
| 9 | | Business Services' Report & Dashboard | Bus Mgr |
| 10 | | Policy Updates | Bus Mgr |
| 11 | | Link Governor Feedback | Link Govs |
| 12 | | Governors' Monitoring & Visits | Chair |
| 13 | | Governors' CPD | Chair |
| 14 | | Other Urgent Business | Chair |
| 15 | | Date and Time of Next Meeting | Clerk |

Colleagues are reminded that it will be assumed that papers have been read and any clarifications sought from the Authors have been raised and answered with the result that any discussions can be pertinent and specific to the item under discussion.

Annex E - NET MINUTES TEMPLATE



Meeting of the Academy Council held on *[insert date]* at
[insert time] at *[insert location]*

Present:

In attendance:

Start time End time..... Duration.....

| | Action By Date & Name |
|--|-----------------------------|
| 1. Quorum and Apologies | |
| Apologies were received from | |
| Resolved: That the absences of <i>insert names</i> be consented to. | |
| 2. Declaration of Interests | |
| The following declarations of interest were formally noted: | |
| 3. Election of Vice Chair (September only) | |
| Nominations for the Vice Chair were received from: <i>insert names</i> . A secret ballot/vote was held and <i>insert name</i> was elected as Vice Chair for the term of 1 year | |
| Resolved: That <i>insert name</i> be elected as Vice Chair of the Academy Council for the term of 1 year with a commencement date of this meeting of the Academy Council. | |
| 4. Register of Interests | |
| The register of interests of Governors was updated and it was confirmed that <i>insert name</i> would be responsible in the Academy for updating this on the website. | |

| | |
|--|--|
| Resolved: That the register of interests on the Academy website would be updated to reflect any changes to the Register of Interests. | |
| 5. Minutes of previous meeting | |
| The minutes of the Academy Council Meeting held on <i>insert date</i> were circulated with the agenda | |
| Resolved: That the minutes of the meeting of the Academy Council held on <i>insert date</i> be noted and confirmed and then signed by the Chair as a correct record. That <i>insert name</i> be charged with the duty of uploading the minutes of the Academy Council on to the NET Portal within 1 working day of agreeing the above minutes. | |
| 6. Matters arising from the minutes | |
| <i>Insert minutes/matters arising.</i> | |
| Resolved: That the above points be noted. <i>Insert any agreed actions.</i> | |
| 7. Budget Setting (March/April only) | |
| | |
| Resolved: | |
| 8. Principal's Report & Dashboard | |
| The Principal's Report had been circulated with the agenda. Attention was drawn to the following points: | |
| Resolved: That the above points be noted. | |
| 9. Business Services Report & Dashboard | |
| The Business Services report had been circulated with the agenda. The Business Manager drew attention to the following points: | |
| Resolved: That the above points be noted. | |
| 10. Policy Updates | |
| | |
| 11. Link Governor Feedback | |
| | |
| 12. Governor Monitoring and Visits | |
| | |
| 13. Governor CPD | |
| | |
| 14. Other urgent business | |
| | |
| 15. Date, time and venue of next meeting: | |

Signed: _____

Dated: _____

Summary of Actions

| Action Point | Agenda Item | Description | Action to be completed by: | Action Completed/Outcome | Complete ✓ |
|--------------|-------------|-------------|----------------------------|--------------------------|---------------|
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |

Annex F

Northern Education Trust – Academy Council Skills Audit

The Academy Council 'Skills Audit Matrix' allows the Chair, Principal and Clerk to develop an overview of the balance and experience of the Academy Council.

The Skills Audit Matrix is utilised to highlight gaps in the desired skills profile at Academy Council level, and to influence the recruitment for future positions to the Academy Council and training.

The Skills Audit Matrix has assessed the Governors of the Academy Council against a number of key themes and skill areas, held by professional qualification or personal experience, as follows:

| Skills | Examples |
|--------------------------------|--|
| Strategic Leadership | A person who has developed or implemented policy across an organisation at a strategic level |
| Risk Management | A risk management professional or experienced in compliance work |
| SEND and/or LAC | Social worker, teacher or other professional dealing with children with SEND and/or LAC OR A parent/guardian or carer of a child with SEND and/or LAC |
| Child Safeguarding | Social worker, teacher or other professional dealing with safeguarding children |
| Health and Safety | A Health & Safety professional or experienced in compliance work |
| Public Policy | A person who has developed or implemented public policy across an organisation |
| Careers & Employability | A careers advisor or someone from industry with a background in skills and training |
| Education Experience | A teacher, retired teacher or other educational professional |
| Compliance monitoring/auditing | A professional experienced in monitoring, evaluation and compliance work |
| Communications | A person with working experience in marketing and communications |
| Governance Experience | A solicitor, other lawyer or former head teacher, or other educational professional with an interest in governance |

Skills Audit Matrix for the _____ Academy Council

Date: _____

| Governor | Strategic Leadership | SEND and/or LAC | Risk Management | Child Safeguarding | Health and Safety | Public policy | Careers and employability | Education Experience | Compliance Monitoring/Auditing | Communications | Governance Experience | Other | Professional Qualification | Business Experience |
|----------|----------------------|-----------------|-----------------|--------------------|-------------------|---------------|---------------------------|----------------------|--------------------------------|----------------|-----------------------|-------|----------------------------|---------------------|
| | | | | | | | | | | | | | | |
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Key:
Y = Skills exist held by professional qualification or personal experience
N = Skills do not exist
T = Identified training need

Once completed this form should be uploaded to the Governors section of the NET Portal.

