



EMPOWER

LEARNING ACADEMY TRUST

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SCHEME OF DELEGATION

EFFECTIVE DATE: [1st SEPTEMBER 2016]

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1. INTRODUCTION

- 1.1 **Empower Learning Academy Trust** (referred to herein as the “**Trust**”) was established on 12 July 2011. The Trust is a multi-academy trust capable of operating and maintaining a number of academies (each an “**Academy**” and together the “**Academies**”).
- 1.2 The Trust is both a company limited by guarantee and an exempt charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
- 1.3 The Trust’s constitution and its charitable objective is set out in its Memorandum and Articles of Association (“**Articles**”).
- 1.4 Trustees have an overriding duty to act freely and in the best interest of the Trust and the Academies at all times.
- 1.5 The purpose of this Scheme of Delegation is to provide operating clarity as to the roles, responsibilities and authority of those who contribute to the governance and oversight of the Academies and the Trust itself. This Scheme of Delegation is subsidiary to the Articles, the Funding Agreement(s) and all schools/academies legislation.
- 1.6 The Trustees reserve the right (in their absolute discretion) to review and alter this Scheme of Delegation and the level of delegated responsibility at any time, and will be formally reviewed for its effectiveness at least every two years.
- 1.7 In so far as the Trustees are able they agree to abide by the provisions of it and will consult with those herein affected on any significant changes.
- 1.8 The Effective Date of this Scheme of Delegation is [1st September 2016].

2. **VISION AND VALUES**

2.1 **Vision**

2.1.1 The Trustees are responsible for setting the vision of the Trust.

2.1.2 The Trust's vision will be set and reviewed following wide consultation within the Trust and with other stakeholders. The vision will be reviewed at least every three years. Each Academy will set its own vision, which will be specific to its own circumstances and will build upon the vision of the Trust.

2.1.3 The current vision of the Trust is available on the Trust's website and displayed and available at each Academy within the Trust.

2.2 **Values**

2.2.1 The Trustees are responsible for setting the values of the Trust.

2.2.2 Each Academy can set its own values, which will be more specific to its own circumstances but will embrace the values of the Trust.

2.2.3 The values of the Trust are available on the Trust's website and displayed and available at each Academy within the Trust.

3. ACCOUNTABILITY: GOVERNANCE AND MANAGEMENT STRUCTURES

3.1 Overall Structure

- 3.1.1 The Trust is a company limited by guarantee. It has no shareholders,
- 3.1.2 The highest tier of oversight is provided by the “**Members**” who, through general meetings, are the guardians of the Trust, its purpose and welfare. 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. The Members will generally comprise of a maximum of 2 Trustees on the Trust Board and 3 further independent appointments, i.e. not individuals who are also Trustees.
- 3.1.3 The next tier of oversight is provided by the “**Trustees**”. Trustees are appointed/ratified by the Members to whom they report. They are trustees for charity law purposes and also company directors registered with Companies House. The Trustees 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 Trustees are required as trustees and pursuant to the Funding Agreement(s) 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 Trustees meet as a board of Trustees, generally known as the “**Trust Board**”. All Trustees have the same responsibility to act in the best interests of the Trust and the Academies, irrespective of any other role they may undertake within the Academy.
- 3.1.4 The Trust Board will oversee the management and administration of the Trust and the Academies run by the Trust and herein delegates authority and responsibility to others.
- 3.1.5 The main delegation will be:
- 3.1.5.1 to the “**Chief Executive Officer**”, who will be responsible for the day to day management of the Trust and the Academies. The Chief Executive Officer will be appointed by the Trust Board and report directly to it.
 - 3.1.5.2 to “**Trust Board Committees**” or “**Working Groups**” of the Trust Board, who will act either in a permanent capacity (the permanent committee structure and main terms of reference are laid out in

Appendix [] or a temporary capacity where the terms of delegation will be determined by the Trustee Board on an ad hoc basis.

3.1.5.3 to a “**Local Governance Committee**” for each Academy to undertake elements of the Trustee Board’s role of strategic direction and oversight at a local level. Each Local Governance Committee is accountable to the Trust Board in relation to any matter delegated to it. The duties, responsibilities and authorities of each Local Governance Committee may vary between Academies as determined by the Trust Board in consultation with the Chief Executive Officer.

3.1.5.4 to a “**Headteacher**” through the formal delegation of powers from the Trust Board through the Chief Executive Officer. The operation of each Academy will be managed by a Headteacher. The duties, responsibilities and authorities of a Headteacher may vary as between Academies as determined by the Chief Executive Officer in consultation with the Trust Board. A Headteacher will report directly to the Chief Executive Officer.

