

[ CLUSTER MAT NAME]

**Comment [A1]:** The name of the MAT will need to reflect the local context in some way and will need to make clear that the MAT is a Catholic school trust. Association with one school in particular should be avoided.

## SCHEME OF DELEGATION

EFFECTIVE DATE: [ ]

Draft dated September 2015

**Winckworth**  
Sherwood

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**Comment [A2]:** Larger multi academy trusts formed of schools working in partnership, often use a Strategic Advisory Committee to bridge the gap between the Trust Board and the Governing Bodies. The Strategic Advisory Committee is expected to be made up of headteachers and chairs of the Governing Bodies. This is optional

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**Comment [A3]:** The Diocesan Schools Service will continue to exercise oversight of the schools, supporting the Bishop and the Directors both as members of any academy trust and as diocesan authority under canon law and education law. Oversight will extend to the academy trust itself and to those appointed as directors of any academy trust. Any disputes between the schools in a multi academy trust or between any Governing Body and the Trust Board will be referred to the Diocesan Schools Service. The importance of recognising the schools as Catholic schools and the observance of any Diocesan policies may be restated in a memorandum of understanding, which the Bishop and the Diocesan Trustees will expect any director or governor to undertake to observe at all times. The right to intervene must be acknowledged albeit as a last resort and would generally be satisfied by the appointment and removal of the foundation directors and foundation governors. A draft Diocesan MoU is now provided.

**Comment [A4]:** An example scheme for financial delegation is provided for discussion.

**Comment [A5]:** Again provided to aid discussion and decision making.

**Comment [A6]:** Any reasonably large MAT will need a separate audit and risk committee, whose job is to oversee financial probity and ensure risks are identified and managed. Where the responsibility for budget approval is retained by the Trust Board (as opposed to delegated to the Governing Body) then the audit committee might also operate as a finance committee. It is only a committee of the main Trust Board and decision making will still be retained by and be the responsibility of the Trust Board.

## 1. INTRODUCTION

- 1.1 [Name of Trust] (referred to herein as “[ ]” or the “**Trust**”) was established on [ ] as a multi academy trust and, in consequence of it entering into both a Master Funding Agreement and a number of Supplemental Funding Agreements (the “**Funding Agreements**”), operates and maintains a group of Catholic schools in the Diocese of East Anglia (the “**Academies**”). The Academies shall at all times remain Catholic schools, conducted in conformity with any trust deed governing the use of land used by the Trust and in conformity with canon law and with the teachings of the Catholic Church. Both the Trust and the Academies must comply with any advice or directive issued by or on behalf of the Diocesan Bishop.
- 1.2 The Trust is both a company limited by guarantee, registered at Companies House (Company Number [ ]) and, by virtue of its charitable object “to.... advance the Catholic religion in the Diocese by such means as the Bishop may think fit and proper by establishing Catholic schools ....and with the approval of the Bishop other Academies” (i.e. schools which are not Catholic schools), is a charity. The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
- 1.3 The Trust’s constitution is set out in its Articles of Association and this Scheme of Delegation has been put in place in accordance with the provisions of the Articles and should be read in the light of them. [This includes the Diocesan Memorandum of Understanding, attached at Appendix 1, which must be observed and complied with.]
- 1.4 The purpose of this Scheme of Delegation is to provide clarity as to the role and responsibilities of those who contribute to the governance of the Academies and the Trust itself. All those with governance and management responsibilities must be familiar with this Scheme of Delegation so that appropriate steps can be taken to ensure there is sufficient and proper challenge of those with leadership responsibilities, to ensure that senior leaders are held to account for the performance of the Academies and that there is financial stability within the Trust.
- 1.5 This Scheme of Delegation will apply to each of the Academies.
- 1.6 The Effective Date of this Scheme of Delegation is [ ] and it will be reviewed

**Comment [A7]:** Whilst the new CES model allows the Trust to operate non Catholic schools, this principle has not yet been considered by the Bishop and the Diocesan Trustees and remains subject to their views. The freedom to do this may be more helpful where the Trust is responsible for a cluster of local schools.

**Comment [A8]:** A revised model which brings the Articles into line with the new CES model is attached for consideration. The drafting remains subject to any views of the Diocesan Trustees.

**Comment [A9]:** Attached in draft.

**Comment [A10]:** Experience now suggests that it is better to have one Scheme for all Academies rather than school specific schemes. Any specific arrangements which may need to be put in place for a school, perhaps for a temporary period, can be put in place at the discretion of the Trust Board. The main purpose of the Scheme is to delegate governance authority and responsibility by the Trust Directors to the Governors. Where there are serious weaknesses in a school it is likely the Governing Body will need to be suspended and an interim arrangement put in place. This Scheme provides for that in section 5.

bi-annually, on the recommendation of and in consultation with the Strategic Advisory Committee.

## 2. VISION AND VALUES

### 2.1 [Set out here the Trust's overall vision.]

### 2.2 The Academies, and those responsible for the governance and management of the Trust and the Academies, have committed to working in partnership, supporting one another. The drafting and adoption of this Scheme of Delegation has been guided by the following principles:

#### 2.2.1 Catholic Ecclesiology

The Trust is part of a family of Catholic schools that exist to further the Church's saving mission by educating its young people in accordance with the teachings of the One Teacher, Jesus Christ. In carrying out any functions on behalf of the Trust all Members, Directors and those in any way involved in the business of the Trust and the Academies recognise the Bishop of East Anglia as the Chief Teacher and the focus of unity in the Diocese and will carry out those functions and responsibilities in full communion with him and in accord with the mind of the Catholic Church. Accordingly, the functions of the Trust and the Academies will be conducted in accordance with the following principles and observing the commitments set out in the Diocesan Memorandum of Understanding.

#### 2.2.2 Equal Partners

The Academies are equal partners within the Trust and at all times the partners will strive for consensus in decision making, recognising that each Academy has both strengths and weaknesses. The Academies will seek to preserve and protect each other's distinctiveness and will be respectful of each Academies' respective ethos and mission. The Academies will work collaboratively with each other, sharing resources, knowledge and best practice, to fulfil the Trust's mission, vision and values.

#### 2.2.3 Transparency

All those involved in the running and oversight of the Trust and the Academies will be open and honest in their dealings with each other,

**Comment [A11]:** Each cluster MAT will need to be clear about its vision and values. Ideally this will be agreed by the cluster even if not all schools in that cluster want to convert at the same time. The vision should make it clear why the schools are working together and will be an important element of the consultation for each school when a Governing Body is deciding whether or not to become an academy and establish the cluster MAT.

at all times acting in good faith and recognising the value of independence and separation in relation to decision making.

#### **2.2.4 Subsidiarity**

Decisions are to be taken at the level nearest to those affected by those decisions which is compatible with the principles of solidarity and support for the common good, avoiding unnecessary bureaucracy and aiming in so far as possible to make changes to established practices only where it can be demonstrated there is a reasonable need. Where governance responsibility is delegated appropriate decision making authority will be given. The parameters of such authority will be clear and those to whom responsibility is given will be required to report to those who retain overall responsibility.

#### **2.2.5 Solidarity**

All those with responsibility for the Trust and the Academies share a particular commitment to the mutual support of all Academies for whom the Trust is responsible, especially those that are in need of assistance at any particular time. Accordingly, this Scheme of Delegation recognises the obligation to contribute to the common good of all Academies from out of the resources entrusted to them. The Directors will ensure that common action and collaboration is conducted at the correct level and that the balance between subsidiarity and solidarity serves the common good in the most appropriate way.

#### **2.2.6 The Common Good**

All recognise their responsibility towards the common good, not just of the Academies for whom the Trust is responsible and the wider Diocesan family of schools, but of all of the families and communities in the areas served by the Trust. In light of the principle of common good, those with particular responsibility for an Academy acknowledge the desire and obligation on the Directors to put in place measures to ensure that any Academy for whom the Trust is responsible is supported when the need arises.

### 3. ACCOUNTABILITY: GOVERNANCE AND MANAGEMENT STRUCTURES

#### 3.1 Overall Structure

- 3.1.1 The nature of the Trust as a company running multiple academies means there are many governance and management layers.
- 3.1.2 The “**Members**” of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to trade or distribute profit to shareholders, the Members are best viewed as guardians of the constitution, ensuring the charitable object is fulfilled. Each Member’s liability is limited to £10 and, in view of the limited liability and therefore scope for accountability, they have limited governance and no day to day management responsibilities.
- 3.1.3 The corporate management and “**Director**” responsibility for the Trust is vested in the “**Directors**”, who will also be the company directors registered with Companies House. The Directors are personally responsible for the actions of the Trust and the Academies and are accountable to the Members, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the Academies and the expenditure of public money. The Directors are required as Directors and pursuant to the Funding Agreements to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust. The Directors meet as a board of Directors, generally known as the “**Trust Board**”. All Directors have the same responsibility to act in the best interests of the Trust and the Academies, irrespective of their role on the Board i.e. whether appointed in an executive capacity or appointed as a representative of the Academies.
- 3.1.4 The Directors oversee the management and administration of the Trust and the Academies run by the Trust and delegate authority and responsibility to others, including executive officers and individuals who are locally based who can undertake the day to day management and governance of the Academies. The Trust Board will continue to have the necessary strategic and legal oversight of the Trust and will monitor all activities; determining the strategic direction of the Trust, assessing the performance of the Academies and



establishing and reviewing the policies and practices governing the life of the Academies, at all times being supported and working with both the Strategic Advisory Board and the Governing Bodies.

- 3.1.5 Article 101 of the Articles of Association provides for the appointment by the Directors of committees or working groups to whom the Trust Board may delegate certain functions and responsibilities. The Trust Board has established “**Governing Bodies**” for each of the Academies and their power is derived from the Trust Board. Like the Directors on the Trust Board, the individuals (the “**Governors**”) serving on a Governing Body are also responsible for fulfilling a largely strategic, governance role in the conduct of the Academies in conjunction with a “**Principal**” (executive headteacher, headteacher or head of school, as the case may be), who is responsible for the internal organisation, management and control of the Academy (or Academies where schools are federated or an executive arrangement is in place). The Trust Board will also delegate management responsibility directly to the Principals, who will report primarily to the Governing Body but subject to the oversight exercised by the Trust Board.

- 3.1.6 [The Trust Board has also set up a committee, the “**Strategic Advisory Committee**” of representatives of the Academies to provide a focus for the setting of policy and to develop the strategic vision of the Trust. The Strategic Advisory Committee will both support and challenge the Trust Board and will facilitate communication between the Trust Board and the Governing Bodies as well as provide an opportunity for the Academies to explore and develop areas of collaboration and shared working. The Academies in each Deanery will nominate 2 head teachers and 2 chairs of Governing Bodies representing both the secondary schools and the primary schools to serve on this committee. This group will also act as a strategic advisor on educational matters to ensure the long term success of the Academies and that continuous improvement is made within all Academies. The Strategic Advisory Committee will meet at least once a term and will advise on matters relating to; teaching and learning, leadership and management, curriculum development, transition and pupil support and achieving sustained attainment. The Trust Board recognises the important role played by the Strategic

**Comment [A12]:** The idea of an SAC may still be valuable though as it enables a MAT Trust Board to be genuinely “light touch”. There is also scope for delegating strategic decision making and carrying out performance benchmarking to a locally based group made up of Academies operating in an area (this could be a Deanery group or a phase specific group). A regional advisory committee could have all the local headteachers and chairs serving on it. A representative of each regional advisory committee could either serve on a strategic advisory committee or on the main Trust Board. There are many options but care must be taken to avoid an overly bureaucratic structure or overloading those who are expected to turn up to a great number of meetings. Effective local collaboration though should support the reduction in the number of Governing Body (or more accurately Governing Body committee) meetings.

Advisory Committee and commits to keeping the Strategic Advisory Committee informed and to have regard to any advice or guidance provided by the Strategic Advisory Committee on any matter affecting the Trust or the Academies.]

