

The Brittons Academy
Interim Transitional Board
Terms of Reference

1. Interim Transitional Board (ITB) of The Brittons Academy (TBA)

1.1. Background

1.1.1. Empower Learning Academy Trust (ELAT) has determined to stand down the Local Governing Committee (LGC) and appoint an ITB for the following reasons:

- Identification of weak governance.
- In response to the outcome of an Ofsted inspection and further communication from the Regional School Commissioner
- Its category of Requiring Improvement.
- A dip in the academy's performance.

1.1.2. The ELAT management team and the principal of TBA will manage the process of standing down the LGC.

1.1.3. ELAT do not adopt a one size fits all approach and is committed to appointing an ITB which is a small, capable and focused group. Members will be chosen on a case by case basis in accordance with the skill and knowledge and the needs of individual academies.

1.1.4. The main function of the ITB will be to secure governance of the academy, developing a sound basis for improvement and will be in place until there is significant confidence with the ITB and the ELAT Trustees' Board that a normal governance model can be resumed.

1.1.5. The ITB will be responsible to the ELAT Trustees' Board for the delivery of its purpose and will report its progress in meeting its objectives to that Board.

1.1.6. Membership of the ITB of The Brittons Academy was approved by the Trustees of ELAT with effect from 20th November 2017 along with these terms of reference.

1.1.7. These terms of reference may be varied or rescinded at any time solely at the discretion of the ELAT Trustees' Board.

1.1.8. The initial membership of the ITB is:

- D Forster(Chair), S London (ELAT CEO), Ms E Dixon, Ms M Hall, Ms K Coello, Ms H Cradock and K Cullwick
- Adviser: and Ms S Scott (Acting Principal)

2. Constitution, Terms of Office and Proceedings

2.1. Members of the ITB will hold office for the period that the ITB is in existence, although individual members may resign at any time.

2.2. ELAT may appoint additional members of the ITB at any time to support the continued development of the academy and may remove existing members for reasons of incapacity or misconduct.

- 2.3. The Chair of the ITB shall be appointed by ELAT. ELAT may remove or replace the Chair for reasons of incapacity or misconduct.
- 2.4. The Education (Governors' Allowances) (England) Regulations 2003 do not apply in relation to an ITB.
- 2.5. The School Governance (Procedures) (England) Regulations 2003 do not apply in relation to the ITB. It is for the ITB, once constituted, to agree appropriate procedures for the conduct of its business.
- 2.6. The ITB may make such arrangements as it sees fit for the discharge of its functions by any other person. This may include appointing individuals or working groups to support the ITB to monitor key focus areas of the academy development priorities.
- 2.7. It is for the ITB to determine the regularity of meetings, although it is anticipated that the board will meet approximately at least monthly during term time to ensure the pace of improvement is maintained and to closely monitor improvement.
- 2.8. ITB members will commit to attending all meetings. Occasional absence will be advised in advance to the clerk of the meeting.
- 2.9. All ITB members, the Principal (unless the Principal is being discussed) and shadow governing body, once established, may attend meetings of the ITB and its committees, although non-members will not have voting rights.
- 2.10. Other individuals and observers, including other representatives of ELAT, may attend with agreement of the ITB.
- 2.11. Where confidential matters are being discussed it will be for the ITB to determine if non-members can be present.
- 2.12. The quorum for all meetings of the ITB will be two members.

3. Responsibilities of the ITB

- 3.1. The ITB will be responsible for the monitoring the quality of provision and standards of achievement within the academy by:
 - Monitoring performance against targets set by the ITB.
 - Monitoring the implementation of the policy framework set by the ITB and its impact on standards of achievement.
 - Monitoring the academy self-evaluation and satisfying itself to the accuracy of this, including via external support as determined by the ITB.
 - Ensuring the academy complies with statutory requirements.
 - Providing robust challenge and support to the principal and SLT.
 - Monitoring and evaluating progress towards achieving post-inspection or review action points.
- 3.2. The ITB will hold the Principal and SLT to account, and be accountable to any interested party for the academy's performance by:
 - Receiving regular information from the Principal and SLT on the performance of all aspects of the academy.

- Agreeing other key policies and monitoring their implementation (particularly the performance management policy, behaviour policy and complaints policy).
- Conducting the performance management of the Principal (along with the ELAT CEO) and monitoring progress towards agreed targets.
- Receiving appeals on issues relating to staff grievance, capability, complaints and exclusions.
- Determining how the academy's relationships with key stakeholders will be managed including what will be communicated, in what medium and how frequently.

4. The role of the Principal

- 4.1. The Principal will remain responsible for the internal organisation, the leadership and management and control of the academy, and for advising on the implementation of the ITB's strategic framework.
- 4.2. The Principal will provide the ITB with regular information on the performance of all aspects of the academy and will comply with any reasonable request from the ITB for information. It is for the ITB to determine the range, content and regularity of these reports. The ITB may request any member of the SLT to attend its meetings to provide information on the performance of any aspect of the academy for which they are responsible.
- 4.3. Where the ITB delegates any function to the Principal, the ITB has the power to give reasonable directions in relation to that function and oblige the Principal to comply with those directions.

5. Conduct of the ITB

- 5.1. The ITB will conduct its business in an open and transparent way at all times.
- 5.2. No individual ITB member has the power to act alone, unless delegated to do so by the ITB.
- 5.3. Where functions have been delegated to an individual, or a group, they must report back to the full ITB on actions taken under delegation at the earliest possible opportunity. The ITB remains responsible for any action undertaken on its behalf under delegation.
- 5.4. Individual members of the ITB must respect confidentiality. It is for the ITB to determine which parts of meetings, and the associated minutes, should remain confidential. Serious breaches of confidentiality may result in ELAT removing an individual member from the ITB.
- 5.5. Any agreed dialogue with press agencies will be through close liaison with the ELAT Chair of Trustees and the Executive Principal and through the Principal and the chair of the ITB. No member of the ITB should have contact otherwise with press agencies, unless authorised by the chair of the ITB.
- 5.6. Clerking of the meetings will be arranged by ELAT. The appointed clerk will also be bound to confidentiality.

6. Procedural Responsibilities

- 6.1. ITB minutes will be collated and sent to the chair within one week for approval, before wider circulation to the members of the ITB, by email.
 - 6.2. The agenda for ITB meetings will be determined by the chair of the ITB in the first instance, at least five days before the meeting. This will then be circulated to other members for additional items to be considered for the agenda.
 - 6.3. On request the Principal will present a report to the ITB on progress against each of the key issues, and including a financial update report, and any staffing/HR issues. The report will also include relevant data and student tracking information, and including behaviour and attendance data.
 - 6.4. The ITB will determine the agreed signatories for financial decision making, and will determine the spending thresholds for the principal, without needing approval by the ITB. This is underpinned by ensuring accountability, without procedures negatively impacting the securing of rapid progress to address the issues.
 - 6.5. Urgent decisions that need to be taken by the Principal in the period between ITB meetings will be with the approval of the chair of the ITB.
 - 6.6. The decision making processes of the ITB will be open and transparent, and in partnership in the best interests of the school and its progress towards addressing the key issues for the school. In the event of a split decision, the chair of the ITB will have the casting vote.
- 7. Disbanding the ITB**
- 7.1. The ITB will be disbanded once the trigger for its appointment has been removed. This decision will be made at the right time for the individual academy and only when stability has been restored and there is confidence in the progress of the academy. A planned disbanding of the ITB will take place alongside the induction of the newly formed LGC.