Annex G – Conduct of Governors

Code of Practice for NET Governors

This code sets out the expectations of, and commitment required from, Governors in order for the Academy Council to properly carry out its work within the academy and the community.

The Academy Council:

For the Academy Council to carry out its role effectively, Governors must be:

- Prepared and equipped to take their responsibilities seriously;
- Willing and able to monitor and review their own performance; and
- Attend and fully participate in a 1:1 review with the Chair

The role of a Governor

As a sub-committee of the Trust Board the Academy Council is a corporate body, which means:

- No Governor can act on her/his own without proper authority from the Academy Council;
- All Governors carry equal responsibility for decisions made, and
- Although appointed through different routes (i.e. parents, staff, community), the overriding concern of all Governors has to be the welfare of the academy as a whole.

General

- We understand the purpose of the Academy Council and the role of the Principal as set out in these Terms of Reference and the NET Scheme of Delegation.
- We are aware of and accept the Nolan seven principles of public life.
- We accept that we have no legal authority to act individually, except when the Academy Council has given us delegated authority to do so, and therefore we will only speak on behalf of the Academy Council when we have been specifically authorised to do so.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected
- We will encourage open governance and will act appropriately.
- We accept collective responsibility for all decisions made by the Academy Council or the Trust Board. This means that we will not speak against majority decisions outside Academy Council meetings.
- We will consider carefully how our decisions may affect the community and others.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our academy. Our actions within the academy and the local community will reflect this.
- In making or responding to criticism or complaints affecting the academy we will follow the procedures established by the Trust.

Commitment

- We acknowledge that accepting office as a Governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the Academy Council, and accept our fair share of responsibilities, including service on committees, panels or working groups.
- We will not go beyond our duties or act outside of the powers of authority conveyed on us through the Scheme of Delegation, and acknowledge that were we to do so we could be held liable to the Trust and/or third parties.
- We will make full efforts to attend all meetings and where we cannot attend provide apologies in advance.
- We will get to know the academy well and respond to opportunities to involve ourselves in academy activities.
- Our visits to academy will be arranged in advance with the staff and undertaken within the guidance established by the Academy Council and agreed with the Principal.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training.
- We will undertake regular self reviews and record all self reviews along with 1:1 reviews with the Chair.
- We are committed to actively supporting and challenging the Principal.

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other Governors.
- We will support the chairperson in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other Governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the Principal, staff and parents, the local communities, including local schools and other relevant agencies.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils/students, both inside or outside of the academy.
- We will exercise the greatest prudence at all times when discussions regarding academy business arise outside an Academy Council meeting.
- We will not reveal the details of any Academy Council vote.

Conflicts of interest

- We will record any pecuniary or other business interest that we have in connection with the Academy Council or Trust's business in the Register of Business Interests, which will subsequently be published on the Academy's website.
- We will declare any pecuniary interest, or a personal interest which could be perceived as a conflict of interest in a matter under discussion at a meeting and offer to leave the meeting for the appropriate length of time.

Breach of this code of practice

- If we believe this code has been breached, we will raise this issue with the chairperson and they, or their nominee, will investigate; the Trust will only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways;
- We understand that any allegation of a material breach of this code of practice by any Governor shall be raised with the Trust Board, and, if agreed to be substantiated by a majority of NET Trustees, shall be recorded in the minutes of said meeting and can lead to consideration of suspension and/or removal from the Academy Council.

SEVEN PRINCIPLES OF PUBLIC LIFE – THE NOLAN PRINCIPLES

All Governors will, at all time, uphold the Seven Principles of Public Life, known as the Nolan Principles. They are:

1. Selflessness Holders of public office should act solely in terms of the public interest.

2. Integrity Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty Holders of public office should be truthful.

7. Leadership Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Undertaking:

As a member of the Academy Council I will always have the well-being of the pupils/students and the reputation of the Academy and Northern Education Trust at heart; I will do all I can to be an ambassador for the Academy and Trust, publicly supporting its vision, mission and values; I will never say or do anything publicly that would embarrass the Academy, Trust, the Academy Council, the Principal or staff.