3.1.6 A “**Summary of Key Delegated Responsibilities**” of oversight and governance is attached at Appendix 2.

3.2 **Role of the Members**

3.2.1 The role of the Members is laid out in the Articles and in company law. Their role is that of guardians of the constitution, ensuring the charitable object is fulfilled and to conduct oversight of the Trust Board. Members have limited governance and no day to day management responsibilities.

3.2.2 The Members’ key responsibilities are:

3.2.2.1 to ensure the Objects of the Trust are met;

3.2.2.2 to receive the Annual Report (prepared by the Trustees) at a General Meeting of the Trust;

3.2.2.3 to determine the Trust’s constitution by adopting the company’s Articles; and

3.2.2.4 to exercise either a direct power under the Articles or a statutory power under the Companies Act 2006 to appoint and remove

Trustees (noting any powers delegated by the Members to the Trust Board to make such appointments and removals).

3.2.3 Notwithstanding any provision of the Articles, the Members have formally delegated to the Trustees a power and responsibility to appoint and remove Trustees, and such appointments will be ratified at the next General Meeting of the Members. Any removal by the Trust Board of a Trustee appointed or ratified by the Members can only be undertaken by majority vote in general meeting or by written resolution of a majority of the Members.

3.3 Role of the Trustees and the Trust Board

3.3.1 The Trustees have overall responsibility and ultimate decision making authority for all the work of the Trust.

3.3.2 The Trust Board will set the strategic direction of the Trust, maintain legal oversight, monitor all activities, assess the performance of the Academies and establish & review material policies and practices governing the life of the Academies.

3.3.3 The specific tasks and responsibilities of the Trust Board are as follows:

3.3.3.1 to determine the vision and ethos of the Trust whilst acknowledging the uniqueness of each individual Academy and the needs of the communities they serve;

3.3.3.2 to, in conjunction with the Chief Executive Officer, develop a strategic plan for the Trust and to ensure the effective communication of that plan so it can be implemented across the Trust and in all the Academies;

3.3.3.3 to establish and maintain the Academies (including considering expansion of the Trust by taking existing schools into the Trust or opening new schools).

3.3.3.4 to determine and ensure the implementation of material policies and procedures which it is intended will achieve a consistently high standard of education and financial prudence across all areas of the Trust;

3.3.3.5 to make or ratify suitable appointments of individuals who serve or will serve on the Local Governance Committees, including removing such individuals who fail to fulfil the expectations of the role;

- 3.3.3.6 to approve the overall Trust budget and the budgets of each Academy, having regard to any recommendations of the **Finance and Audit Committee** who will be responsible for conducting a thorough review of all budget proposals;
- 3.3.3.7 to formally appoint the Chief Executive Officer and, unless otherwise delegated, any principal, headteacher or deputy headteacher of an Academy;
- 3.3.3.8 to provide challenge and support to the Chief Executive Officer, the Local Governance Committee, Headteachers and the leaders of the functions delivered by the educational Services Team;
- 3.3.3.9 to set goals and undertake the performance management of the Chief Executive Officer;
- 3.3.3.10 to ensure that the Chief Executive Officer is effectively overseeing the objectives and outcomes of each of the Academies;
- 3.3.3.11 to ensure appropriate performance management systems are in place and are effective across the Trust and are accompanied by relevant programmes for the professional development of all staff;
- 3.3.3.12 to approve the vision, ethos and strategic plan of each Academy;
- 3.3.3.13 to receive regular written reports from Local Governance Committees;
- 3.3.3.14 to oversee the delivery of the benefits that collaborative working, common approaches and common systems will bring across the Academies;
- 3.3.3.15 to ensure that the Trust operates effective health & safety systems and procedures (including safeguarding);
- 3.3.3.16 to ensure there are robust financial systems and procedures in place that are adhered to by the Trust and each Academy (using periodic internal audits to provide such assurance);
- 3.3.3.17 to oversee the performance and delivery of any service provided by the Trust to the Academies;
- 3.3.3.18 to act as the ultimate decision maker in relation to any appeals by staff following disciplinary or grievance procedures;

3.3.3.19 to ensure proper advice is available to the Trust in relation to legal and compliance matters;

3.3.3.20 to ensure a comprehensive risk management framework and appropriate risk management strategies are put in place and maintained across the Trust.

3.3.4 The **Role Profile and Person Specification incorporating a Code of Conduct and Role Responsibilities for Trustees** is set out in Appendix 4. Specific skills may be needed if a Trustee is to take responsibility for and lead on a specific area, or to undertake the role of the Chair of the Trust. An annual skills audit will be undertaken in which Trustees will be asked to articulate their contribution to the success of the Trust and the Academies during the period of review.