- 3.1.7 [To encourage local collaboration and develop local leadership capacity particularly with the view to improving and sustaining standards of teaching and learning, [**Regional Advisory Committees**] [**Local Standards Committees**] may be set up by the Trust Board to advise and assist the Directors and Governors with regard to the progress of the Academies and to provide support and a focus for collaboration for the Academies themselves. [The [Regional Advisory Committees] [Local Standards Committees] will be formed of the Principals and Chairs of the Governing Bodies of the Academies in the relevant area [and up to two others appointed by the Trust Board with expertise in school improvement and collaborative working].]

### 3.2 **Role of the Members and the Diocesan Schools Service**

- 3.2.1 The Members are the guardians of the constitution, determining the governance structure of the Trust and providing oversight and challenge of the Directors to ensure the charitable object of the Trust is being fulfilled. Whilst the Members have limited legal and financial responsibility for the affairs of the Trust, the Department for Education recommends that there is some distinction between the Members and the Directors as “this promotes internal challenge and scrutiny, which members who are independent of the Directors can provide” (Governors’ Handbook September 2014). In view of the overarching role of the Members, the Diocesan Bishop will be a Member together with the Diocesan Corporate Director.

- 3.2.2 The Members’ key responsibilities are:

- 3.2.2.1 to ensure the Objects of the Trust are met, the Annual Report should address this which will be presented to the Members either at the Annual General Meeting or by other means;

3.2.2.2 to determine the Trust's constitution and governance structure, i.e. the Articles which will have been finalised on incorporation; and

3.2.2.3 exercising either a direct power under the Articles or a statutory power under the Companies Act 2006 to appoint and remove Directors (noting any power of the Trust Board or the Bishop to make such appointments), which should be exercised sparingly given the management responsibility is vested in the Trust Board.

3.2.3 The Bishop, through the Diocesan Schools Service, will also exercise oversight and supervision as diocesan authority and the Diocesan Memorandum of Understanding seeks to articulate this. The Members, Directors and Governors are required to observe any requirements and conditions of the Diocese.

### 3.3 Role of the Directors and the Trust Board

3.3.1 The Directors have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the Academies (which includes taking existing schools into the Trust). The Directors have the power to direct change where required.

3.3.2 As Directors of a charity, the Directors have a fiduciary duty to act in good faith in the best interests of the charity. This duty includes a responsibility to do the following:

3.3.2.1 to ensure compliance with any legal obligations;

3.3.2.2 to report on the charity's activities (the Trust must prepare accounts in accordance with the Statement of Recommended Practice for Charities, the so called "**Charity SORP**");

3.3.2.3 to fulfil the charitable object of the charity as set out in its constitution (i.e. the **Articles of Association**) and to act in a way which is compliant with the rules of the charity contained in the Articles;

- 3.3.2.4 to act with integrity and to avoid any personal conflicts of interest and not to misuse any charity funds or assets;
  - 3.3.2.5 to act prudently in the financial management of the Trust, avoiding putting any assets, funds or reputation of the Trust at undue risk;
  - 3.3.2.6 to exercise reasonable care and skill, using personal knowledge and experience to ensure the Trust is well run and efficient; and
  - 3.3.2.7 to act responsibly, getting advice from others, including professional advisors, where appropriate.
- 3.3.3 The Directors must act independently and in the best interest of the Trust even if those interests conflict with those of the body or organisation that might have appointed or nominated such Director to serve on the Trust Board, this will include a conflict of loyalty where there is no obvious benefit involved, as well as a conflict of interest. The Trust Board has adopted a formal **Conflict of Interest Policy**, attached to this Scheme of Delegation as Appendix 3, in order to assist all those involved in the running of the Trust at every level to avoid and manage conflicts. Specific attention must be given to any arrangement whereby a Member or Director will personally benefit from an arrangement and the Conflict of Interest Policy makes reference to the EFA's guidance on "related party transactions" which all those involved in the running of the Trust must have regard to. This does recognise however the fundamental and necessary relationships between the Members (including the Diocese), the Directors and the Academies in both governance and management terms and that individuals may serve in a number of capacities and at numerous levels within the Trust.
- 3.3.4 The specific tasks and responsibilities of the Trust Board are as follows:
- 3.3.4.1 to determine and fulfil the shared vision and ethos of the Trust and the Academies, acknowledging the uniqueness of each individual Academy and the needs of the communities they serve;

**Comment [A13]:** A draft policy is provided for discussion.

- 3.3.4.2 to develop a strategic plan for the Trust and to effectively communicate that plan so this can be implemented across the Trust and all the Academies, including determining any future expansion of the Trust and the relationship that the Trust has with the Diocese and the Secretary of State for Education (including also the Department for Education, the Education Funding Agency and Ofsted);
- 3.3.4.3 to develop and support strategic partnerships with other bodies and organisations, including service providers and government agencies, which will further the Trust's strategic plan;
- 3.3.4.4 to act as a critical friend to each of the Governing Bodies and to ensure they are effective;
- 3.3.4.5 to determine and implement policies and procedures which it is intended will achieve a consistently high standard of education and financial prudence across the Trust dealing with (but not limited to) the following:
- Human Resources/Employment
  - Audit & Risk Management
  - Contingencies and Reserves (both central and at Academy level)
  - Governance
  - Health & Safety
  - Operational Matters
  - Data Management
  - Complaints and Appeals
  - Legal Compliance
- 3.3.4.6 [to work with the [Regional][Strategic] Advisory Committee(s) to develop the local capacity within the Trust to provide both governance and leadership support and mentoring to the Governing Bodies and the leadership teams within the Academies, as well as direct school

improvement support, facilitating the development of the Academy Action Plans where required;]

- 3.3.4.7 working with the Diocese and having regard to any recommendations by the Diocesan Education Service, to make or facilitate the making of suitable appointments of governors who will serve on the Governing Bodies, including removing governors who fail to fulfil the expectations on Governors set out in this Scheme of Delegation;
- 3.3.4.8 to determine the budget for any shared or central expenditure and support and to monitor the individual Academy budgets (acknowledging the full delegation of the Academy's budget to the Governing Body as set out in this Scheme of Delegation);
- 3.3.4.9 to monitor and evaluate the delivery of the central or shared services and functions provided by any Executive Team, ensuring there is comprehensive support to the Academies and procuring any strategic third party services as determined appropriate;
- 3.3.4.10 to ensure there is a proper system for the internal audit of the accounts of the Trust (including the Academies) and the financial procedures followed by the Academies, facilitating the preparation of the Trust's accounts by the Trust's auditors, establishing a formal audit committee adopting the terms of reference set out in Appendix 5 which will be responsible for carrying out periodic internal audits of the Academies' financial processes, procedures and accounting records;
- 3.3.4.11 to act as the ultimate decision maker in relation to any appeals by staff following disciplinary or grievance procedures;
- 3.3.4.12 to ensure proper advice is available to the Trust and the Academies in relation to legal and compliance matters;
- 3.3.4.13 to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to

property, employer liability, public and third party liability and Director liability;

3.3.4.14 to liaise with and support the [Regional Advisory Committees] [Governing Bodies] ensuring there is collaboration not just within a region but across the whole Trust, emphasising and facilitating the benefits of such collaboration.

3.3.5 The following are the core competencies and skills expected of all Directors:

3.3.5.1 to work as a team;

3.3.5.2 to attend meetings and be prepared to contribute to discussions;

3.3.5.3 to be respectful of the views of others and to be open to new ideas and thoughts;

3.3.5.4 to treat all confidential information confidentially;

3.3.5.5 to develop a deep understanding of the vision and ethos of the Trust, in particular its Catholic purpose, and its Academies and the roles played by all individuals in fulfilment of the Trust and the Church's mission;

3.3.5.6 to understand the policies and procedures of the Trust and how these flow down to the Academies;

3.3.5.7 to support the Trust and the Academies in public and act as an ambassador;

3.3.5.8 to commit to training and skills development

3.3.5.9 to be ready to ask questions;

3.3.5.10 to be focussed on problem solving and be ready to learn from past experiences.

3.3.6 Specific skills may be needed if a Director is to take responsibility for and lead on a specific area. A regular skills audit will be undertaken

and Directors should expect to be able to articulate their contribution to the success of the Trust and the Academies.

### 3.4 Executive Functions

3.4.1 As a non-executive body, the Trust Board must rely on others to fulfil the executive functions. For the most part, this responsibility will fall on the Principals of the Academies, supported by the leadership teams. Certain functions relating to the management of the Trust itself or which relate to the activities of more than one Academy may be undertaken by an “**Executive Team**”, who may also fulfil a function in the Academies.

3.4.2 The need for and size of the Executive Team will be determined by the Trust Board, in consultation with the Strategic Advisory Committee. Where possible, resources will be drawn from the Academies themselves rather than the use of external consultants or through recruitment. This will include the identification of a person who will fulfil the role of “**Accounting Officer**” as required by the Academies Financial Handbook.

3.4.3 The likely principal functions of the Executive Team are:

3.4.3.1 to manage the conversion of schools to Academies. Prior to a school's conversion, the Executive Team will carry out relevant due diligence to establish the school's position and identify any actions required to address areas of weakness or opportunities for improvement (including the formulation of a 12 month strategic plan for the Academy (the “**Academy Action Plan**”)), and, in conjunction with the DfE, relevant Local Authority and the Trust's solicitors, will manage the associated legal processes;

3.4.3.2 following conversion and where appropriate, to assist with the development and implementation of the Academy Action Plan;

3.4.3.3 to provide operational and management support to the Principals and senior leadership teams within the Academies (including assisting with budget setting);

**Comment [A14]:** More or less could be said now, but ultimately the executive functions will be determined by the desire and need to collaborate and should be reflected in the Trust's business plan and budget for shared costs.



- 3.4.3.4 to facilitate the production of management information on the Academies and to support the production of the Trust's and the Academies' financial accounts;
  - 3.4.3.5 to implement and review systems for the benchmarking of the Academies across the group (including financial as well as educational performance), developing systems for cross fertilisation and supporting the Governing Bodies in maximising the opportunities for resource sharing and collaboration;
  - 3.4.3.6 to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and Director and governor liability;
  - 3.4.3.7 to manage any reserves or contingency held centrally by the Trust Board;
  - 3.4.3.8 [to undertake the strategic management of the whole school estate, advising the Trust Board on areas of risk and assessing the Trust's overall safeguarding responsibilities, including assisting the Governing Bodies in drawing up a long term estate plan which identifies areas in need of expansion and/or development and areas likely to be surplus to requirements; and]
  - 3.4.3.9 [to take a lead on any capital bids and allocations, supporting the Academies' premises teams to carry out works safely and cost effectively.]
- 3.4.4 The Executive Team under the direction of a “**Chief Financial Officer**” (which again could be resourced from amongst the Academies) will also supervise and facilitate the production of accounts (both at Academy and Trust level) and the auditing of those accounts for disclosure purposes and will report on the activities of all the Academies to the relevant statutory bodies.
- 3.4.5 The cost of the functions undertaken by the Executive Team and the Trust Board are generally funded on a fair and equal basis by the Academies by the contribution of a percentage of the central

**Comment [A15]:** Optional but may be helpful as a way to concentrate resource and build expertise. Larger multi academy trusts have the option now to secure committed, regular, annual capital funding to be spent across the Trust, rather than individual academies submit bids through to the Academies Capital Maintenance Fund or Condition Improvement Fund. The decisions on allocation of funding will be a Trust Board responsibility.

government funding provided for each Academy the “**Support Cost Contribution**”). This contribution will be set each year against a budget for the shared costs approved by the Trust Board in consultation with the Strategic Advisory Committee. **The percentage may vary according to the level of activities undertaken and costed on a menu type basis.** Additional funding received by the Trust from other non Academy sources (such as other government grants) will contribute directly to the shared costs and will offset the Support Cost Contribution required from the Academies.

**Comment [A16]:** There are a number of options in setting a policy for sharing costs. It is likely a fixed percentage will be set allowing for a reconciliation at the end of the year. It is important that a reserve or contingency is built up which will allow the Trust to react quickly if there are financial constraints or one off emergencies in any one of the Academies. The contribution of funds must be fair and transparent. The schools should avoid the temptation to set the contribution too low and the viability of the Trust will be looked at specifically by the EFA and Ofsted.

