

The SWAN Trust
Local Governing Committees
Handbook



Approved By: Board of Trustees

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Responsibility for Review: Board of Trustees

Purpose of this document

This handbook sets out advice, guidance and information for all The SWAN Trust's (SWAN) Local Governing Committees (LGC).

The SWAN Trustees are the legal governors of the schools and are accountable for all statutory functions. At the local level, Trustees delegate governance responsibilities to LGCs in line with the SWAN Scheme of Delegation document. LGCs play a vital role in making sure that decisions, in line with the Scheme of Delegation and SWAN strategic plan, are taken at a level closest to those affected, ensuring that every child receives the very best education. A good example is the school budgets. The Trustees are responsible for agreeing the budget, its oversight and monitoring, whilst LGC's input is to focus on the three 'Es': Economy, Efficiency and Effectiveness. This is invaluable to maintaining a healthy budget.

It is important to note that when on training/webinars the trainer does not always distinguish between Trustees and Governors. The LGCs do not have accountability outside of the Scheme of Delegation; this sits with the Trustees. If you are a new school to our Trust you are now a Committee not a Governing Body.

If there is a conflict between documents, it is the Articles of Association (Articles) and Scheme of Delegation (SoD) that are the legal documents. Please let the CEO know if you find a conflict so we are able to take it to Trustees to resolve.

1 Composition of the Local Governing Committee (LGC)

The LGC is composed of minimum 6 local Governors:

- 2 elected Parent Governors
- 1 elected Staff Governor (Staff Governors, including the Headteacher, cannot be more than a third)
- 1 Headteacher as an ex-officio Governor
- 2 Governors (minimum)*

Local Governors are not Trustees of The SWAN Trust. The term of office for a Local Governor is four years, unless otherwise stated in the Articles. For the period 2025-2028 the maximum number is 10 LGC members. Should it be over this number natural movement is expected to bring the LGC into compliance. It is up to each LGC if they wish to set the maximum number lower than this.

*It is worth noting that we want LGCs to be broad and balanced and too many LGC members with a family connection to the school would not necessarily achieve this.

2 Election / Appointment of Governors

Procedures for the election and appointment of Governors are summarised here, but please refer to GovernorHub for detailed recruitment, election and induction papers.

<https://app.governorhub.com/s/theswantrust/resources/627b8ddd3f37c3ddb47d0488>

No person shall be qualified to be a Local Governor unless they are aged 18 or over at the date of their election or appointment.

Governors: When a vacancy occurs for a Governor, the LGC is responsible for appointing a replacement. This will be a recruited position and be skills led. The LGC should be notified of the vacancy in the agenda of the next full LGC meeting. A candidate should be proposed and seconded and the LGC should approve the appointment.

Parent Governors: Election will be by secret ballot of parents/carers. When a vacancy occurs, a letter/email will be sent informing parents/carers and inviting nominations. Nomination forms will be included in the communication and 10 school days will be allowed for their return. If an election is required, ballot papers will be circulated as soon as possible (either on paper or by a secure electronic voting system) and 10 school days allowed for their return to the school. The count will take place that day and the result will be shared with all parents/carers and included in the next newsletter to parents/carers. The ballot papers will be held in school for 10 school days in case of a disputed result. The elected Parent Governor only needs to be a parent of a child on appointment; their four-year term of office continues to run even if their child's age means they are moving to a new school. A Parent Governor at the end of their term of office will need to stand again in a new Parent Governor Election.

A Parent Governor's role is exactly the same as other Governors. They are a 'representative parent' rather than a 'parent representative'. Parent governors offer a parental perspective to issues being discussed; however, they are not expected to represent the parent body or act as a spokesperson.

Staff Governors: Election will be by secret ballot of all staff. When a vacancy occurs, a letter/email will be sent out to inform the staff and inviting nominations. Nomination forms will be included in the communication and 10 school days will be allowed for their return. If an election is required, ballot papers will be circulated as soon as possible (either on paper or by a secure electronic voting system) and 10 school days allowed for their return. The count will take place that day and the result will be shared with all staff. The ballot papers will be held in school for 10 school days in case of a disputed result. A Staff Governor at the end of their term of office will need to stand again in a new Staff Governor Election.