3.3.5 The organisation of the Trust Board is set out in the Articles of Association which determine the minimum meeting frequency, quorum and the process for appointment of a Chairman and Vice-Chairman of the Trust Board. In summary, the Trust Board is required to meet at least 3 times a year and the quorum for any meeting is the greater of 3 or a third of the Trustees appointed at any one time.

3.4 **The Role of the Chairman of the Trust Board**

3.4.1 The Chairman of the Trust Board ("**Chairman**") has a fundamental role in leading the business of the Trust and as a fulcrum between the Trustee Board and the Chief Executive Officer.

3.4.2 The Chairman is first amongst equals but has no defined individual power (except in an emergency).

3.4.3 The specific tasks and responsibilities of the Chairman are as follows:

3.4.3.1 to ensure the Trust Board provides a strategic focus to the Trust and its Academies;

3.4.3.2 to manage the business of the Trust Board to ensure it undertakes its duties efficiently and effectively in and between board meetings;

3.4.3.3 to build, develop and meld the Trustees into an effective team, taking account of recruitment, succession and the professional development needs of the Trustee Board;

- 3.4.3.4 to work in partnership with the Chief Executive, developing a professional relationship, providing appropriate encouragement, challenge and support;
- 3.4.3.5 to promote a culture of robust evaluation and continuous improvement across the Trust striving to drive up standards everywhere;
- 3.4.3.6 to ensure the Trustee Board meets all its legal requirements by working closely with the clerk/secretary to the Trustee Board;
- 3.4.3.7 to represent the Trust to key external partners, the media and the public on matters of governance and oversight.

3.5 Role of the Chief Executive Officer

- 3.5.1 The Chief Executive Officer will be responsible for managing the Trust and its Academies on a day to day basis
- 3.5.2 The role, function, responsibility and authority of the Chief Executive Officer are delegated by the Trust Board and may be varied at its sole discretion.
- 3.5.3 The specific tasks and responsibilities of the Chief Executive Officer are as follows:
 - 3.5.3.1 to support the Trustee Board in the formulation and development of its strategy;
 - 3.5.3.2 to ensure that all decisions made by the Board are implemented in a timely and effective manner;
 - 3.5.3.3 to actively promote the values of the Trust through actions, policies and procedures;
 - 3.5.3.4 to ensure striving for outstanding educational performance is embodied across the Trust;
 - 3.5.3.5 to provide direction and oversight to all of the Trust's operations;
 - 3.5.3.6 to line manage various staff members including each Headteacher and other staff who lead functional delivery areas that form part of the delivery of the Educational Services Team;

- 3.5.3.7 to manage the central operations of the Trust and the delivery of the key objectives of the functions delivered by the Educational Services Team;
- 3.5.3.8 to provide strong and effective leadership to the Trust staff to achieve the highest levels of performance and ensure a culture of continuous improvement;
- 3.5.3.9 to work effectively with the range of external stakeholders, including communities, parents, government, funding and regulatory bodies;
- 3.5.3.10 to ensure the highest standards of safeguarding and child protection are maintained across the Trust and in each Academy;
- 3.5.3.11 to oversee the effective management of risk within the Trust;
- 3.5.3.12 to ensure, as Accounting Officer, robust financial systems are in place so that the Trust's funds are used properly, efficiently and effectively;
- 3.5.3.13 to ensure the Trust's internal communications with staff, pupils, parents and governors. are effective;
- 3.5.3.14 to develop the relationship that the Trust has with the Secretary of State for Education (including also the Department for Education, the Education Funding Agency, the Regional Schools Commissioner and Ofsted);
- 3.5.3.15 to develop strategic partnerships with other bodies and organisations, including service providers, which will further the Trust's strategic plan;
- 3.5.3.16 to represent the Trust to key external partners, the media and the public on a national platform.

3.6 **The Role of the Educational Services Team**

- 3.6.1 The “**Educational Services Team**” is made up of the key leads that oversee functional operations and resources on a pan Trust basis (including teaching & learning, standards, academy improvement, HR, finance, school premises, health and safety, risk management and ICT) to support the educational performance of the Academies. The Educational Services Team works directly with the staff in each Academy to ensure that the Trust's strategic plan (incorporating each Academy Improvement Plan) is being implemented and

the required outcomes are achieved in accordance with the strategy and vision of the Trust Board. The individuals who form the Educational Services Team operate under the leadership and direction of the Chief Executive Officer.