### 3.5 **Role of the [Strategic Advisory Committee] [Regional Advisory Committees] [Local Standards Committees]**

- 3.5.1 [The Trust operates across a number of areas or regions, with an emphasis on grouping Academies in local clusters in order to promote shared working and to build leadership capacity and expertise, with an emphasis on standards and school improvement. Where a Regional Advisory Committee has been set up it shall meet at least 3 times per year to agree the regional strategic direction for the Academies in the relevant area and the local priorities in so far as these relate to standards and school improvement targets.]
- 3.5.2 The [Strategic Advisory Committee] [Regional Advisory Committees] [Local Standards Committee] will provide a forum and focus for performance benchmarking and will support the Governing Bodies, facilitating peer to peer review. It will advise the Trust Board on the agreed strategic focus for the Academies, as well as the threats and opportunities facing the Academies.
- 3.5.3 Terms of Reference for the operation of the [Strategic Advisory Committee] [Regional Advisory Committees] [Local Standards Committee] are attached to this Scheme of Delegation as Appendix 7.
- 3.5.4 The Trust Board will have regard to the interests of all the Academies in deciding and implementing any policy or exercising any authority in respect of any one or all of the Academies for which it is responsible. Notwithstanding this, the priority for the Trust Board is to put in place measures to ensure that any of the Academies are supported when the need arises. Where this may have a financial impact on the

funding of the support provided by or on behalf of the Trust Board, any policy shall first be discussed with the [Strategic Advisory Committee] [Governing Bodies] and their views taken into account in relation to the setting and implementation of any such policy.

### 3.6 The role of the Governors and the Governing Bodies

3.6.1 The role of a Governor within a multi academy trust is an important one. In developing a governance structure, the Trust has sought to ensure that as much as possible the responsibility to govern is vested in those closest to the impact of decision making and that such responsibility matches the capacity of those assuming responsibility. The Trust Board has established Governing Bodies for each of the Academies, for the most part made up of individuals drawn from the Academy's community, both as elected and appointed members.

3.6.2 The Governors serving on such Governing Bodies are accountable to the Trust Board (which in turn of course is accountable to the Bishop, the Members and to the Department for Education) as well as to the communities they serve.

3.6.3 Whilst not Directors under charity law, nevertheless, the Governors are under a duty to act in good faith and in the best interests of the Academy and the Trust, which includes all the Academies. This duty includes a responsibility to do the following:

3.6.3.1 to ensure the Academy complies with its legal obligations;

3.6.3.2 to fulfil the charitable object of the Trust;

3.6.3.3 to act with integrity and to avoid any personal conflicts of interest and not to misuse any charitable funds or assets of the Academy or the Trust;

3.6.3.4 to act prudently in the financial management of the Academy, avoiding putting any assets, funds or reputation of the Academy or the Trust at undue risk;

3.6.3.5 to exercise reasonable care and skill, using personal knowledge and experience to ensure the Academy is well run and efficient;

**Comment [A17]:** Schools' existing governing bodies will dissolve on conversion when the school joins the Trust. There is no automatic creation of a governing body for an academy and no automatic transfer of governors from the current governing body to the new governing body created by the Trust Board. This Scheme of Delegation creates governing bodies and empowers them to act.

- 3.6.3.6 to act responsibly, getting advice from others from within the Trust and if appropriate external professional advisors;
- 3.6.3.7 to act as an ambassador of the Trust and in a way which is consistent with the vision and ideals of the Trust.
- 3.6.4 Governors must act independently and in the best interest of the Academy even if those interests conflict with those of the body or organisation that might have appointed or nominated them to serve on the Governing Body. As with the Directors, the Governors must comply with the Trust's Conflict of Interest Policy.
- 3.6.5 The specific tasks and responsibilities of the Governors are as follows, with further detail set out in Section 4 of this Scheme of Delegation:
- 3.6.5.1 to fulfil the vision and ethos of the Trust in so far as it relates to the Academy, ensuring that the Academy achieves the aims and ambitions it has for its pupils, having regard in particular to the benefits of being part of a family of schools which stresses the importance of collaboration and mutual support;
- 3.6.5.2 to implement and review from time to time the strategic plan for the Academy (including any initial Action Plan), focussing on the Academy's performance and achieving sustained school improvement [and having regard to any locally agreed priorities identified by the [Regional Advisory Committee] [Joint Standards Committee]];
- 3.6.5.3 to act as a critical friend to the Academy's senior leadership team, being ready to challenge and hold senior leaders to account for all aspects of the Academy's performance;
- 3.6.5.4 to oversee the management of the finances of the Academy, assessing the annual budget prepared by the Academy's Principal (with the support of the Academy's senior leadership team) and submitting such for approval by the Trust Board, ensuring that the Academy works within its budget and the Academy's senior leadership team adopts and implements appropriate risk and financial management

**Comment [A18]:** The DfE will expect to see a clear plan for raising achievement in the schools. A larger Trust may look to establish local committees focusing on standards across a small group of academies. This function could be assumed by the Trust Board where the Trust is small and locally focussed.

policies and practices including in particular any adopted by the Trust Board for application across all the Academies;

- 3.6.5.5 to support the Academy's Principal in the development and review (from time to time) of an appropriate staffing structure for the Academy, ensuring there is robust and accountable monitoring of the performance of staff and implementing all and any policies relating to staff adopted by the Trust Board;
  - 3.6.5.6 to support the Trust Board in its monitoring and evaluation of the delivery of any central or shared services and functions provided or procured by the Trust for the Academies, reporting any issues or concerns to the Executive Team and, if necessary, the Chair of the Trust Board;
  - 3.6.5.7 to promote the benefits of collaboration with the other Academies and to actively seek opportunities to work together either with the aim of improving economic efficiencies within the Academies or identifying and implementing best practice;
  - 3.6.5.8 to develop effective links within the Academy's community, communicating openly and frequently as appropriate and ensuring that the Academy meets its responsibilities to the community and serves the community's needs in relation to the safeguarding and education of its pupils; and
  - 3.6.5.9 to engage fully and openly with any inspection of the Academy, whether by the Trust Board, the Diocese, Ofsted or any other appropriate public body to whom the Academy is accountable.
- 3.6.6 Individual Governors may be given primary responsibility for particular functions such as standards, finance, premises and resources with the view to matching skills and experience to functions. This will not affect collective and overall individual responsibility but Governors are expected to use their skills and experience in the fulfilment of their duties.

- 3.6.7 Subject to the provisions of the Companies Act 2006 every member of the Governing Body or other officer or auditor of the Trust acting in relation to the Academy shall be indemnified out of the assets of the Trust against any liability incurred by him or her in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he or she is acquitted (including where there has been an investigation but no formal charges brought) or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.
- 3.6.8 As with the Directors, the following are the core competencies and skills expected of all Governors:
- 3.6.8.1 to work as a team;
  - 3.6.8.2 to attend meetings and be prepared to contribute to discussions and commit to agreed actions;
  - 3.6.8.3 to be respectful of the views of others and to be open to new ideas and thoughts;
  - 3.6.8.4 to treat all confidential information confidentially;
  - 3.6.8.5 to develop a deep understanding of the vision and ethos of the Trust and its Academies and the roles played by all individuals in fulfilment of the Trust's mission;
  - 3.6.8.6 to understand the policies and procedures of the Trust and how these flow down to the Academy;
  - 3.6.8.7 to support the Trust in public and act as an ambassador of the Trust;
  - 3.6.8.8 to commit to training and skills development
  - 3.6.8.9 to be ready to ask questions;
  - 3.6.8.10 to be focussed on problem solving and be ready to learn from past experiences.

- 3.6.9 Specific skills may be needed if a Governor is to take responsibility for and lead on a specific area. A regular skills audit will be undertaken and Governors should expect to be able to articulate their contribution to the success of the Academy.
- 3.6.10 The Trust Board also recognises the role that the Academies play in their communities and the Governing Body is free to decide how such support and patronage is given. The Governing Body shall ensure that any support is not inconsistent with the objects of the Trust and the restrictions on the use of its charitable resources and any advice or restriction placed on the Trust by either the Diocese or the Secretary of State (including the Charity Commission). The Governing Body shall ensure that any formal collaboration or support with third parties, including with those with whom the Trust has a strategic partnership is appropriately documented and the details notified to the Audit Committee to assess effectiveness and where financial support is provided for accounting reasons.

#### 4. **DELEGATED AUTHORITY AND RESPONSIBILITIES OF THE GOVERNING BODY**

##### 4.1 **General Provisions**

- 4.1.1 The Trust Board reserves the right ([in its absolute discretion] [subject to consultation with the Strategic Advisory Committee] [subject to any guidance issued by the Diocesan Education Service]) to review and alter this Scheme of Delegation and the level of delegated responsibility at any time, noting that it is likely to be reviewed for its effectiveness at least on an bi-annual basis. Whilst the Scheme cannot take the form of a legally binding contract and is subject to the overriding duty on the Directors to act freely and in the best interest of the Trust, in so far as the Directors are able they agree to abide by the provisions of it and will consult the Governing Bodies on any significant changes.
- 4.1.2 Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of their authority. Any wilful disregard of the matters expressed in this Scheme is likely to lead to the Scheme being withdrawn. In the event of any serious disagreement between the Trust Board and a Governing Body, which cannot be resolved by the Chair of the Governing Body discussing the matter with the Chair of the Trust Board, will be referred to the Diocesan Education Service for guidance.
- 4.1.3 As a matter of general principle, the Governing Body will adopt and will comply with all policies adopted by the Trust Board and will comply with any direction issued by the Trust Board and have regard to any advice given. The Governing Body will also comply with any requirements of the Diocese and adopt any guidance issued by it.
- 4.1.4 Subject to the provisions of the Companies Act 2006, the Articles and to any directions given by the Members following a special resolution, the governance and management of an Academy shall be delegated by the Trust Board to the relevant Governing Body who may exercise all the powers of the Trust in so far as they relate to the Academy, in accordance with the terms of this Scheme of Delegation and any



specific additional terms of reference or Trust policy. No alteration of the Articles or change to the Scheme shall invalidate any prior act of the Governing Body which would have been valid if that alteration had not been made. Except as provided for in this Scheme of Delegation, the powers given by this Scheme shall not be limited by any special power given to the Directors by the Articles or to the Governing Body by this Scheme of Delegation and a meeting of the Governing Body at which a quorum is present may exercise all the powers so delegated.

## 4.2 Finance and Audit

4.2.1 Except as provided for in this Scheme of Delegation, in addition to all powers hereby expressly conferred upon the Governing Body and without detracting from the generality of the powers delegated, the Governing Body shall have the following powers, namely:

4.2.1.1 to expend the funds of the Trust received in respect of the Academy in such manner as the Governing Body shall consider most beneficial for the running of the Academy; and

4.2.1.2 to enter into contracts on behalf of the Trust in so far as they relate to the Academy and are within the scope of the Governing Body's responsibility as set out in this Scheme of Delegation, subject to the limits to act without specific authorisation as set out in the [**Financial Regulations Manual**] [**Scheme for Financial Delegation**] annexed to this Scheme of Delegation as **Appendix 2**.

**Comment [A19]:** An example schedule of financial authorisations is provided to aid discussion.

4.2.2 Each Academy will have its own bank account, opened by the Trust when the Academy joined the Trust, which shall be operated by the Governing Body. All cheques, BACS and other electronic orders for the payment of money from such account shall be signed by or authorised in accordance with the [Financial Regulations Manual] [Scheme of Financial Delegation].

4.2.3 No Trust monies (whether or not authority to expend has been devolved to the Governing Body) shall be paid into any bank account other than a bank account authorised by the Trust Board.