A Staff Governor's role is exactly the same as other Governors. They are a 'representative of staff' rather than a 'staff representative'. Staff governors offer a staff perspective to issues being discussed; however, they are not expected to represent the staff members or act as a spokesperson.

Co-opted Governors: Co-opted Governors are not Governors in a legal sense, and therefore do not have a vote. The definition of Co-opted Governor is wide, and those who can contribute specifically on issues related to their area of expertise (for instance Health and Safety) can be appointed as Co-opted Governors. The Trust believe that Co-opted Governors have an important role to play in bringing additional knowledge and skills in support of the LGC. They can attend full LGC meetings if Governors would find it beneficial for them to do so, but may be excluded from any part of a meeting where the business being considered concerns a member of school staff or an individual child.

A Co-opted Governor must be nominated under an agenda item at a LGC meeting by a Governor, with an explanation of what the Co-opted Governor will bring in additional knowledge and skills, and the LGC will approve or otherwise. The appointment will be for a period of time to support with the specific project they have been brought on board to support and must not exceed 2 years. The Co-opted Governor may be re-elected at end of that term. The Co-opted Governor may be removed from office at any time by the LGC.

A Co-opted Governor should send apologies if unable to attend a meeting to which they are invited and should receive access to pre-read papers and both Part 1 and Part 2 minutes for meetings attended or invited (where relevant), unless the Co-opted Governor has been excluded from the part of the meeting held under Part 2 protocol. Co-opted Governors will be given access to the Governors' platform GovernorHub.

GovernorHub

GovernorHub helps our Board and Committees to work together better, it keeps Governors connected and provides a readymade record of the LGCs documents. There are four key areas:

The Noticeboard – for easy collaboration and group work. You can post a message on the notice board to everyone or a chosen committee who will then get an email, this might be with a link to papers that have been uploaded or sharing information and news.

The Calendar – you can add meeting dates or school events. Folders of documents can be linked to each meeting date too.

Documents – gives us easy access to papers, past and present. It keeps all our Committee's documents and policies in one place. Once everyone is using MS365 we will also be able to edit documents on GovernorHub.

Confidentiality – by reducing emails GovernorHub keeps all our papers secure and provides links to only those who have authorised access.

Any documents downloaded from GovernorHub need to be done so in a way to protect the documents privacy and security. The individual Governor is responsible for ensuring this.

Private and group messenger apps

We recognise private and group message apps such as, but not exclusively limited to, WhatsApp and Signal offer an instant way to communicate with everyone. These types of messaging apps should not be used to share any internal data, confidential information, views or decisions made. All this information should be shared and recorded on GovernorHub.

If you are a new school to our Trust

As a maintained school you may have previously had 'Co-opted Governor' as a term for Governors who were voted on by the Board. This terminology has now changed, you will now be referred to as a Governor. If you had voting rights before the conversion you still do.

A database of Local Governors will be held by the SWAN Company Secretary and new appointments, resignations or removals must be advised to the Secretary by the Clerk within 14 days to enable them to update GIAS.

Resignation and Removal of Local Governors

To ensure continuity in governance, the resignation and removal of Local Governors will be in accordance with the SWAN Articles of Association 65-67, Resignation and Removal of Trustees.

Disqualification of Local Governors

To ensure continuity in governance, disqualification of Local Governors will be in accordance with the SWAN Articles of Association 68-80, Disqualification of Trustees.

3 Election of LGC Chair and LGC Vice-Chair

The LGC will elect from among its number a LGC Chair and a LGC Vice-Chair and propose them to the Trustees. The SWAN Board of Trustees is required to ratify the appointment of the Chair; it would help therefore if nominations came in before a meeting rather than during (see below).

The term of office of the LGC Chair and LGC Vice-Chair is 2 years, for a maximum of 3 terms, unless otherwise agreed by the SWAN Trustees after a skills audit.