Governor's Signature _____

Governor's Full Name _____

Date of Signature _____

Annex H – NET Template Principals report

Insert academy logo

[insert name of academy] Academy

**Academy Council Meeting
Principal's Report [insert date]**

External reports and attachments

RAG summary – Appendix 1
DfE Checking Exercise Data Sheet – Appendix 2
Draft XXXX policy – Appendix 3

Staffing and recruitment

Resignations for:

External appointments for:

Current external recruitment:

Absence update:

Internal appointments for:

Risk areas:

Curriculum organisation/changes

Teaching, Learning and Assessment

[insert date] last report:

% of Good+ (QTS) XX%
% Good+ NQT/Teach First XX%
Total for Academy XX%

Current position:

Out of XX teaching staff overall:
% of Good+ (QTS) XX%
% Good+ NQT/Teach First XX%
Total for Academy XX%

Personal development, behaviour and welfare

Exclusions: XX% FTE, XXX total FTE incidents, X PEX, X PEX Pending

Reports of Bullying/Racist/Homophobic incidents:

Racists Incidents 0

Homophobic 0

Attendance to Date: HTX

| | Attendance | PA | Girls | Boys | PP | PP PA | Non PP |
|----------------------|-------------------|-----------|-------|------|----|-------|--------|
| Whole Academy | | | | | | | |
| YEAR X | | | | | | | |
| YEAR X | | | | | | | |
| YEAR X | | | | | | | |
| YEAR X | | | | | | | |
| YEAR X | | | | | | | |

Safeguarding and Child Protection

Current Child Protection concerns:

| CP Level of concern | Year X | Year X | Year X | Year X | Year 11 | Total cases |
|---------------------|--------|--------|--------|--------|---------|-------------|
| EHA | | | | | | |
| CiN | | | | | | |
| CPP | | | | | | |
| LAC | | | | | | |
| Total year group | | | | | | |

There are XX cases open to our Child Protection officer and Progress Leader team

Inclusion

External Visits and Trips

Student Mobility since Sept. 2017

| Student movement in from: | Number of students/Year Group | Student movement out to: | Number/Year Group | Current number on roll |
|---------------------------------------|-------------------------------|--|-------------------|---------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Total in since September 20XX: | X | Total out since September 20XX: | X | Total on roll: XXX |

NOR: Year 7 2017/18 is XXX

Possible future capital bids

Academy day

Year 11 update / Year 6 update

**[Principals name]
[date]**

Annex I

NORTHERN EDUCATION TRUST

Declaration of Business Interests

Name: _____

Role on Governing body: Trust Appointment / Staff Governor / Parent Governor / Other* (*Delete as appropriate)

Please indicate whether your interest involves self or member of family (inc a spouse or civil partner, child, parent, grandchild, grandparent, brother or sister) or relationship to any key management personnel within NET including Trustees.

Please also indicate if you are a governor at another school, academy or educational institute.

| Name of Employment and/or Business Relation | Nature of Business | Nature of Interest | Self/Family Member | Date of Appointment or Acquisition | Date of Cessation of Interest | Date of Entry to academy |
|--|---------------------------|---------------------------|---------------------------|---|--------------------------------------|---------------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

I certify that I have declared all beneficial interests which I or any person closely connected with me have with businesses or other organisations which may have dealings with the Academy or Trust.

Signed Date

Extract from the Academies Financial Handbook – as issued by the DfE

3.1.16 Register of interests

3.1.17 The academy trust’s register of interests **must** capture relevant business and pecuniary interests of members, trustees, local governors of academies within a multi-academy trust and senior employees, including:

- directorships, partnerships and employments with businesses
- trusteeships and governorships at other educational institutions and charities
- for each interest: the name of the business; the nature of the business; the nature of the interest; and the date the interest began

3.1.18 The register **must** identify any relevant material interests arising from close family relationships between the academy trust’s members, trustees or local governors. It **must** also identify relevant material interests arising from close family relationships between those individuals and employees. Close family relationships is defined in section 3.2.2¹.

3.1.19 Trusts should consider carefully whether any other interests should be registered. Boards of trustees should keep their register of interests up-to-date through regular review.

3.1.20 Trusts **must** publish on their websites relevant business and pecuniary interests of members, trustees, local governors and accounting officers. Trusts have discretion over the publication of the interests of any other individual named on the register. The Charity Commission offers guidance on managing potential conflicts of interest in: [CC29: Conflicts of interest: a guide for charity trustees](#).

ⁱA relative is defined in the Charities SORP as:

‘Close member of a person’s family’ refers to:

- that person’s children or spouse; ^[SEP]
- the children, stepchildren or illegitimate children of that person’s spouse or domestic partner; ^[SEP]
- dependents of that person; and ^[SEP]
- that person’s domestic partner who lives with them as husband or wife or in an equivalent same-sex relationship. ^[SEP]

Saved: Central/ Governance/Scheme of Delegation/NET AC Terms of Reference Final Approved 131217