- 4.2.4 The Trust's accounts shall be the responsibility of the Trust Board overseen by the Audit Committee but the Principal of the Academy shall provide such information about the Academy, as often and in such detail and format as the Audit Committee shall reasonably require, in order to carry out an internal audit of the Academies in accordance with the requirements of the Academies Financial Handbook. Without prejudice to the above, the Principal shall provide management accounts in an approved format to the Audit Committee at least once per term (three times per year) or as requested by the Audit Committee. These accounts may be shared with the Diocesan Education Service (or Diocesan finance office) at their request.
- 4.2.5 The Governing Body shall ensure that proper procedures are put in place for the safeguarding of funds and that the requirements of the Academies Financial Handbook and the Funding Agreements are observed at all times as well as any requirements and recommendations of the Audit Committee and the Education Funding Agency. For the avoidance of doubt the Governing Body acknowledges the restriction on borrowing contained in the Funding Agreements.
- 4.2.6 The Trust Board acknowledges the Governing Body's right and intention to use any voluntary (i.e. non grant) funds (including any restricted funds) raised by the Academies for the purposes for which they have been raised and otherwise solely at the discretion of the Governing Body provided this is within the charitable object of the Trust. Proper accounts will be kept by the Principal showing the receipt and use of such funds and the extent to which such funds are restricted, in the light of the obligation on the Trust to note these funds separately in the Trust accounts.
- 4.2.7 The Trust Board also acknowledges that from time to time the Academies themselves may seek to generate additional funds by undertaking certain activities, such as: lettings, the provision of sporting and recreational facilities, running a nursery and/or providing childcare, teacher training, leadership support, school improvement, providing and supporting ICT and other administrative services. In some cases and particularly where such activities do not fall within the charitable object of the Trust, these may need to be channelled

through a trading subsidiary, decisions about which will be made by the Trust Board. Any income generated from such Academy activities and/or gift aided by a trading subsidiary to the Trust in respect of a particular Academy's activities shall be delegated to the relevant Governing Body. Such funds will however be noted separately in the accounts of the Academy and, like all Academies' funds, will be subject to any reserves policy operated by the Trust Board.

- 4.2.8 The Governing Body shall make sufficient funds available to enable the Trust to place such insurance or risk protection cover as is necessary to protect the Academy and the Trust from loss and other risks that shall include (but shall not be limited to) the following, such insurance or risk protection cover to be placed either with a reputable insurance company or through the Education Funding Agency as directed by the Trust Board and the Diocese:

- 4.2.8.1 land, buildings and contents;
- 4.2.8.2 public, employer's and hirer's liability;
- 4.2.8.3 Directors' and Governors' liability and professional indemnity;
- 4.2.8.4 personal accident and school journeys;
- 4.2.8.5 terrorism and business interruption;
- 4.2.8.6 money and fidelity;
- 4.2.8.7 legal expenses, libel and slander;
- 4.2.8.8 engineering.

The Governing Body will fulfil any requirements of the Executive Team and will notify the Trust Board as soon as reasonably practicable following the occurrence of an event where loss has been suffered or is threatened. The responsibility for notifying the insurers or the EFA (as the case may be) is the Principal. The Executive Team and the Principal will provide each other with all necessary information and assistance as may be helpful in the management of any claims.

**Comment [A20]:** The accountants will advise what amounts to trading income and what is primary purpose. Trading income will be assessed across the whole Trust and when such income exceeds £55k annually, the Trust will be required to establish a trading subsidiary to avoid putting at risk the Trust's charitable assets. Academy generated income can be ring fenced for use by the Academy (whether trading or primary purpose). An inter-Academy charging policy might also be developed which will sit alongside the policy on the Support Cost Contribution. The general assumption is that services provided by schools to each other are charged at cost.

#### **4.3 Curriculum and Standards**

- 4.3.1 [The [Regional Advisory Committee] [Joint Standards Committee] shall be responsible for the setting and review of the local plan outlining the curriculum priorities for each of the Academies in that area but shall have regard to any views of the Trust Board in recognition of the Trust Board's obligation to the Secretary of State to provide a broad and balanced curriculum and to the Diocese in respect of the teaching of RE and more widely.]
- 4.3.2 The Governing Body shall be responsible for the standards achieved by the Academy and the pupils attending the Academy but shall follow such advice and recommendations of the [Trust Board] [Regional Advisory Committee] [Joint Standards Committee] [and the Diocese as they might issue from time to time in relation to benchmarking and locally agreed priorities.
- 4.3.3 The Governing Body will be responsible for the curriculum on a day to day basis and for implementing any strategic plan for the improvement of standards and attainment at the Academy.
- 4.3.4 The Governing Body shall develop and with the support of the [Trust Board] [Regional Advisory Committee] [Joint Standards Committee] [and the Diocese] implement any Action Plan designed to address any area in need of improvement in the Academy and the Governing Body shall promote any necessary action, helping to communicate messages to staff and parents as need be.
- 4.3.5 The Governing Body will develop appropriate links with other local schools or education organisations to promote best practices in learning and development and to facilitate peer to peer review and support. The Governing Body will also promote and develop links with local businesses and community organisations which are designed to enrich the school life of pupils and foster citizenship.

#### **4.4 Personnel**

##### **4.4.1 Principal/Headteacher**

- 4.4.1.1 The formal power to appoint the Principal (or headteacher or head of school) of each Academy is vested in the Trust

Board who must consult with the Diocese and the Governing Body. Whenever an appointment is to be made, the Trust Board will establish an appointments committee made up of 3 persons appointed by the Trust Board (which will include the Chair of the Trust Board and may include a further independent and expert education adviser), 2 persons nominated by the Governing Body and, at the discretion of the Diocesan Education Service, a person nominated by the Diocesan Bishop. The Trust Board is expected to follow the appointment committee's recommendation for appointment.

4.4.1.2 The appraisal and performance management of the Principals will be undertaken by the Trust Board in collaboration with the Governing Body. Any disciplinary action or capacity review will be undertaken by the Trust Board.

4.4.1.3 The Trust Board may delegate such powers and functions as they consider are required by the Principal for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Trust Board for the direction of the teaching and learning and curriculum at the Academy).

#### 4.4.2 **Other Staff**

4.4.2.1 The Governing Body through the Principal shall be responsible for the appointment and management of all other staff to be employed at the Academy provided that the Governing Body and Principal shall:

4.4.2.1.1 implement and comply with all policies dealing with staff issued by the Trust Board from time to time;

4.4.2.1.2 take account of any pay terms set by the Trust Board;

- 4.4.2.1.3 adopt any standard contracts or terms and conditions for the employment of staff issued by the Trust Board;
- 4.4.2.1.4 adopt appropriate and transparent procedures for the recruitment of staff;
- 4.4.2.1.5 manage any claims and disputes with staff members having regard to any advice and recommendations given by the Executive Team and/or the Trust's insurers or the EFA;
- 4.4.2.1.6 bring to the attention of the Chair of the Trust Board and, if required, the Trust's insurers and/or the EFA without delay any claims or disputes with staff that may require a hearing by a panel of members of the Governing Body where escalation is necessary;
- 4.4.2.1.7 seek the advice of the Trust Board where any significant cost is contemplated either in relation to the appointment or resignation of a member of staff, including in relation to ill health retirement or the settlement of any claims or grievances.

4.4.2.2 The Governing Body shall carry out or delegate to either the Principal and/or an appropriate committee (as appropriate) the performance management of all staff and shall put in place procedures for the proper professional and personal development of staff taking into account any training and support available from or procured by the Executive Team.

#### 4.5 **Admissions and Exclusions**

- 4.5.1 The Governing Body shall be responsible for the setting and review from time to time of the Academy's admissions policy provided that no material change will be made to the admissions criteria without the approval of the Trust Board and the Diocese where relevant.

- 4.5.2 Any decision to expand the Academy shall be that of the Governing Body but who shall have regard to the views of the Trust Board and the Diocese where appropriate.
- 4.5.3 Any appeal against admissions shall be heard by an independent appeal panel established and authorised by the Governing Body.
- 4.5.4 The Governing Body shall consider any decision by the Principal to exclude any pupil and will be the appropriate body for reconsidering any decision to readmit required by any independent panel hearing.

#### **4.6 Premises**

- 4.6.1 The day to day maintenance and care of the buildings and facilities used in respect of the Academy is the responsibility of the Governing Body (with management responsibility being delegated to the Principal), who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Trust (and/or any others such as the Diocesan Director and/or the Trust Board]) as owner of such buildings and facilities.
- 4.6.2 The Governing Body shall support the Executive Team in developing a long term estate management strategy that will identify the suitability of building and facilities in light of long term curriculum needs and the need for and availability of capital investment to meet the Trust's legal responsibility to ensure the buildings and facilities used by each Academy are maintained to a good standard.
- 4.6.3 Short term lettings and day to day uses of the school buildings and playing fields will be the responsibility of the Governing Body.
- 4.6.4 The responsibility for any disposals or acquisitions of land to be used by the Academy will be that of the Trust Board, who will seek the approval of the Diocese.

#### **4.7 Community Activities and Community Engagement**

- 4.7.1 Whilst the undertaking of any activities which would be described as part of the Academy's "extended schools agenda" or any activities designed to generate business income, will be the responsibility of the Governing Body, this shall only be undertaken in a manner

consistent with any policy set by the Trust Board and having regard to the viability of such activities, the impact on the Academy's activities and any financial implications, such as the threat of taxation in light of the Trust's charitable objects and any threat to funding provided by the Secretary of State. The financial implications are noted above.

- 4.7.2 The Governing Body is responsible for all community engagement and consultation and will acknowledge and reinforce the vision of the Trust in all communications. The importance of building and maintaining good relations with other local schools, businesses and organisations is acknowledged.



## 5. SUPERVISION AND INTERVENTION - RISK MANAGEMENT

### 5.1 Supervision and Reporting

5.1.1 Notwithstanding the level of delegated responsibility, the Directors remain legally responsible for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies.

5.1.2 Once per term in every school year (three times), the Trust Board will request and the Governing Body (or Principal) will provide an **["Operational Risk Management Report"]** in a format specified by the Trust Board. [The current form of report is annexed to this Scheme as Appendix 4.]

5.1.3 The Governing Body is appointed as a sub-committee of the Trust Board and as such has no separate legal status to that of the Trust or the Trust Board. Consequently, any act or omission of the Governing Body or any officer of the Trust or the Academy that subsequently leads to prosecution or other litigation will be a liability of the Directors and any event in an Academy that might lead to public criticism or adverse publicity or damage to the reputation of the Trust will also be concern for the Trust Board. In such events and in order to minimise risk, the Chair of the Governing Body or the Principal will as soon as reasonably practicable advise the Chair of the Trust Board (and if appropriate a member of the Executive Team). These events will include the following (but shall not exclude any other event that falls within the generality of the circumstances described above):

5.1.3.1 any event leading to loss of life or critical injury on the premises of the academy or during an event off the premises organised or supervised by Academy staff;

5.1.3.2 any sexual or violent or illegal act against a child committed by any adult while on the premises of the Academy or by a member of staff under any circumstances;

**Comment [A21]:** A draft risk management policy is provided for ease, together with a form of termly risk report.

- 5.1.3.3 the suspension or summary dismissal of any member of staff;
- 5.1.3.4 any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;
- 5.1.3.5 any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations.

