

The Bay Learning Trust: Morecambe Bay Academy

The Academy Interim Board (AIB) of Morecambe Bay Academy (the Academy) *(constituted as a Local Governing Body under The Bay Learning Trust's Articles of Association)*

The Bay Learning Trust ("the Trust") is committed to excellent governance, which is fit for purpose. When an academy requires focused attention to secure rapid improvement the Trustees will put in place an AIB. The following circumstances may be reasons why the Trustees determine that an AIB is necessary:

1. to address weak governance identified by the Trust;
2. safeguarding concerns have arisen;
3. following the outcome of an Ofsted inspection of the academy and there has been a grade/rating fall, governance has been identified as weakness and/or the academy moves into a category of serious weakness or requiring improvement;
4. following the outcome of an annual review of governance or Ofsted inspection which identifies the need for change; and/or
5. performance at the academy has been negatively impacted.

Terms of Reference

1 Background

The AIB of Morecambe Bay Academy was constituted by the Trustees of the Bay Learning Trust as from 1 May 2019. These terms of reference set out the membership, quorum and meeting requirements for the AIB. The Trustees fully reserve their right to review and revise these terms of reference at any time. These terms of reference must be read in conjunction with the applicable scheme of delegation which may be amended at any time by the Trustees.

The AIB shall be in place until such time as the Trustees are satisfied that the required improvement at the Academy has been achieved. The Trustees in their absolute discretion shall determine when the AIB shall transition to a standard Local Governing Body with an adjusted scheme of delegation and revised terms of reference.

2 Membership

The members of the AIB shall be appointed by the Trustees. The Trustees may delegate the power of appointment to the Chair of Trustees or any of their number. If the Chair or Vice-Chair of Trustees determines that it appropriate to respond to a particular need that may arise, any Trustee may take up a position on the AIB for any time period required and will be fully authorised to participate in any AIB business including any roles or panels required under a policy or procedure.

All members of the AIB must submit to the relevant checks for their suitability to be engage in the management of an independent school and in accordance with the statutory guidance Keeping Children Safe in Education (as amended).

The current membership of the AIB is: (not finalised)

2 Constitution, Terms of Office and Proceedings

1. A quorum for a meeting of the AIB must be three members. In the event that three members are not present at the time that a meeting has been duly called it shall be deemed to be adjourned and will be rearranged as soon as reasonably possible by the Clerk to the AIB.
2. AIB's administrative support shall be provided by a Clerk to the AIB (the Clerk). The CEO shall have the power to nominate a Clerk which shall be subject to the approval and appointment by the members of the AIB.
3. Members of the AIB will hold office for the period that the AIB is in existence, although individual members may resign at any time by giving notice to the Clerk to Trustees.
4. The Board may appoint additional members of the AIB at any time and may remove existing members for any reason that they determine warrants the removal of a member.
5. The power to appoint the Chair of the AIB shall be delegated by the Trustees to the Chief Executive Officer of the Trust (CEO).
6. For the avoidance of doubt, the School Governance (Procedures) (England) Regulations 2003 do not apply in relation to AIBs or any other part of the Trust's governance structure. It is for the AIB, once constituted, to agree appropriate procedures for the conduct of its business.
7. The AIB will meet at least once every six weeks during term time to ensure the pace of improvement is maintained and to monitor improvement. In the event that the AIB cannot meet for any reason within the period specified in this clause this does not invalidate any business transacted at any following meeting.
8. Other individuals may come to the meeting only with prior notice being given to the AIB members.
9. The Principal of the Academy will be an associated member of the AIB. For the avoidance of doubt, the Principal is not an ex-officio member of the AIB and has no voting rights. This paragraph does not prohibit the Trustees or one of their number with delegated power to appoint the Principal as a member of the AIB.
10. Voting on AIB business shall be by way of a simple majority.
11. The AIB may constitute a sub-committee and delegate functions to it with a terms of reference and scope of work

3 The duties of the AIB:

1. To ensure rapid and sustained progress on all areas within the Action Plan.

2. To receive regular information from the Principal and SLT on the performance of all aspects of the Academy, in order to monitor progress and agree new actions if needed
3. To set targets for Academy academic improvement
4. To agree the curriculum structure
5. Set the staffing structures
6. To appoint senior staff in consultation with the CEO and the Trust Board
7. To monitor the implementation of the Trust policies, including the Performance Management policy.
8. Assisting the CEO with conducting the performance management of the Principal
9. Act as appeals committee on issues relating to staff grievance, discipline, capability, complaints and exclusions
10. Ensure that the Academy meets all of its statutory obligations
11. Ensure that safeguarding is robust and that staff are appropriately trained
12. To report to the Trustees on the progress of the Academy to make the required improvement to move toward a standard Local Governing Body.

4 The Role of the Principal

1. The Principal will be responsible for the internal organisation, and for the leadership, management and day to day running of the Academy.
2. The Principal will provide the AIB with regular information on the performance of all aspects of the Academy and will comply with any reasonable request from the AIB for information.
3. Where the AIB delegates any function to the Principal the AIB has the power to give the Principal reasonable directions in relation to that function and oblige the Principal to comply with those directions.

5 Conduct of the AIB

1. The AIB will conduct its business in an open and transparent way and in accordance with the principles of standards in public life as determined by the Nolan and any rules, policies or practices implemented by the Trustees.
2. The AIB is a committee of a corporate body and consequently no individual has the power to act alone, unless delegated to do so by the Trustees. Where functions have been delegated to an individual or sub-committee, they must report back to the full AIB on actions taken at the earliest possible opportunity.

3. Individual members of the AIB must respect confidentiality. It is for the AIB to determine which parts of meeting and the associated minutes, should remain confidential and direct the Clerk to record such matters accordingly.

6 Procedural matters

1. AIB meetings may be called by the Chair or 3 members directing the Clerk to arrange a meeting. Seven calendar days' notice must be provided to the AIB members prior to the proposed meeting date.
2. Extraordinary meetings may be called on shorter notice being provided to the AIB members.
3. In the absence of the Chair the members of the AIB may nominate one of their number in attendance to preside over their meeting.
4. Minutes will be collated and sent to the Chair of the meeting for approval before wider circulation to the members of the AIB by email. The minutes will be formally reviewed and adopted at the following AIB meeting.
5. Non-confidential agendas and minutes will be published on the Academy's website as soon as is practicable.
6. The agenda will be determined by the Chair at least ten calendar days before the meeting; this will then be circulated to other members for additional items to be considered.
7. On request, the Principal will present reports to the AIB on progress across any area of school life and performance.
8. Voting on AIB business shall be transacted by way of a simple majority. In the event of a split decision the Chair of the AIB will have the casting vote.
9. Urgent decision that need to be taken by the Principal in the period between AIB meetings will be with the approval of the Chair of the AIB unless they are financial decisions which will be taken by the CEO or Trustees (subject to the Trust's financial scheme of delegation).
10. The AIB may contribute to regular newsletters to update parents on the progress of the Academy.