- 3.6.2 Each functional lead within the Educational Services Team has individual responsibilities, performance targets and are managed directly by the Chief Executive Officer. The Educational Services Team as a body has no executive authority or responsibility, as all functions that it delivers are the responsibility of an individual with the team.
- 3.6.3 The Educational Services Team will seek input and advice from internal and external experts, including the Leadership Group (see paragraph 3.7 below), and may on occasion seek to utilise and/or deploy staffing resources (on a temporary or permanent basis) for the benefit of the Trust as a whole.
- 3.6.4 The Educational Services Team supports the Chief Executive Officer in delivering the following specific tasks and responsibilities:
 - 3.6.4.1 to manage the processes for schools joining the Trust (including carrying out appropriate due diligence and identifying any actions required to address areas of weakness or opportunities for improvement);
 - 3.6.4.2 to support Academies to improve educational outcomes through the provision of academy improvement services;
 - 3.6.4.3 to advise on, facilitate, supplement or provide (as necessary) any operational or managerial support to each Academy, with regard to the core functions overseen by the Educational Service Team in accordance with the requirements of the Trust Board;
 - 3.6.4.4 to specify management controls and management reporting requirements, audit the associated processes, procedures and outcomes in each Academy, and identify and ensure the delivery of appropriate training and support;
 - 3.6.4.5 to provide operational and management support to the Headteachers and senior leadership teams within the Academies;
 - 3.6.4.6 to assist the Trust, by supporting the Local Governing Committees, to achieve the collective strategic aims and objectives of the Academies;

- 3.6.4.7 to advise on staffing structures within each Academy, identifying areas and implementing plans where collaboration will lead to improvements in teaching and learning and/or efficiencies;
 - 3.6.4.8 to implement and review systems for the benchmarking of the Academies across the Trust, developing systems for cross fertilisation and supporting the Chief Executive Officer in maximising the opportunities for resource sharing and collaboration;
 - 3.6.4.9 to build and keep under constant review a comprehensive risk management framework ensuring risk management strategies are executed appropriately across the Trust and in each Academy (including the adequacy of insurance);
 - 3.6.4.10 to undertake the strategic management of the Trust's estate, including drawing up a strategic asset plan which identifies areas in need of expansion and/or development and areas likely to be surplus to requirements;
 - 3.6.4.11 to take a lead on any capital bids and allocations, supporting each Academy's premises team to carry out works safely and cost effectively;
 - 3.6.4.12 to support each Academy and Local Governance Committee in the development of its financial planning and reporting in the context of the respective Academy's strategic goals and vision and strategy of the Trust;
 - 3.6.4.13 to seek out and apply for grant funds for the Trust and each Academy and to raise further discretionary funds from the DfE/LA and third party sources; and
 - 3.6.4.14 to aid the Chief Executive Officer in reporting appropriately to the Trust Board.
- 3.6.5 The cost of the functions undertaken by the Chief Executive Officer and Educational Services Team will be funded on a fair basis by the Academies by the contribution of a percentage of the government funding provided to each Academy (the "**Trust Contribution**"). This contribution will be set each year based upon a budget for the shared costs approved by the Trust Board. The percentage will vary from year to year depending on the level of activity carried out by the Educational Services Team and any additional specific needs determined to be necessary by the Trust Board for an individual Academy.

3.7 **The Role of the Leadership Group**

- 3.7.1 The “**Leadership Group**” will be drawn from the senior leading educators within the Trust (E.G. Headteachers, Deputy Headteachers and The Improvement Lead) and will be led by the Chief Executive Officer. It is advisory only and acts to support the Chief Executive Officer with a particular focus on educational standards and outcomes.
- 3.7.2 The size and membership of the Leadership Group will be determined by the Chief Executive (but will be made up of no more than 8 members) in consultation with the Trust Board.
- 3.7.3 Where the Trust is responsible for Academies that deliver education across different phases, the Trust Board expect the Leadership Group to include leaders from the various phases.
- 3.7.4 The Leadership Group supports the Chief Executive Officer in delivering the following specific tasks and responsibilities:
 - 3.7.4.1 to improve and sustain the standards of teaching and learning across the Trust;
 - 3.7.4.2 to propose appropriate educational standards to the Trust Board for all Academies;
 - 3.7.4.3 to develop the professional competence of the staff;
 - 3.7.4.4 to consider succession planning and career development of the staff;
 - 3.7.4.5 to cross fertilise improvement and ensure collaboration delivers better outcomes for children;
- 3.7.5 The Leadership Group will meet at least termly and will be chaired the Chief Executive Officer. Members of the Leadership Group will give their time freely for the benefit of the Trust.

3.8 **The role of the Local Governance Committee**

- 3.8.1 The Trust Board has determined to establish a “**Local Governance Committee**” for each Academy. The overarching purpose of a Local Governance Committee is to provide strategic direction, support and local accountability for the performance of the relevant Academy within the

framework and parameters set by the Trust Board. It is a non-executive body supporting the Trust Board to deliver its responsibilities.