The process for the election of LGC Chair and LGC Vice-Chair is:

- Governors may self-nominate or may nominate a fellow Governor for Chair and/or Vice-Chair. Permission of the nominee must be sought.
- Nominations should be submitted to the Clerk by the date agreed at a full LGC meeting. The Clerk will notify the SWAN Board of Trustees of all nominations 7 days before the LGC meeting. The SWAN Board of Trustees will send any objections to the nominations ahead of the full LGC meeting where possible.
- The agenda will list the candidates for both Chair and Vice-Chair
- The ~~second item~~ next agenda item after apologies and declarations of interests will be the election of the Chair
- Nominees for the position of Chair may be asked to leave the room whilst the LGC takes a vote
- The Clerk will chair the meeting for the election of Chair
- The Trustees can also make nominations for Chair from current LGC committees as well as sometimes recruiting a Chair from outside the Trust straight into the position. (If a prospective Chair is new to the Trust they will have completed or in the process of completing the recruitment process and met with the Headteacher/LGC and CEO/Trustees)

The newly elected Chair will then deal with the election of Vice-Chair:

- Nominees for the position of Vice-Chair may be asked to leave the room whilst the LGC takes a vote

The Clerk will notify the CEO and SWAN Board of Trustees of the election result.

If both the Chair and the Vice-Chair resign, the LGC must hold a special LGC meeting as soon as possible to elect their successors. It would be expected that the Chair would give as much notice as possible of their resignation for succession planning, ideally stating at the beginning of the academic year their intention for it to be their last year as Chair.

If there are no nominations for the Chair and the Vice-Chair the LGC must inform The SWAN Trust, via the CEO, as soon as possible. It will then be for the Trustees to support and decide a way forward. This could result in the Trustees appointing a Chair or a disbanding of the LGC.

4 LGC Chair's Actions

The Chair, or in their absence the Vice-Chair, has authority to take certain urgent actions if a delay in dealing with the matter would be seriously detrimental to the interests of the school, a child at the school or their parents/carers, or to a member of staff at the school. Any actions taken in such circumstances must be notified to the full LGC at the next meeting.

5 The Clerk to the LGC

The Trustees appoint the Clerks to the LGCs.

The Clerk's role is to:

- communicate and liaise with the other SWAN Clerks termly, often by email
- convene meetings
- draw up, with the Chair and Headteacher, the SWAN agendas, which must be issued together with all papers at least 7 days before the meeting
- ensure that minutes of the proceedings of meetings of the LGC are drawn up and signed (subject to approval of the LGC) by the Chair at the next meeting
- issue minutes to the LGC within 2 weeks of a meeting (good practice) using GovernorHub

- maintain a register of members of the LGC, and of Co-opted Governors and report vacancies to the LGC at next meeting
- maintain a register of business interests of Governors, Co-opted Governors, and Senior Leadership Team (SLT) some of SLT may need to complete on paper, and advise the CEO and SWAN Company Secretary of changes and updates. Please email Nicky Dicken admin@swantrust.co.uk the Company Secretary and one of the Clerks for The SWAN Trust
- record attendance and any apologies tendered and accepted
- provide advice and information to the LGC
- chair the meeting pending the election of the Chair
- provide advice on and clerk, if available, additional meetings as required e.g. exclusions, appeals and staffing
- upload draft minutes to GovernorHub meeting folders as Word documents
- upload final minutes to the GovernorHub folder for these documents as PDFs
- ensure that Part 1 signed minutes, agendas and any papers presented at a meeting are available for Ofsted Inspection
- ensure that all signed minutes, agendas and any papers are held securely in school
- receive relevant correspondence
- perform such other tasks as may be determined by the LGC from time to time

6 Governance Meetings

LGC meetings will be planned to fully meet the delegated governance requirements of the SWAN Board of Trustees, and in combination with the governance exercised by the SWAN Board of Trustees itself, will across the academic year, fully meet the statutory governance requirements for the school.

Meeting dates and times must only be changed in exceptional circumstances. The Clerk should issue a written notice of any change, with an explanation, as soon as possible, and with a minimum of 7 clear days.