## **5.2 Intervention and Removal of Delegated Responsibility**

- 5.2.1 The Governing Body shall work closely with and shall promptly implement any advice or recommendations made by the [Trust Board] [Regional Standards Committee] [Joint Standards Committee] in respect of standards and performance, particularly where areas of weakness have been identified by either the Diocese or Ofsted.
- 5.2.2 In the event that intervention is either formally threatened or is carried out by the Secretary of State, the Trust Board expressly reserves the unfettered right to review or remove any power or responsibility conferred on the Governing Body under this Scheme of Delegation in such circumstances. Any governing body of any Academy which is to be sponsored by the Trust will be dissolved and a transition board put in place, the details of which are referred to below.
- 5.2.3 Notwithstanding the above, the Trust Board and the Governing Body acknowledge the value of maintaining a good working relationship particularly in light of the levels of delegated responsibility within the Trust and the impact this may have on the ability of the Trust Board or the Governing Body to react when standards are falling and/or there is evidence of financial imprudence exposing the Academy or the Trust to a threat of intervention. The Trust Board and the Governing Body in such circumstances make the following commitments to each other:

- 5.2.3.1 to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State;
- 5.2.3.2 to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, [including involving the [Regional Standards Committee] [Joint Standards Committee] who will support and advise on steps to be taken and facilitate additional support if needed];
- 5.2.3.3 to allow each other the opportunity to effect improvements at the Academy through directions to be issued to persons appointed either by the Governing Body (including the Principal) in relation to the governance of the Academy provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each;
- 5.2.3.4 not to remove or deny delegated authority without first agreeing to put in place for an appropriate period of time a transition or improvement board whose responsibility it will be to address the areas of weakness, the terms of reference for such "**Intervention Board**" being set out in Appendix 8 to this Scheme;
- 5.2.3.5 not as the Trust Board to exercise any power to remove a Principal or to attend and vote at any meeting of the Governing Body at which this is to be discussed without first discussing with the Chair of the Governing Body the need to ensure that such power is being exercised appropriately and proportionately.

## 6. FUNCTIONING OF THE GOVERNING BODIES

### 6.1 Constitution of the Governing Body

6.1.1 A **Governing Body** shall be established for each of the Academies comprising **at least 9** **Governors** as follows:

6.1.1.1 the **Principal** of the Academy;

6.1.1.2 up to 2 **"Staff Governors"**, elected or appointed through such process as the Governing Body may determine;

6.1.1.3 at least 2 **"Parent Governors"**, elected by parents or carers of registered pupils at the Academy and being a parent or carer of a pupil at the Academy at the time when elected;

6.1.1.4 such number of **"Foundation Governors"** appointed by the Diocesan Bishop to ensure that the number of Foundation Governors outnumbers all other Governors (including Co-opted Governors) by at least 2;

6.1.1.5 [up to 2 **"Additional Governors"** appointed either by the Governing Body or if required by the Trust Board appointed by the Directors].

6.1.2 All persons appointed or elected to the Governing Body shall give a written undertaking to the Trust Board and the Diocese to uphold the object and mission of the Trust.

6.1.3 The Directors (all or any of them) shall also be entitled to attend any meetings of the Governing Body but would not expect to do so except in exceptional circumstances. Any Director attending a meeting of the Governing Body shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the Governing Body.

6.1.4 [The Governors may also appoint **"Co-opted Governors"** from time to time, who will be appointed to provide specific support to the Governing Body and shall serve for a term of up to 3 years decided at the time of appointment.]

**Comment [A22]:** The provisions are intended to be flexible to allow the current Governing Body to continue as currently constituted and to change in line with guidance from time to time.

**Comment [A23]:** There are no legal restrictions on the size of the Local Governing Body, though guidance and best practice suggests somewhere between 9 and 13. The drafting allows flexibility and so each LGB in the cluster may be different. If consistency is required, then fixed numbers should be set out here.

**Comment [A24]:** It is likely to be helpful for some of the Governors to be appointed by the Trust Board, to emphasise the importance of skills and experience. The downside is that it might mean the numbers increase in order to ensure a Foundation majority. If this is unacceptable, the alternative would be for there to be an ability for the Directors to remove any Governor with the approval of the Bishop in the case of Foundation Governors.

**Comment [A25]:** See comment above, not needed if there are to be Governors appointed who are not Foundation Governors. Any Trust Board appointment is likely to be made on the recommendation of the LGB and this could be written in.

## **6.2 Term of office**

- 6.2.1 The term of office for any Governor shall be 4 years, except for any post which is held ex officio. Subject to remaining eligible to be a particular type of Governor, any person may be re-appointed or re-elected to the Governing Body. Any Staff Governor who ceases to be employed at the Academy will resign as a Governor.
- 6.2.2 A Governor shall serve for no more than 2 terms of office, 3 by exception and only with the consent of the Diocesan Bishop and the Diocesan Directors.

## **6.3 Resignation and Removal of Governors**

- 6.3.1 A Governor shall cease to hold office if he or she resigns his or her office by notice to the Chair of the Governing Body. Any vacancy on a Governing Body will trigger an appropriate election or right of appointment. The Chair of the Governing Body shall ensure that any vacancies and appointments are notified to the Diocesan Education Service and the Education Funding Agency as required by the Funding Agreement.
- 6.3.2 A Governor shall cease to hold office if he or she is removed by the person or persons who appointed him or her, i.e. the Diocesan Bishop or the Governing Body as the case may be, or in exceptional circumstances by the Trust Board (and in the case of a Foundation Governor only with the approval of the Diocesan Bishop). Whilst at the same time as acknowledging that no reasons need to be given for the removal of a Governor, any failure to uphold the values of the Trust or the Diocese and/or the Academy or to act in a way which is appropriate in light of this Scheme of Delegation, including where the DfE have indicated any concerns as to the suitability of the Governor, will be taken into account.
- 6.3.3 The removal of any Parent Governor or Staff Governor will be undertaken only in exceptional circumstances.
- 6.3.4 Where a Governor resigns his or her office or is removed from office, that person or, where he or she is removed from office, those removing him or her, shall give written notice thereof to the Chair of the Governing Body.

#### 6.4 Disqualification of Governors

- 6.4.1 A person serving on the Governing Body shall cease to hold office if he or she becomes incapable by reason of illness or injury of managing or administering his or her own affairs.
- 6.4.2 A person serving on the Governing Body shall cease to hold office if he or she is absent without the permission of the Chair from all the meetings of the Governing Body held within a period of six months and the Governing Body resolves that his or her office be vacated. A Governor may be suspended from office at the discretion of the Governing Body or the Trust Board.
- 6.4.3 A person shall be disqualified from serving on the Governing Body if:
- 6.4.3.1 his or her estate has been sequestered and the sequestration has not been discharged, annulled or reduced; or
- 6.4.3.2 he or she is the subject of a bankruptcy restrictions order or an interim order.
- 6.4.4 A person shall be disqualified from serving on the Governing Body at any time when he or she is subject to a disqualification order or a disqualification undertaking under Trust Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 6.4.5 A person serving on the Governing Body shall cease to hold office if he or she would cease to be a Director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a Director by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 6.4.6 A person shall be disqualified from serving on the Governing Body if:
- 6.4.6.1 he or she has been removed from the office of charity Director or director of a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he or she was responsible or to which

he or she was privy, or which he or she by his or her conduct contributed to or facilitated;

6.4.6.2 or has been deemed unsuitable to be a governor or Director of an academy by the Secretary of State.

6.4.7 A person shall be disqualified from serving on the Governing Body where he or 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 178 of the Charities Act 2011.

6.4.8 Where, by virtue of this Scheme of Delegation, a person becomes disqualified from serving on the Governing Body, and he or she was, or was proposed, to so serve, he or she shall upon becoming so disqualified give written notice of that fact to the Chair of the Governing Body.

## **6.5 Appointment of the Chair and Vice-Chair**

6.5.1 The Governors shall each school year, at their first meeting in that year, elect a Chair and a Vice-Chair from amongst the Foundation Governors.

6.5.2 The role of the Chair of the Governing Body is an important one, demanding yet worthwhile. The Chair is elected by the Governors annually but because of the vital link and the importance of maintaining a strong and effective relationship between the Governing Body and the Trust Board, the appointment following election is subject to the approval of the Trust Board and subject to any further requirements of the Diocese. The Chair must be approachable, readily accessible and ready to take issues and ideas raised by Governors seriously.

6.5.3 The Chair's specific duties are to:

6.5.3.1 provide a clear lead and direction for the Governors, understanding the aims of the Academy, the roles played by

all those involved and the vision of the Trust in relation to its Academies;

- 6.5.3.2 build an effective team, attracting Governors with necessary skills and experience promoting equality and diversity and ensuring priority is given to those who can make a positive contribution to driving school improvement and supporting their development to maximise the benefit of their contribution;
  - 6.5.3.3 work closely with the Principal and the Chair of the Trust Board to ensure there is proper challenge and encouragement;
  - 6.5.3.4 ensure that school improvement is the focus of all policy and strategy for the Academy, reminding Governors of this as often as necessary;
  - 6.5.3.5 hold Governors to account, ensuring the business of the Governing Body is conducted efficiently and effectively, chairing meetings ensuring all members have the opportunity to contribute and are listened to with clear decisions being made when necessary.
- 6.5.4 The Chair or Vice-Chair may at any time resign his office by giving notice in writing to the Governing Body. The Chair or Vice-Chair shall cease to hold office if:
- 6.5.4.1 he or she ceases to serve on the Governing Body;
  - 6.5.4.2 he or she is employed by the Trust whether or not at the Academy;
  - 6.5.4.3 he or she is removed from office in accordance with this Scheme of Delegation; or
  - 6.5.4.4 in the case of the Vice-Chair, he or she is elected in accordance with this Scheme of Delegation to fill a vacancy in the office of the Chair.
- 6.5.5 Where by reason of any of the matters referred to in paragraph 6.5.4, a vacancy arises in the office of Chair or Vice-Chair, the members of



the Governing Body shall at its next meeting elect one of their number to fill that vacancy.

6.5.6 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair shall act as the Chair for the purposes of the meeting.

6.5.7 Where in the circumstances referred to in paragraph 6.5.6. the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Governing Body shall elect one of their number to act as a chair for the purposes of that meeting.

6.5.8 The clerk to the Governing Body shall act as chair during that part of any meeting at which the Chair is elected.

6.5.9 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.

6.5.10 The Chair or Vice-Chair may be removed from office by the Trust Board at any time.

## **6.6 Committees and Further Delegation**

6.6.1 Subject to this Scheme of Delegation, the Governing Body may establish any subcommittee or working group to advise and inform the Governors to support them in their decision making.

6.6.2 Provided such power or function has been delegated to the Governing Body, the Governing Body may further delegate to the Principal or any other holder of an executive or leadership post, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions or requirements the Trust Board may impose and shall be consistent with any policy or statement of recommended practice issued from time to time by the Trust Board and may be revoked or altered by the Governing Body or the Trust Board.

6.6.3 Where any power or function of the Trust Board or the Governing Body is exercised by another, that person or body shall report as

required to those delegating responsibility in respect of any action taken or decision made with respect to the exercise of that power.

## **6.7 Meetings**

6.7.1 The minutes of the proceedings of a meeting of the Governing Body shall be drawn up and entered into a book (electronic or otherwise) kept for the purpose by the person authorised to keep the minutes of the Governing Body and shall be signed (subject to the approval of the members of the Governing Body) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:

6.7.1.1 all appointments of officers made by the Governing Body;  
and

6.7.1.2 all proceedings at meetings of the Governing Body and of committees of the Governing Body including the names of all persons present at each such meeting.

6.7.2 The Chair shall ensure that copies of minutes of all meeting of the Governing Body (and such of the subcommittees and working groups as the Governing Body shall from time to time notify) shall be provided to the Chair of the Trust Board (and if required to the Diocese) as soon as reasonably practicable after those minutes are approved.

6.7.3 Subject to this Scheme of Delegation, the Governing Body may regulate its proceedings as the Governors think fit, provided at all times that there is openness and transparency in matters relating to the Governing Body. The Governing Body is expected to meet at least once a term but may meet more often if felt appropriate or if requested to meet by the Trust Board.