- 3.8.2 Those serving on Local Governance Committees are accountable to the Trust Board and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience. LGC members of the Local Governance Committee must comply with the Trust's Conflict of Interest Policy.
- 3.8.3 The **Job Description and Person Specification incorporating a Code of Conduct and Role Responsibilities for members of a Local Governance Committee (an "LGC member")** is set out in Appendix 6. Specific skills may be needed if an individual is to take responsibility for and lead on a specific area, or to undertake the role of Chair of the Local Governance Committee. An annual skills audit will be undertaken in which LGC members will be asked to articulate their contribution to the success of the Trust and the Academy in the period of review.
- 3.8.4 The main tasks and responsibilities of the Local Governance Committee are as follows, with further detail set out in Section 4 of this Scheme of Delegation:
- 3.8.4.1 within the vision and ethos set by the Trust, to develop and monitor the vision and ethos of the Academy;
 - 3.8.4.2 to approve the Academy's strategy for improvement as set out in its Academy Improvement Plan (proposed by the Headteacher and the Chief Executive Officer) and monitor its implementation;
 - 3.8.4.3 to support the Headteacher and senior leadership team in monitoring pupil progress and analysing any performance data in the light of the Academy's strategy for improvement and performance targets;
 - 3.8.4.4 to support the Trust Board in providing scrutiny of key aspects of the Academy's performance as determined by the Trust Board;
 - 3.8.4.5 to recommend the Academy's annual budget to the Trust Board having appropriately considered the priorities of the Academy and the deployment of resources (staff and other) needed to successfully deliver the planned outcomes;

- 3.8.4.6 to approve the progression of staff between pay grades ensuring any progression complies with the Trust's Pay Policy as amended from time to time;
 - 3.8.4.7 to contribute to the development and review of any Academy policies which the Trust Board has determined should be formulated at Academy level and to be specifically approved by the Local Governance Committee;
 - 3.8.4.8 to promote the benefits of collaboration with the other Academies;
 - 3.8.4.9 to oversee the development of effective links with the community that the Academy serves, ensuring communication is open and effective in order to meet the Academy's responsibilities to the community;
 - 3.8.4.10 to support the Headteacher in marketing the Academy to the local community and its feeder schools;
 - 3.8.4.11 to report to the Trust Board in such format and on such regularity as the Trust Board determines; and
 - 3.8.4.12 to engage fully and openly with any inspection of the Academy, whether by the Trust Board, Ofsted or any other appropriate public body to whom the Academy is accountable, supporting the Chief Executive Officer and the Trustees in providing the necessary background and local context in respect of the Academy and its performance.
- 3.8.5 The Trust Board recognises the role that the Academies play in their communities and the Local Governance Committee is free to decide how such support and patronage is given. The Local Governance Committee shall ensure that any support or patronage is not inconsistent with the objects of the Trust, the restrictions on the use of its charitable resources and any advice or restriction placed on the Trust by the Secretary of State.

3.9 **Committees**

- 3.9.1 Subject to the provisions of the Articles of Association, the Trust Board may establish any other committee or working group to advise, inform and support the Trustees in their decision making.

3.9.2 Local Governance Committees will only establish sub-committees with the formal approval of the Trust Board.

3.10 Further Delegation

3.10.1 Notwithstanding the level of delegated responsibility, the Trustees 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.

3.10.2 Where a power or function has been delegated to the Chief Executive Officer, the Chief Executive Officer may further delegate to Headteachers or any other holder of an executive or leadership post, such of their powers or functions as they consider desirable to be exercised by the recipient. Any such delegation shall be consistent with any policy or statement of recommended practice issued from time to time by the Trust Board, may be subject to conditions or requirements imposed by the Trust Board and may be revoked or altered by the Trust Board at any time.

3.10.3 Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of that authority. Any wilful disregard of the matters expressed in this Scheme of Delegation is likely to lead to a removal of delegated authority. Where any power or function is delegated to an individual or a body with the Trust, it is beholden on the delegated party to report to the party from whom the delegation was given in a timely and appropriate manner regarding any material outcomes resulting from such delegation.

3.10.4 No alteration of the Articles or change to this Scheme of Delegation or removal of delegated authority shall invalidate any prior act of those to whom delegated responsibility was given which would have been valid if that alteration or withdrawal had not been made. Intervention.

4. INTERVENTION

4.1 In the event that intervention is either formally threatened or is carried out by the Secretary of State, the Trust Board expressly reserves the right to review or remove any power or responsibility conferred on the Local Governance Committee under this Scheme of Delegation in such circumstances. Transitional arrangements may be put in place and the terms of reference for a “**Transition Board**” are set out in Appendix 8 to this Scheme of Delegation.