Currently the LGCs run with no additional sub-committees, however there is always the opportunity to convene a Working Party for a particular focus or project.

In addition, the LGC may convene an Extraordinary LGC meeting as required on specific topics, and if the SWAN Board of Trustees request this. Such a meeting may be held if there are urgent issues to be discussed that cannot wait until the next scheduled meeting. Any 3 members of the LGC may request a meeting by giving written notice to the Clerk, and the Clerk must convene a meeting as soon as is practically possible, giving written notice and a copy of the agenda at least 7 clear days in advance to each Governor, unless exceptional circumstances demand otherwise, in which case the Chair may make this decision, noted in the written notice of the meeting. If at all possible, the Clerk should attend, but if the Clerk is unavailable at short notice, the LGC should appoint one of its members to take minutes.

In the Summer term the LGC will plan the dates and times of its meetings for the following year in consultation with the CEO to ensure they align to the meetings of the Trust Board. Meeting dates should be shared with CEO and Chair of Trustees when set. The aim will be to limit each meeting to a maximum of two hours; this does not include breakout groups or working party times. Meetings shall be scheduled for such times during the day so as to respect the work-life balance of Governors and staff. This may include meetings scheduled before, during and after the school day. If an evening meeting needs to be held it should be finished by 8.30pm and should not be longer than two hours. Any agenda items not discussed will be held over until the next meeting by agreement.

Draft agendas are created for the year by the Trust. These can be added to by the Chair and/or Headteacher, however some of the agenda items are statutory and may not be removed. You can find the annual model agendas here:

<https://app.governorhub.com/s/theswantrust/resources/66278d7de3ad7498f9a9a7dd>

7 Terms of Reference for LGC meetings

Term of Reference for LGCs are outlined in full in the SoD Section 8:

<https://app.governorhub.com/s/theswantrust/resources/62267c15d2863e835d59d3c4>

Many Governors take on extra responsibilities to look at a curriculum subject or focus area in depth. These Governors make an extra commitment to meet with Subject Leaders in school and report back at LGC meetings. Role descriptors for LGC roles can be found here:

<https://app.governorhub.com/s/theswantrust/resources/633c9a3f3d499ef2c0d214ca>

8 Training

The SWAN Trust buys in training from the National College and The Key (accessed through GovernorHub), as well as the Schools Alliance for Excellence (SAfE) webinars. Most training provided by our outside partners is free of charge to Governors. Induction training is available, as well as ongoing training on a variety of subjects including school finance, pupil performance data, etc.

Governors are expected to keep their skills up to date by attending training regularly, and it is the LGCs responsibility to keep a record of training carried out by all Governors, this can be completed on GovernorHub.

9 Working Parties

In order to ensure the most efficient use of time and resources the LGC can set up Working Parties to gather information and/or make recommendations to the LGC.

If the LGC establishes Working Parties to make recommendations or provide information they will be discontinued when their work has been completed.

10 Portfolio Groups

For 2025 -2028 The SWAN Trust would like to continue to invite the LGC members to join them for Portfolio Group meetings. The purpose of these groups is to increase communication between the LGCs and the Trust Board, to share and build knowledge. These groups will meet termly.

Portfolio Groups:

1. Chairs Meeting
2. Achievement and Curriculum
3. Safeguarding
4. Admissions
5. Our People
6. Finances and Resources

Term of Reference for Portfolio Groups are in the SoD Sections 9 and 10

<https://app.governorhub.com/s/theswantrust/resources/62267c15d2863e835d59d3c4>

11 Conducting meetings

LGC meetings are conducted by the LGC Chair. In the absence of the LGC Chair, the Vice-Chair would deputise. If the Vice-Chair is also unavailable, the LGC must elect from its number a Chair for that meeting.

It is the role of the Chair to ensure that Governor business is conducted in an effective and efficient manner. In particular, the Chair should keep discussions to those items listed on the agenda. Any decision taken and action arising from each agenda item should be clearly stated by the Chair and noted in the minutes before discussion moves to the next agenda item.

The Chair of the meeting will ensure that all Governors have the opportunity to express their views and that debate is not dominated by a small minority of the Governors to the exclusion of others.