6.7.4 Meetings of the Governing Body shall be convened by the clerk to the Governing Body. In exercising his functions under this Scheme of Delegation the clerk shall comply with any direction:

6.7.4.1 given by the Governing Body; or

- 6.7.4.2 given by the Chair or, in his absence or where there is a vacancy in the office of chair, the Vice-Chair.
- 6.7.5 Any three Governors may, by notice in writing given to the clerk, requisition a meeting of the Governing Body; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.
- 6.7.6 Each Governor shall be given at least seven clear days before the date of a meeting:
- 6.7.6.1 notice in writing thereof, signed by the secretary, and sent to each Governor at the address provided by each member from time to time; and
- 6.7.6.2 a copy of the agenda for the meeting;
- provided that where the chair or, in his absence or where there is a vacancy in the office of Chair, the Vice-Chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof are given within such shorter period as he directs.
- 6.7.7 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 6.7.8 A resolution to rescind or vary a resolution carried at a previous meeting of the Governing Body shall not be proposed at a meeting of the Governing Body unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 6.7.9 A meeting of the Governing Body shall be terminated forthwith if:
- 6.7.9.1 the Governors so resolve; or
- 6.7.9.2 the number of Governors present ceases to constitute a quorum for a meeting of the Governing Body in accordance with paragraph 6.9, subject to paragraph 6.11.

- 6.7.10 Where in accordance with paragraph 6.7.9 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the secretary as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.
- 6.7.11 Where the Governing Body resolves in accordance with paragraph 6.7.10 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Governing Body shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and it shall direct the clerk to convene a meeting accordingly.

## **6.8 Quorum for meetings**

- 6.8.1 Subject to paragraph 6.8.3, the quorum for a meeting of the Governing Body, and any vote on any matter thereat, shall be three.
- 6.8.2 The Governing Body may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.
- 6.8.3 The quorum for the purposes of any vote on the removal of a person in accordance with this Scheme of Delegation shall be any two-thirds (rounded up to a whole number) of the persons who are at the time persons entitled to vote on the matter.
- 6.8.4 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Governing Body shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every Governor shall have one vote.
- 6.8.5 Subject to paragraphs 6.8.6 – 6.8.8, where there is an equal division of votes, the Chair shall have a casting vote in addition to any other vote he or she may have.
- 6.8.6 The proceedings of the Governing Body shall not be invalidated by:
- 6.8.6.1 any vacancy on the board; or

- 6.8.6.2 any defect in the election, appointment or nomination of any Governor.
- 6.8.7 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the Governing Body, shall be valid and effective as if it had been passed at a meeting of the Governing Body 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 and may include an electronic communication by or on behalf of the member indicating his or her agreement to the form of resolution providing that the member has previously notified the Governing Body in writing of the email address or addresses which the Governor will use.
- 6.8.8 Subject to paragraph 6.8.9, the Governing Body shall ensure that a copy of:
- 6.8.8.1 the agenda for every meeting of the Governing Body;
  - 6.8.8.2 the draft minutes of every such meeting, if they have been approved by the person acting as chair of that meeting;
  - 6.8.8.3 the signed minutes of every such meeting; and
  - 6.8.8.4 any report, document or other paper considered at any such meeting,
- are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.
- 6.8.9 There may be excluded from any item required to be made available in pursuance of paragraph 6.8.8, any material relating to:
- 6.8.9.1 a named teacher or other person employed, or proposed to be employed, at the Academy or the Trust;
  - 6.8.9.2 a named pupil at, or candidate for admission to, the Academy; and
  - 6.8.9.3 any matter which, by reason of its nature, the Governing Body is satisfied should remain confidential.

6.8.10 Any Governor shall be able to participate in meetings of the Governing Body by telephone or video conference provided that:

6.8.10.1 he or she has given notice of his intention to do so detailing the telephone number on which he or she can be reached and/or appropriate details of the video conference suite from which he or she shall be taking part at the time of the meeting at least 48 hours before the meeting; and

6.8.10.2 the Governing Body has access to the appropriate equipment, and

if after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.

## **6.9 Notices**

6.9.1 Any notice or communication to be given to or by any person pursuant to this Scheme of Delegation shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice or communication. In this Scheme of Delegation, "address" in relation to electronic communications, includes a number or address used for the purposes of such communications.

6.9.2 A Governor present, either in person or by proxy, at any meeting of the Governing Body shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.

6.9.3 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice or communication contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

## **APPENDIX 1**

### **DIOCESAN MEMORANDUM OF UNDERSTANDING**

## **APPENDIX 2**

**[FINANCIAL REGULATIONS MANUAL] [FINANCIAL SCHEME OF DELEGATION]**



## APPENDIX 3

### GOVERNANCE DECISION PLANNER

This decision planner is designed to work in conjunction with the formal Scheme of Delegation adopted by the Trust. It provides a quick reference guide to how some of the important decisions within the Trust are to be made. Any discrepancies between this document and the Scheme of Delegation shall be construed in favour of the Scheme of Delegation, which will take precedence.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Propose (P)
- Develop (D)
- Monitor & Report (M)
- Consulted (C)
- Implement (I)

The governance and management layers within the Trust are identified as follows:

1. Trust Members ( the “**Members**”)
2. Trust Board of Directors/Directors (the “**Board**”)
3. Trust [Finance] Audit [& Risk] Committee (the “**AC**”)
4. [Regional Advisory Committee] [Joint Standards Committee] [Strategic Advisory Board] (the “**SAB/RAC/JSC**”)
5. Governing Bodies (the “**GB**”)
6. Chair of Trust Board (“**CTB**”)
7. Principal/Head Teacher of individual academies (includes Head of School or Executive Head Teacher where appropriate) (“**HT**”)

	Task	Members	Board	AC	[SAB] [RMB] [JSC]	GB	CTB	HT
1	Governance							

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
1.1.	Approve Trust Articles of Association	A	R					
1.2.	Approve Trust Board Terms of Reference		A		[C]			
1.3.	Approve Trust Scheme of Delegation		A		[C]	I		
1.4.	Approve new converter or sponsored academies joining MAT		A	M	[C]		I	
1.5.	Establish Trust Committees		A				I	
1.6.	Approve Trust Committee Terms of Reference		A				I	
1.7.	Approve Local Governing Body (LGB) Terms of Reference		A		[C]	C		
1.8.	Establish LGB working groups		M			A		I
1.9.	Appoint Chair of Trust Board	[C]	A					
1.10.	Appoint Chair of LGB		[A/R]		[C]	[A/R]		
1.11.	Remove Chair of LGB		A		[C]	[R/C]		
1.12.	Appoint (and remove) Vice Chair of LGB		[A/R]		[C]	[A/R]		

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
1.13.	Appoint (and remove) LGB members		[A/R/M]		[C]	[A/R/M]	[C]	[C]
1.14.	Appoint (and remove) Chair(s) of Trust Committees/Working Groups		M			A		[C]
1.15.	Appoint (and remove) Trust Committee/Working Group members		C			A		C
1.16.	Appoint Board Advisors		A	C	[P]		P	
1.17.	Appoint (and remove) Clerk to Trust Board		A				P	
1.18.	Appoint (and remove) Clerk to LGB		M			A		R
1.19.	Organise calendar of Trust Board and LGB meetings		A			C	P	R
1.20.	Approve Directors Expenses Policy		A	M			I	
2	<b>Finance</b>							
2.1.	Trust & Academy Financial Regulations		A	I	C		R	C
2.2.	Trust & Academy Financial Procedures		A	I	C		P	C

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
2.3.	Appoint Trust auditors		A	R			I	
2.4.	Trust 3 year Budget Plan		A	R	[C]		P/I	
2.5.	Trust 1 year Budget		A	R	[C]		P/I	
2.6.	Trust Interim Year End Accounts		A/R	A/P			P	
2.7.	Trust Annual Accounts		A	R			I	
2.8.	Directors Report		A	R				
2.9.	Trust Academies Accounts Return to EFA		A	R			I	
2.10.	Response to Auditor's Management Letter			A/R			I	
2.11.	Academy 3 year Budget Plan		[A/M]	R		[P/A]	M	D
2.12.	Academy 1 year Budget		[A/M]	R		[P/A]	M	D
2.13.	Academy YTD reports					M	M	M
2.14.	Academy Interim Year End Accounts		A	R				

	Task	Members	Board	AC	[SAB] [RMB] [JSC]	GB	CTB	HT
2.15.	Academy Accounts Return to EFA		A	R			I	R
3	<b>Teaching &amp; Learning/Standards/Academy Performance</b>							
3.1.	Trust Strategic Plan		A		[R/C]	C	P/I	C
3.2.	Academic Performance Targets		A		R/C	R	P/M	D
3.3.	Academy Performance Review <i>e.g. Academy Action Plan</i>		M		R/C	A	M	R/D
3.4.	Academy 3 year plan		A		R/C	P	M	R/D
3.5.	Academy 1 Year Plan		M			A	M	R/D
3.6.	[EYFS Policy]		A			R	R/D	R/I
3.7.	[EYFS Plan & Quality of Provision]		A			R	R/D	R/I
3.8.	SEN Policy		M			A	M	P/I
3.9.	SEN Plan & Quality of Provision		M			A	M	P/I

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
3.10.	Teaching & Learning Policy		M		R/C	A	M	P/I
3.11.	Curriculum Policy		M		R/C	A	M	P/I
3.12.	Sex Education policy		M			A		P/I
3.13.	Religious Education policy	C	M			A		P/I
4	<b>Staffing</b>							
4.1.	Staff complement, structure and grades		[A/M]		C	[P/A]	M/R	R/I
4.2.	CEO/Exec Headteacher appointment		A					
4.3.	Trust leadership structure		A		[C]			
4.4.	Headteacher appointment		A		[C]	[P/R/C]	P/I	
4.5.	Senior leadership appointments		C			A	R	R/P
4.6.	Teaching and support staff appointments					A	R	R/P
4.7.	Suspension of CEO/Exec Headteacher		A					

	Task	Members	Board	AC	[SAB] [RMB] [JSC]	GB	CTB	HT
4.8.	Return of CEO/Exec Headteacher after suspension		A					
4.9.	Dismissal of CEO/Exec Headteacher		A					
4.10.	Suspension of Headteacher		A			P/R	I	
4.11.	Return of Headteacher after suspension		A			P/R		
4.12.	Dismissal of Headteacher		A			P/R	I	
4.13.	Suspension of teaching and support staff		C			A	M	R/P
4.14.	Return of teaching and support staff after suspension					A	M	I
4.15.	Redundancy of staff		A/C		[C]	[P/R/A]	C/M	P/I
4.16.	Restructuring of staff		A/C		[C]	[P/R/A]	C/M	P/I
5	<b>Premises and Assets</b>							
5.1.	Asset Management Policy		C			A	M	R
5.2.	Health & Safety Policy		C			A	M	R

	Task	Members	Board	AC	[SAB] [RMB] [JSC]	GB	CTB	HT
5.3.	Commissioning of repairs or works up to £10,000		C			A	M	R
5.4.	Commissioning of repairs or works from £10,000 to £49,999		A/C			A	P	R
5.5.	Commissioning of repairs of works over £50,000		A			R	P	I
6	<b>Policies &amp; Procedures</b>							
6.1.	Pay & Remuneration Policy		A		C	C/R	P	I
6.2.	Job Role Salary & Grading Policy		C			A		
6.3.	Changes to Employee Terms & Conditions or Collective Agreements		A		[C]	C	R	I
6.4.	Adoption of Transferring Policies and Collective Agreements		A		[C]	I		
6.5.	Teachers Annual Pay Award		C			A	R	P
6.6.	Support Staff Annual Pay Award		C			A	R	P
6.7.	Individual Performance Pay Awards		C			A	R	P



	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
6.8.	Performance Management & Appraisal Review Policy		A		[C]	R	P	I
6.9.	Disciplinary Policy		C			A	M	R
6.10.	Grievance Policy		C			A	M	R
6.11.	Capability Policy		C			A	M	R
6.12.	Whistle-blowing Policy		C			A	M	R
6.13.	Re-structuring & Redundancy Policy		C		C	A	M	R
6.14.	Employee Health & Safety Policy		C			A	M	R
6.15.	Academy times, terms and holidays		C		C	A	M	R
6.16.	Change of Academy Age Range		C		C	A	M	R
6.17.	Expansion of Academy PAN		A		C	R		P
6.18.	Extension of Academy provision (EYFS)		C			A		R
6.19.	Child Welfare & Safeguarding Policy		C			A		R

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
6.20.	Attendance Policy & Plan		C			A		R
6.21.	Pupil Behaviour & Exclusions Policy		C			A		R
6.22.	Community & Religious Ethos & Values Policy		C			A		R
6.23.	Short-term Exclusion					C		A
6.24.	Return after short-term exclusion					A		C
6.25.	Permanent Exclusions					C		A
6.26.	Appeals against Permanent Exclusion					A		R
6.27.	Complaints Policy					A		R
6.28.	Complaints Appeals					A		R
6.29.	Admissions Policy					A		R
6.30.	Allocation of places against Admissions Policy					A		R
6.31.	Admissions Appeals					A		R

	<b>Task</b>	<b>Members</b>	<b>Board</b>	<b>AC</b>	<b>[SAB] [RMB] [JSC]</b>	<b>GB</b>	<b>CTB</b>	<b>HT</b>
6.32.	Academy prospectus					A		R
6.33.	Academy website		C			A		R
6.34.	Academy logo & branding		C			A		R
6.35.	Academy uniform					A		R
6.36.	Academy Trips Policy					A		R
6.37.	Extended services on-site					A		R
6.38.	Pupil Premium Policy					A		R
6.39.	Pupil Premium Plan					A		R

## **APPENDIX 4**

### **RISK MANAGEMENT POLICY [AND FORM OF RISK REPORTS]**

#### **Principles**

The Directors have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the Schools (which includes taking existing schools into the Trust). The Directors have the power to direct change where required.