5. TERMS OF REFERENCE FOR THE LOCAL GOVERNANCE COMMITTEES AND THE ROLE OF THE HEADTEACHER

5.1 Responsibilities

5.1.1 In this Scheme of Delegation, responsibilities that are delegated to the Headteacher or the Local Governance Committee apply only to the roles undertaken in the respective Academy in which the individual or body operates.

5.2 Subsidiarity of the Local Governance Committee

5.2.1 As a matter of general principle, the Local Governance Committee and the Academy more generally 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 by the Trust Board of the Chief Executive Officer.

5.3 Vision, Values and Strategy

5.3.1 The Local Governance Committee will:

5.3.1.1 within the vision and ethos set by the Trust, develop and monitor the vision, ethos and culture of the Academy;

5.3.1.2 approve the Academy's strategy for improvement as set out in its Academy Improvement Plan (proposed by the Headteacher and the Chief Executive Officer) and monitor its implementation.

5.3.2 The Headteacher will:

5.3.2.1 support the Governing Body in the development of its vision and the Academy's values and promote these within the Academy;

5.3.2.2 be responsible for preparing the Academy Improvement Plan in conjunction with the Chief Executive Officer.

5.4 Academy Budget

5.4.1 The Local Governance Committee will:

5.4.1.1 recommend the Academy's annual budget to the Trust Board having appropriately considered the priorities of the Academy and the deployment of resources (staff and other) to successfully deliver the necessary outcomes;

5.4.1.2 be responsible for approving any plan to raise voluntary (i.e. non grant) funds (including any restricted funds) provided the purpose for which they have been raised is within the charitable object of the Trust. An Academy 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, providing and supporting ICT and other administrative services.

5.4.2 The Headteacher will:

5.4.2.1 ensure that accurate accounting records are kept by the Academy showing the receipt and use of all funds (including voluntary funds) and the extent to which such funds are restricted;

5.4.2.2 ensure compliance with the requirements of the Trust's Financial Regulations Manual, the Academy's Finance Policy, the Academies Financial Handbook and any other relevant Trust/Academy policies;

5.4.2.3 provide management accounts in an approved format to the Chief Financial Officer at least half termly (six times per year) and as otherwise requested by the Finance and Audit Committee;

5.4.2.4 provide such information about the Academy, as often and in such detail and format as the Chief Financial Officer and the Finance and Audit Committee shall reasonably require.

5.4.3 The Trust's Chief Financial Officer will:

5.4.3.1 develop the Trust's financial controls, policies and procedures to ensure the safeguarding of funds and assets in compliance with relevant guidance and advice.

5.4.3.2 monitor the Academy's compliance with such financial controls, policies and procedures.

5.4.4 The Trust Board will:

5.4.4.1 be responsible for approving any plan where a proposed activity does not fall within the charitable object of the Trust.

5.5 Curriculum and Standards

5.5.1 The Chief Executive Officer will:

5.5.1.1 Have overall responsibility for agreeing the curriculum priorities, targets and Academy Improvement Plan of each Academy within the parameters set by the Trust Board.

5.5.2 The Headteacher will:

5.5.2.1 be responsible for proposing to the Chief Executive Officer the curriculum priorities, the standards to be achieved by the pupils and the Academy Improvement Plan;

5.5.2.2 be responsible for delivering the curriculum on a day to day basis and for implementing any strategic plan for the improvement of the curriculum, standards & attainment and the Academy Improvement Plan.

5.5.3 The Local Governance Committee will:

5.5.3.1 monitor and evaluate the curriculum offering to ensure it meets the needs of the local community that the Academy serves;

5.5.3.2 monitor pupil progress and review performance data in the light of the Academy's strategy for improvement and its performance targets;

5.5.3.3 monitor the implementation of any strategic plan and the Academy Improvement Plan;

5.5.3.4 promote and support the communication of plans and actions to pupils, staff and parents as need be.

5.6 **Health and safety**

5.6.1 The Trust Board will:

5.6.1.1 agree the main policies to be operated across the Trust with regard to health & safety (including safeguarding);

5.6.1.2 appoint a Trustee to lead the oversight of health & safety (including safeguarding) across the Trust.

5.6.2 The Chief Executive Officer will:

5.6.2.1 develop and propose all policies, practice and procedures to be operated across the Trust with regard to health & safety (including safeguarding);

5.6.2.2 ensure that each Academy adopts and is compliant with all health & safety policies, practice and procedures as determined by the Trust Board and the Chief Executive Officer.

5.6.3 The Local Governance Committee will:

5.6.3.1 monitor the health and safety culture operating in the Academy and report by exception any concerns to the Trust Board and the Chief Executive Officer.