It is the role of the Chair to ensure a smooth and efficient meeting, and at times it will be necessary to draw discussions to a point that a decision can be made.

Recommendations received from Working Parties will be recorded in the written minutes.

The full LGC will not debate or discuss any matter that is likely subsequently to be the subject of a parental complaint or disciplinary hearing.

12 Quorum

For meetings of the full LGC the quorum will be two thirds, rounded down to a whole number, of the complete membership of the LGC, excluding any vacancies. The quorum is aligned with the SWAN Articles of Association.

A meeting may be held if it is inquorate but no votes can be taken or decisions made. If during the course of a meeting it becomes inquorate, no further decisions can be made.

13 Alternative participation and voting

The LGC recognises the freedoms that exist in relation to alternative participation and voting arrangements for full LGC meetings. Governors may be present virtually, including for the relevant part of the meeting only, for example by video or audio conference, and may therefore participate in discussion and decision making, including voting, remotely. Proxy voting or voting in advance is not permitted as it is important that Governors are present to hear and engage in the debate before casting their vote.

14 LGC meeting agendas

Model meeting agendas are created by the Trust; they will be prepared for each school by the Clerk in consultation with the Chair and Headteacher. Please do not remove agenda items as they create a balance. Some agenda items are statutory and may not be removed. You can find the annual model agendas here:

<https://app.governorhub.com/s/theswantrust/resources/66278d7de3ad7498f9a9a7dd>

Individuals or groups of Governors may put forward items for the agenda by writing to the Clerk at least 14 days before the meeting.

Supporting papers and other documents (including the Headteacher's Report) relating to the agenda must be sent to Governors with the agenda in order for Governors to have enough time to review them and contribute to effective discussions in the meeting.

An item raised by an individual Governor, once dealt with to the LGC's satisfaction, should not normally be raised again within one calendar year.

15 Any other business (AOB)

AOB may be used on the agenda however items must be agreed by the Chair ahead of the meeting.

16 Attendance

The Clerk will keep a record of all persons attending a meeting of the LGC.

The minutes will also record the names of Governors who have sent apologies which have been accepted, and the names of Governors who are absent or whose apologies have not been accepted.

The time of arrival of any person attending the meeting late and departure of any person leaving before the end of a meeting will be recorded in the minutes.

If a Governor fails to attend full LGC meetings without the consent of the LGC for a period of six months or three meetings in one academic year, they will be disqualified from holding office as a Governor. The six month period commences from the date of the first meeting where the LGC does not accept the Governor's apology for absence.

17 Decision making and votes

In order to make a decision a simple majority through a show of hands will be made after full discussion, unless any one member, or more, requests a secret ballot. If there is a tied vote at the end of a discussion, the Chair of the meeting has a second or casting vote.

If a secret vote is requested, this can be done one of two ways; either through the Clerk who remains neutral or through an online survey, which will need to be set up in advance. This could be set up ahead with a yes/no response and no question specified.

Decisions of the LGC may only be amended or rescinded at a subsequent meeting of the full LGC when the proposal to amend or rescind appears as a separate agenda item.

A decision of the LGC is binding upon all its members. Any Governor publicly dissociating themselves from a decision may be judged by fellow Governors to:

- have acted in a way that is inconsistent with the school's ethos and/or character
- have brought the school, or may be likely to bring the school into disrepute

This could result in that Governor being suspended for a period of up to six months.

18 Minutes of meetings

The minutes of meetings will be drawn up on consecutively numbered pages.

A dissenting view may be recorded in the minutes of the meeting, if that is the wish of one or more persons present.

Copies of the draft minutes, checked for accuracy by the Chair and the Headteacher, will be sent to all members of the LGC within 14 days of the meeting.

The minutes of a meeting will be considered for approval or amendment at the next meeting of the full LGC. Each page will be initialled by the Chair, signing them on the final page as a true record.

Actions will be undertaken, by individuals or Working Parties, based on draft minutes and need not await the approval of minutes at the next meeting.