The Directors have delegated authority for the running of each of its Schools to a Local Governing Body, who in turn fulfils a governance and oversight role in the conduct of the School, further delegating authority to the Headteacher and senior leadership team who are responsible for the internal organisation, management and control of the School on a day to day basis. The responsibilities of the Local Governing Body are set out in the "Scheme of Delegation".

Risk management must prioritise and protect:

- The safeguarding of high quality and effective education of the young people in the Schools;
- The contribution made by staff to the success of the Trust and the Schools;
- The reputation and ethos of the Trust and the Schools and the principles upon which the Trust was founded;
- The common good in terms of the interests of the families in the communities served by the Schools and the pupils of the future; and
- The Scheme of Delegation and the balance struck between central management and local responsibility.

#### **The responsibility of each Local Governing Body**

It is the responsibility of each Local Governing Body (the Governors) to implement, monitor and verify such policies and procedures to facilitate an annual statement of compliance on those risks identified by the Board. The Governors should take such steps needed to meet their legal obligations including the requirements of the Department for Education (or any successor body) as they relate to the operation of the Schools. The Governors should provide resources to mitigate identified risks and declare any non-compliance to the Directors. The Governors should commission on a regular basis external verification of internal systems so as to ensure the systems fitness for purpose and compliance to current standards.

## **The responsibilities of the Directors**

It is the responsibility of the Directors to identify those risks which arise from academy status and membership of a multi-academy trust and develop policies and procedures which mitigate these risks (taking account of the principles identified above). To mitigate financial risk the Directors will require all Schools to use approved banking arrangements, audit arrangements, financial management systems, and premises insurance and building surveyors. Rigorous safeguarding policies are also a requirement for all Schools.

Beyond these areas the Directors should identify risks common to all Schools, set policy frameworks but seek not to impose specific control mechanisms for these risks as responsibility lies with the individual Local Governing Bodies. The Directors should receive compliance reports from the Local Governing Bodies (and declarations of non-compliance) and develop systems to support (having regard to the principles of subsidiarity and solidarity) individual Schools to mitigate risk to the Directors and the Trust generally.

## **Operation of the Risk Management Policy**

To assist the Trust Board in fulfilling its function, the Directors may establish a "risk management committee" made up of appointed Directors, representatives of the Local Governing Bodies and the Leadership Group, and others as may be required. The terms of reference should identify that a minimum of two Directors should serve on this committee, with one being present for the committee to be quorate. The risk management committee may be a function of the Audit Committee or work alongside it.

It is the duty of this committee to review the termly schedule of self-assessments made by individual Schools' Local Governing Bodies, consider how to support Schools to mitigate identified risks and report to the Trust Board each term on the risks identified.

## **The Nature of the Risks**

- **The safeguarding of those involved in the enterprise**

The Directors and Local Governing Bodies will be required to have safeguarding (including safer recruitment and e-safety) policies which comply with the requirements of the appropriate Safeguarding Board.

- **The employment of those involved in the enterprise**

The Directors and individual Schools should have a suite of legally compliant and common personnel policies, supported by advice and insurance.

- **The stewardship of the premises and site and the health, safety and welfare of those who use the site**

The Directors reserve the right to direct individual Schools with regard to the insurances of Trust property (buildings, land and assets) and to approve and be kept informed of planned capital works. The School should develop comprehensive health, safety and welfare policies to include systems to monitor compliance with regulation and good practice and to externally assess these at a regular period.

- **The vision and values of the Trust and the academic standards attained**

The Directors and the Governors should seek at all times to preserve and fulfil the vision and values of the Trust, honouring the principles upon which the Trust was founded. The Governors should report to the Directors on any OFSTED or other inspections and reports. Equally the Directors should be informed of trends and actual academic outcomes and other key indicators identified by OFSTED (or any successor body) in order that the Directors may broker support and advice from within (or beyond) the Trust to minimise the possibility of the Secretary of State using his reserve powers in relation to one of the Schools for which the Trust is responsible.

- **The financial integrity of individual academies**

The Directors reserve the right to direct the Schools to bank with a named bank and to direct Schools to use the services of agreed auditors. The Trust Board reserves the right to have annual agreed budget plans, termly budget summaries and annual outturn statements reported to it. Schools will not be permitted to operate deficit budgets without specific approval from the Trust Board. The Governors will agree such policies as required to comply with DfE requirements on the operation of academies, including in relation to the procurement of goods and services. The Governors will appoint a suitably experienced “responsible officer” who will oversee the financial integrity of the School with a particular reference to levels of delegation and the avoidance of over-reliance upon key individuals.

- **The capacity of the Trust Board and the Local Governing Bodies to discharge their duties**

The Trust Board and individual Local Governing Bodies will be expected to make an annual self-assessment of the skills and experience they require and their capacity to fulfil those requirements. Plans to mitigate deficiencies should be passed to the relevant Local Governing Body and the Trust Board. All Directors and Governors are required to hold an enhanced Criminal Records Bureau certificate and to make a declaration of interests at the beginning of each meeting. The Company will operate a Conflicts of

Interest policy. The Company will ensure that good quality legal advice is available to the Trust Board, the Schools and those responsible for running the Schools on a day to day basis.

## **APPENDIX 5**

### **TERMS OF REFERENCE FOR THE [FINANCE AND] AUDIT [AND RISK] COMMITTEE**

#### **FINANCE**

1. To ensure that the Trust Board is kept informed of all major financial issues concerning the Trust and its Academies, the overall Trust budget and those of the individual Academies, the management of funds against the budget, the benchmarking of financial performance and the heads of expenditure, the way funds are utilised (including value for money) and the way monies are secured.
2. To receive proposals from the Local Governing Bodies for budget recommendations, and to recommend the annual budget for the Trust and the Academies to the Trust Board for approval.
3. To receive reports from the Headteachers regarding the Trust's/Academies' finances. This will include reports on the monitoring of income against expenditure and proposals to revise forecasts for the year. The committee will work with the Trust and the Headteachers to make any recommendations to the Trust Board.
4. To monitor the production, timeliness and accuracy of key financial statements in response to both statutory and local requirements.
5. To support (recommending and advising) the Trust Board in developing and then implementing a reserves policy and to consider the impact of strain in individual Academy budgets.
6. To support (recommending and advising) the Trust Board in developing and then implementing the Financial Regulations Manual and associated procurement policy.
7. To review tenders for major contracts as specified in the Financial Regulations Manual. To approve or reject tender proposals or, where required, make recommendations to the Trust Board.
8. To recommend any changes in the Financial Regulations Manual, where significant, to the Trust Board. To review the operations of the Trust and the Academies in relation to the procedures shown in the Financial Regulations Manual. To work with the Headteachers to resolve breaches and to improve procedures as appropriate.



9. To support the Audit Committee in monitoring key financial and accounting systems and reviewing any audits of these or the general finances of the Trust and make recommendations to the Trust Board and/or the Local Governing Bodies as appropriate.

## AUDIT

1. Advise and report to the Directors in relation any organisational risks which might impede the development and implementation of a long term strategy for the success of the Trust. The Directors shall consider any such advice given by the Audit Committee.
2. Support the Directors in developing an organisational structure which reflects the Trust's values and enables the management systems, structures and processes to work effectively in line with legal requirements and to ensure sound financial management.
3. Support the Directors in the formulation of financial and risk management policies for the Trust and the Academies for achieving the aims and objectives set out in the Trust's Development Plan or long term strategic vision.
4. Advise the Directors on the adequacy and effectiveness of the Trust's systems of internal control and its arrangements for risk management, control and governance processes and securing economy, efficiency and effectiveness (value for money).
5. Regularly review the statement on internal control and make appropriate recommendation to the Directors and when appropriate communicate messages and advice to the Local Governing Body, liaising as necessary with any responsible officer appointed by the Local Governing Body to be responsible for financial oversight and risk management of the Academy's activities.
6. Support (and challenge when necessary) the Executive Directors and in particular the Executive Director who from time to time assumes the role of "accounting officer" to ensure he or she satisfies his or her duty as accounting officer to:
  - Ensuring value for money;
  - Ensuring regularity and propriety;
  - Ensuring prudent and economical administration;
  - Avoiding waste and extravagance;
  - Ensuring the efficient and effective use of resources;
  - Keeping proper accounts;

7. Establish and implement a system of financial and risk reporting by the Academies to the Directors and to oversee that reporting to ensure that such a system complies with the Trust's legal obligations.
8. Review any financial and risk report submitted by the Academies and advising the Directors on any issues arising from it as well as making recommendations for future reports to sustain the integrity of the financial and risk management systems.
9. Advise on the formulation and implementation of a policy for the approval and signing of contracts, ensuring all contracts to be entered into by the Academy are appropriate, have been authorised (or are within delegated authority) and do not expose the Academy to undue risk.
10. Advise the Directors on the appointment, reappointment, dismissal and remuneration of auditors (both external auditors and internal audit).
11. Monitor the effectiveness of auditors, including the use of auditor performance indicators.
12. Ensure effective coordination between auditors ensuring that a consistent method of audit is adopted across all Academies.
13. Ensure that additional services undertaken by auditors are compatible with the audit independence and objectivity.
14. Agree the work programme of internal audit including the checking of financial controls, systems, transactions and risks.
15. Consider the reports of the auditors and, when appropriate, advise the Directors and the Academies of material control issues.
16. Monitor the implementation of agreed audit recommendations.
17. Advise on policies for the securing of the funds and assets of the Trust including by the prevention of loss through fraud and irregularity.
18. Ensure that all allegations of fraud and irregularity are appropriately investigated and control weaknesses addressed, working with the Directors and the Headteachers of the Academies, as appropriate.
19. Recommend the annual financial statements to the Directors for approval.

## **APPENDIX 6**

### **CONFLICT OF INTEREST POLICY**

#### **Why we have a Policy**

Directors of a charity have a legal obligation to act in the best interests of the charity. For the purposes of charity law, the Directors are those people who are responsible for the general control and management of the administration of the charity. The Academy Trust is an “exempt” charity, the Principal Regulator being the Secretary of State for Education. The Articles of Association explain what the Directors must do to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of the Trust. Such conflicts may create problems; they can:

- inhibit free discussion;
- result in decisions or actions that are not in the interests of the Trust; and
- risk the impression that the Trust has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any impropriety and/or any appearance of impropriety. This Policy operates without prejudice to any of the provisions in the Trust's Articles of Association relating to conflicts of interest.

#### **The Declaration of Interests**

Directors, Governors of the Local Governing Bodies and all staff must declare their interests, and any gifts or hospitality received in connection with their role in the Trust. A declaration of interests form is provided for this purpose, listing the types of interest you should declare. All interests, including gifts of a value over £50, must be notified to the Trust Chair and a Register of Interests will be maintained by the Trust.