5.6.4 The Headteacher will:

5.6.4.1 ensure compliance with all health and safety (including safeguarding) policies, practice and procedures as determined by the Trust Board and the Chief Executive Officer;

5.6.4.2 consider and develop complementary procedures where the Academy has specific health and safety requirements;

5.6.4.3 engender a culture that promotes health and safety;

5.6.4.4 report any health and safety (including safeguarding) incidents and near misses to the Chief Executive Officer.

5.7 Personnel

5.7.1 The Trust Board will:

5.7.1.1 unless otherwise delegated on an individual basis, appoint the Headteacher and Deputy Headteacher of each Academy taking into account any recommendation of the Chief Executive Officer;

5.7.1.2 agree the main policies to be operated across the Trust with regard to the management of staff (including Pay Policy and the Performance Management Policies);

5.7.1.3 approve any disciplinary action or the commencement of a capability review in respect of a Headteacher (as recommended by the Chief Executive Officer);

5.7.2 The Chief Executive Officer will:

5.7.2.1 lead the performance management of the Headteacher engaging two LGC members in the process;

- 5.7.2.2 advise on the appointment of all senior leaders;
 - 5.7.2.3 agree the senior leadership team and TLR structure in each Academy;
 - 5.7.2.4 approve any significant cost 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 in accordance with the Scheme of Financial Delegation;
 - 5.7.2.5 approve any initial disciplinary action or the commencement of a capability review in respect of staff other than the Headteacher;
 - 5.7.2.6 review and recommend progression of staff between pay grades ensuring any progression is objectively based and consistently applied across the Trust.
- 5.7.3 The Local Governance Committee will:
- 5.7.3.1 through the Chair's involvement on the selection panel participate in the recruitment of the Headteacher;
 - 5.7.3.2 approve the progression of staff between pay grades ensuring any progression is objectively based on successful performance management outcomes.
- 5.7.4 The Headteacher will:
- 5.7.4.1 implement and comply with all policies dealing with staff issued by the Trust Board;
 - 5.7.4.2 ensure the adoption of any standard contracts or terms and conditions for the employment of staff issued by the Trust Board;
 - 5.7.4.3 develop and propose the organisation of the senior leadership team and TLR posts to support the delivery of the curriculum and bring about school improvement;
 - 5.7.4.4 appoint all staff below the level of the Senior Leadership Team;
 - 5.7.4.5 propose any progression of staff between pay grades to the Chief Executive Officer and then to the Local Governance Committee;
 - 5.7.4.6 set and monitor the achievement of performance management targets for all staff;

5.7.4.7 ensure the professional and personal development of staff including making best use of any training and support available from or procured by the Educational Services Team;

5.7.4.8 manage any claims and disputes with staff members having regard to any advice and recommendations given by the Chief Executive Officer and the Trust's HR Lead.

5.8 **Admissions and Exclusions**

5.8.1 The Trust Board will:

5.8.1.1 set the admissions policy across the Trust;

5.8.1.2 determine whether to expand an Academy;

5.8.1.3 establish and authorise an independent appeal panel to manage any appeal against admissions.

5.8.2 The Chief Executive Officer will:

5.8.2.1 review the admissions policy from time to time and, if a change is believed to be in the best interests of the Trust, make such recommendations to the Trust Board;

5.8.2.2 be responsible for developing the proposal to expand an Academy having regard to the views of the Headteacher, the Local Governance Committee and the local community;

5.8.3 The Local Governance Committee will:

5.8.3.1 consider any decision by the Headteacher to permanently exclude any pupil;

5.8.3.2 establish and authorise an independent panel hearing to consider any decision to readmit a pupil following exclusion.

5.9 **Premises**

5.9.1 The Trust Board will:

5.9.1.1 approve the overall asset management strategy for the premises owned or managed by the Trust;

- 5.9.1.2 determine any disposals or acquisitions of land to be used by the Trust;
- 5.9.2 The Chief Executive Officer, through an appropriate member of the Educational Services Team, will:
 - 5.9.2.1 develop, propose and, once approved, implement an overall asset management strategy for the premises owned or managed by the Trust;
 - 5.9.2.2 have overall responsibility for the management and maintenance of the premises owned or managed by the Trust giving due consideration of the estate management strategies of each Academy;
 - 5.9.2.3 make applications for grants and other capital funding to improve the estate of the Trust.
- 5.9.3 The Local Governance Committee will:
 - 5.9.3.1 monitor the culture and the implementation of the strategic plans to ensure a safe environment for all users of the buildings and the facilities.
- 5.9.4 The Headteacher will:
 - 5.9.4.1 be responsible for the day to day environment having regard at all times to the safety of the users of the buildings and the facilities;
 - 5.9.4.2 develop, with the support the Educational Services Team, a long term estate management strategy to ensure the suitability of building and facilities in light of long term curriculum needs;
 - 5.9.4.3 be responsible for, within the constraints of the Academy Budget, the upkeep, maintenance and care of the buildings and facilities used by the Academy;
 - 5.9.4.4 attract and manage short term lettings and day to day use of the school buildings and playing fields under such lets.