Those matters that must by law remain confidential or which the LGC decides shall be confidential will not be published in the main minutes of any meeting but will be classified as Part 2 minutes, available to Governors only.

Minutes of meetings, together with the agenda, Headteacher's Report and supporting papers will be available for public inspection by arrangement with the school office, once the minutes have been approved by the full LGC and signed by the Chair.

The minutes are public and so do not need to be password protected on GovernorHub. It is worth remembering that Part 2 minutes can still be disclosed to members of the public as part of a Subject Access Request or Freedom of Information Request.

19 Access to meetings of the LGC

Members of the LGC, Co-opted Governors and the Clerk are entitled to attend a meeting of the LGC.

When the Headteacher is absent the Headteacher's nominee may attend the meeting but does not have voting rights.

If the LGC has agreed to hold an open meeting, parents/carers/the public will be given reasonable notice of the date and time.

Teachers and other staff may be invited to attend meetings of the full LGC as part of their professional development.

The Chair, on behalf of the LGC, may ask a visitor to leave the meeting. If the person refuses to leave when asked, that person is trespassing and the LGC has the right to have them removed.

The LGC may exclude a Co-opted Governor from any part of its meeting, which the Co-opted Governor is otherwise entitled to attend, when the business under consideration concerns an individual member of staff or child.

20 Correspondence

Significant items of correspondence will be presented to each meeting of the LGC, including any which the Chair has already taken urgent action on, so that the need for, and the nature of any action may be decided or confirmed.

The LGC will determine, by resolution, who should write letters, policy papers or discussion documents on behalf of the LGC.

No Governor should write such a letter or policy paper without the delegated authority of the full LGC.

21 Headteacher's responsibilities

The Headteacher's responsibilities include:

- the internal organisation, management and control of the school
- the educational performance of the school

The Headteacher is accountable to the SWAN Board of Trustees for the performance of the school.

Whilst the Headteacher will be line managed by the CEO of The SWAN Trust, the Headteacher will retain a close working relationship with the LGC Chair and meet them on a regular basis. The Chair of LGC will be part of the Headteacher's objective setting meeting and appraisal panel (this can be delegated to another LGC member) and will be part of the Headteacher recruitment panel.

Headteachers will present a Headteacher's Report at least once a term to the LGC.

Where important information required by the LGC is given orally, it will be recorded in the minutes in appropriate detail.

Where information is required by the LGC but is not so readily available, reasonable time will be given for its production.

Where expertise or contribution to discussion is needed but not available within the LGC, the LGC may consider appointing a Co-opted Governor from amongst staff or the community.

22 Public statements

Strategic public statements e.g. to the press, which reflect on The SWAN Trust or one of its schools will only be made after the agreement of the CEO. This excludes critical incidents where the Headteachers would refer to emergency procedures.

23 Pecuniary and Personal Interest

The LGC will maintain a register of the pecuniary and business interests of its members confirmed by the relevant member(s). Pecuniary and business interests are reviewed, updated and reconfirmed by all members termly.

Governors will also draw attention, as appropriate, to their declared charity, pecuniary, personal or business interest in an agenda item at the start of each meeting of the full LGC.

A Governor will be required to withdraw from a meeting, if they (or a relative, to the knowledge of the relevant person):

- stands to gain financially from a matter under consideration
- has a personal interest in a matter under consideration
- is a relative of a child, a parent or an employee being discussed

Governors who have declared a personal interest must be allowed to attend a meeting of the LGC to give evidence, if they have made an accusation or are witnesses in the case that is under discussion.

24 Parental Concerns

The SWAN Board of Trustees must approve any school specific addendums to the SWAN Complaints Procedure.

25 Staff Grievance and Discipline

The SWAN Board of Trustees must approve any school specific procedures for dealing with staff disciplinary matters and staff grievances which are in addition to the SWAN Staff Grievance and Discipline Policy.

26 Review

Amendments to this Handbook may be made only by the SWAN Board of Trustees. LGC's feedback is welcome and will be taken into consideration.

27 Distribution

This Handbook will be made available to each member of the LGC and new Governors when they join.