To be effective, the declaration of interests needs to be updated at least annually and also when any changes occur.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Trust Chair for confidential guidance.

#### **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Directors, Governors and all staff act in the best interests of the Trust. The information provided will not be used for any other purpose.

### **What to do if you face a Conflict of Interest**

If you have a direct or indirect interest in:

- a) a proposed transaction with the Trust; or
- b) any transaction or arrangement entered into by the Trust which has not previously been disclosed;

you must disclose the nature and extent of that interest, whether or not you receive any actual benefit as a consequence of the interest. You may have an indirect interest in a matter if a family member or friend has an interest in the matter.

As good practice, every Director and Governor should declare any private interest which he or she has in an item to be discussed at the beginning of every meeting, and certainly before any discussion of the item itself. You should not be involved in decisions in which it is possible that a conflict will arise. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion.

If you fail to declare an interest that is known to the Clerk and/or the Trust Chair or the Chair of the Local Governing Body, the Clerk or Chair will declare that interest.

### **Decisions taken where a Director, Governor or Staff Member has an Interest**

In the event of the Trust Board having to decide upon a question in which a Director, Governor or member of staff has an interest because of a duty or loyalty (however indirect) that they owe to another organisation, they will do so by vote, with a simple majority required. The conflicted individual may be present when the matter is discussed but must not take part in the discussion or vote on any matter relating to the discussion and a quorum must otherwise be present for the discussion and decision.

An individual will generally not have a conflict of interest or loyalty simply by virtue of the fact that he or she has been appointed or nominated to the Trust Board or to the Local Governing Body by a third party and the Trust has dealings with that third party, but if any undue influence is exerted by that third party or the individual has an interest in the matter for a reason other than mere appointment or nomination, then the circumstances will need to be reconsidered.

All decisions made where there has been a declared conflict of interest will be recorded by the Clerk and reported in the minutes of the meeting. The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict.

Where a Director benefits from the decision, this will be reported in the Annual Report and Accounts in accordance with the current Charities SORP making reference also to any potential conflict situation recognised in this Conflicts of Interest policy. All payments or benefits in kind to Directors will be reported in the Trust's Accounts and Annual Report, with amounts for each Director listed for the year in question.

Where a member of the Trust's staff are connected to a party involved in the supply of a service or product to the Trust, this information will also be fully disclosed in the Annual Report and Accounts again making reference also to any potential conflict situation recognised in this Conflicts of Interest policy. The Trust formally acknowledges the Education Funding Agency's guidance on "related party transactions".

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

### **Managing Contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract or transaction in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

### **Notified Conflicts of Interest**

Without prejudice to any of the obligations on individuals as expressed in this Policy, the Directors have identified the following matter where relevant individuals will have an interest in the matter and such interest has not been expressly authorised in the Articles of Association but is considered to be a matter which is in the best interest of the Trust and is authorised provided the principles of this policy are observed (particularly in relation to discussions, decisions and management of the matter where there is a genuine conflict):

- The appointment or nomination of individuals by the Local Governing Body to serve on the Trust Board.

## **APPENDIX 7**

**TERMS OF REFERENCE FOR THE [STRATEGIC ADVISORY COMMITTEE]  
[REGIONAL ADVISORY COMMITTEE] [JOINT STANDARDS COMMITTEE]**

## **APPENDIX 8**

### **TERMS OF REFERENCE FOR THE [TRANSITION] [INTERVENTION] BOARD**

**[NAME OF ACADEMY] (the “Academy”)**

**EFFECTIVE DATE [ ] REVIEW DATE [ ]**

#### **PURPOSE**

The Intervention Board's primary role is to support the rapid turnaround of the Academy. The Intervention Board has been established by the Trust Board and may have been appointed before the School joined the Trust in order to support the conversion of the School. The Intervention Board shall meet at least twice a term, more if necessary.

The Intervention Board will ensure that the Strategic Plan for the Academy is being implemented and will advise on the development and review of the Plan, focussing on 4 key areas of action; leadership & governance, teaching & learning, facilities & resources and finance.

The Intervention Board will report to the Trust Board on progress, recommending further action as necessary.

#### **MEMBERSHIP**

Members of the Intervention Board have been drawn from the local community and have been appointed by the Trust Board, who will ensure the members have both the capacity and skills to work intensively within the Academy, providing support and challenge to the Academy's staff and building on existing links with the community. Board members must be able to demonstrate an understanding of the ethos and values of the Trust and a commitment to fulfilling the Trust's mission and objectives for the Academy, drawing on specialist skills where required. Whilst there is no limit on the numbers expected to serve on the Board, in most cases it is not anticipated that there will be more than 3, one of whom will be one of the Executive Trustees.

#### **REVIEW**

Operating with an Intervention Board is not intended to be a long term arrangement and a target date has been identified for the review of the arrangement. Any initial period will not be greater than 12 months.

<b>Responsibility / Delegated Authority</b>	<b>Assessment</b>
<b>Ethos and vision</b>	
Support the actions of the Trust Board in developing and sustaining a clear educational vision, ethos and direction for the Trust and the Academy, which promotes learning and the moral, social and cultural development of pupils.	
Assist with the communication of the Trust's vision within the Academy's community, reinforcing the Academy's identity as a school within the family of schools run by the Trust.	
Establish systems and procedures in the Academy which recognise and prioritise collaborative working within the Trust where possible.	
Support the Trust Board in the formulation of policies and practices which reinforce the Trust's overall vision and aims as well as recognise the uniqueness of the Academy and the contribution it makes to the Trust and to the community.	
<b>Compliance and Leadership</b>	
Take the lead in the development of a strategic plan for the Academy which is consistent with the Trust's overall strategic objectives and identifies appropriate priorities for the Academy, targets for improvement and specific actions to be taken.	
Advise and report to the Trust Board on the implementation of the strategic plan, identifying any financial, educational and organisational threats and weaknesses as well as opportunities for growth and improvement.	
Support the Trust Board, as well as the leadership team within the Academy, ensuring that there is sufficient challenge and feedback so that continuous improvements can be made and preparing the leadership team for the transition to full delegated responsibility.	
Have regard to the public sector equality duty in the performance of any duty.	
Act in accordance with the terms of the Trust's Master and Supplemental Funding Agreements, the Trust's Articles of Association and the current EFA Academy Financial Handbook in the performance of any duty.	
Ensure that at all times the Academy is meeting any legal requirements and duties.	
<b>Finance and Risk Management</b>	
Ensure that at all times any funds delegated to the Academy or otherwise held on behalf of the Academy are safeguarded, having regard to the duty of the Trustees as trustees of charitable assets and as recipients of public money.	



Responsibility / Delegated Authority	Assessment
Monitor, review and control the budget, expenditure and income of the Academy, acknowledging any amounts to be set aside for central costs and reserves, contributing to any discussions initiated by the Trust Board in relation to the budget of the Academy and the appropriate use of all funds available to the Academy.	
Support and introduce the systems of financial and risk reporting in respect of the Academy, reporting as required (including to any internal audit committee or to the external auditors) highlighting any specific risks which might jeopardise the fulfilment of the strategic plan for the Academy.	
Implement any Trust policy for the approval and signing of contracts, ensuring all contracts to be entered into by the Academy are appropriate, have been authorised (or are within delegated authority) and do not expose either the Trust or the Academy to undue risk.	
<b>Curriculum and Standards</b>	
<p>Advise the Trust Board on the development of a curriculum which meets the Academy's specific needs and has regard to:</p> <ul style="list-style-type: none"> <li>• any nationally recognised curriculum priorities and initiatives</li> <li>• the obligation to provide religious education, sex education and physical education</li> <li>• special educational needs</li> <li>• national testing and attainment targets, and</li> <li>• any teaching objectives and priorities adopted by the Trust Board for all Academies.</li> </ul>	
Advise and report to the Trust Board on the targets for relevant Key Stages in the Academy, supporting the leadership team in the Academy on action to be taken to maximise attainment and pupil progress and advising on the transition by pupils from one key stage to the next supporting the development of a personalised learning plan for each pupil.	
Carry out regular reviews of the standards of teaching and learning in the Academy and agree with the leadership team specific actions to be taken to address areas of weakness, facilitating the sharing of best practice and the development of a training programme for staff which draws on the strengths of the Academy and secures additional resources which meet needs.	
<b>Pupil Behaviour and Attendance</b>	

<b>Responsibility / Delegated Authority</b>	<b>Assessment</b>
Formulate and implement a pupil behaviour policy in accordance with guidance produced by the Department for Education and as advised by the Trust Board.	
<b>Staff Recruitment</b>	
In conjunction with the Trust Board (but having regard to the advice of the Academy's leadership team), develop a staffing structure for the Academy, identifying the number of staff required to be employed at the Academy, the levels of the posts and the role responsibilities of all staff employed and supporting, where appropriate, the sharing of resources between the Academies.	
Ensure the implementation of the HR policies adopted by the Trust Board.	
Having regard to any advice of the Trust Board and the Leadership Group, appoint all staff to work in the Academy, establishing an appointments committee in respect of the appointment of a Principal/Headteacher and such other key leadership appointments as advised by the Trust Board.	
<b>Staff Appraisal and Performance Management</b>	
Evaluate the standards of teaching and learning in the Academy and ensure that proper standards of professional performance are established and maintained.	
Implement any pay policy and performance management policy for all teaching and non-teaching staff employed at the Academy put in place by the Trust Board, ensuring all affected staff of the Academy are kept informed and consulted if necessary.	
Implement any written policy for the appraisal of all teaching and non-teaching staff who work in the Academy put in place by the Trust Board, having regard to the objectives of the Academy's strategic plan and ensuring all staff of the Academy are kept informed and consulted if necessary.	
Carry out the performance management and appraisal of the Principal/Headteacher, any deputies and other key leadership appointments in the Academy, supporting the Academy's leadership team in the performance management of all other staff, advising the Trust Board of any areas of weakness or where additional support and/or training is required.	
Advise the Trust Board on an appropriate programme for the training and professional development of all staff in the Academy, supporting and working with any Trust programme for the development of Principals/Headteachers and other key leadership appointments.	
Implement any written policy for staff disciplinary and grievance procedures put in place by the Trust Board and where appropriate advise on and support the Academy's leadership team on the implementation of the same.	

Responsibility / Delegated Authority	Assessment
Undertake any disciplinary or grievance procedure for the Principal/Headteacher and other members of the Academy's leadership team, reporting to the Trust Board.	
Facilitate discussion with staff representative bodies, including the unions, at both Trust Board level and within the Academy.	
<b>Premises And Resources</b>	
Formulate, implement and keep under review a policy for health and safety at the Academy, having regard to any advice issued by the Trust Board and/or the Leadership Group from time to time.	
Provide such advice and information as may be required to enable the Trust Board to take out and review the level of insurance cover for the Academy and at the request of the Trust Board undertake appropriate and regular risk assessments.	
Advise and report to the Trust Board on any estate management strategy for the premises and facilities used by the Academy, identifying any planned maintenance and any need for substantial works to meet the strategic aims of the Academy, including considering the availability of funding or the need to secure funding.	
No significant capital works will be undertaken or commissioned by the Intervention Board without the express written consent of the Trust Board.	
Ensure any works to the premises are carried out by appropriately qualified workmen, notifying the Trust's insurers as appropriate.	
Ensure any use of premises or facilities for community or income generating purposes are carried out in compliance with any policy issued by the Trust Board in relation to such matters (including any prepared on the advice of the Trust's accountants) and keeping a separate account of any income received so that this can be identified separately in the Academy's accounts.	
<b>Delegation</b>	
The Intervention Board may delegate any powers and responsibilities to the Principal/Headteacher of the Academy, subject to any requirements of the Trust Board. The Intervention Board will ensure the gradual transfer of responsibility to the Principal/Headteacher, the leadership team and the Local Advisory Body when established is done sensitively to help successfully deliver the Academy's long term strategic plan.	