5.10 **Community Activities and Community Engagement**

- 5.10.1 The Headteacher will:
 - 5.10.1.1 develop and deliver the Academy's extended schools agenda;

5.10.1.2 develop and deliver any other activities designed to generate income (following input from the Education Services Team on any wider financial/fiscal impact of any such initiative);

5.10.1.3 manage the Academy's engagement with the community and in particular the development of good relations with other local schools, businesses and organisations.

5.10.2 The Local Governance Committee will:

5.10.2.1 encourage and monitor community engagement and consultation.

5.11 Risk Management

5.11.1 The Trust Board will:

5.11.1.1 ensure a comprehensive risk management framework and appropriate risk management strategies are put in place and maintained across the Trust.

5.11.2 The Chief Executive Officer, through an appropriate member of the Educational Services Team, will

5.11.2.1 be responsible for the identification and effective management of risk across the Trust.

5.11.3 The Headteacher will:

5.11.3.1 support the Education Services Team to identify risks;

5.11.3.2 oversee the implementation of all risk management strategies within the Academy guided by the Education Services Team.

5.11.4 The Local Governance Committee will:

5.11.4.1 keep under review the Academy's risk register and seek assurance that risk management is effectively carried out;

5.11.4.2 report to the Trust Board and the Chief Executive Officer any perceived material vulnerability that is not addressed in a timely and effective manner.

6. FUNCTIONING OF THE LOCAL GOVERNANCE COMMITTEE

6.1 Constitution and appointments to the Local Governance Committee

- 6.1.1 A Local Governance Committee shall be established for each of the Academies comprising between 6 and 12 members (“**LGC members**”). 1 LGC member shall be an elected parent and 1 LGC member shall be an elected member of the Academy’s staff (who shall not be a member of the senior leadership Team). The Trust Board in consultation with the Chief Executive Officer shall determine final number of LGC members. LGC Members will be selected (where not elected) based on skills, knowledge and attributes.
- 6.1.2 Neither the Headteacher nor other members of the Academy’s senior leadership team can become LGC members.
- 6.1.3 The Local Governance Committee is responsible for sourcing and appointing LGC members having regard to any recommendations from the Trust Board. The Trust Board may however determine, as it sees fit, to appoint LGC members to a Local Governance Committee.
- 6.1.4 The Local Governance Committee may continue to act notwithstanding a temporary vacancy in its composition.
- 6.1.5 Any LGC member shall hold and vacate office in accordance with the terms of his or her appointment, including the length of term, which may be varied on appointment by the Local Governance Committee, but shall in no circumstances exceed four years.
- 6.1.6 Subject to remaining eligible to be an LGC member, any LGC member may only be re-appointed for consecutive periods not exceeding 8 years in total and thereafter an LGC member shall not be eligible for re-appointment until one year after his or her retirement, unless agreed by the Trustee Board that he or she shall be eligible to serve for a further consecutive term.
- 6.1.7 All persons appointed or elected to the Local Governance Committee shall give a written undertaking to the Trust Board to uphold the charitable object and mission of the Trust, and comply with the Articles of Association, the Funding Agreement(s), this Scheme of Delegation, the Code of Conduct and the Governance Handbook.
- 6.1.8 The Local Governance Committee has no power to co-opt LGC members but advisers (including members of staff in the Academy) may attend meetings but cannot participate in any vote taken by the Local Governance Committee. It is

expected that at most meetings of the Local Governance Committee, the Headteacher and other members of the Senior Leadership Team will be in attendance. Any Trustee and the Chief Executive Officer may attend any meeting of the Local Governance Committee without invitation (but does so as an observer and not as an LGC member).

6.2 Resignation and Removal of LGC members

6.2.1 A person serving on the Local Governance Committee shall cease to hold office if he or she resigns his or her office or is removed by the Trust Board by notice (which the Trustees reserve the power to do without the need to provide any reasons for removal).

6.2.2 If any person who serves on the Local Governance Committee is elected from within the staff ceases to be employed at the Academy then he or she shall be deemed to have resigned and shall cease to serve on the Local Governance Committee automatically on termination of his or her employment with the Academy.

6.2.3 Where a person who serves on the Local Governance Committee 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 Clerk of the Local Governance Committee.

6.3 Disqualification of LGC members

6.3.1 A person shall be ineligible to serve on the Local Governance Committee if he or she:

6.3.1.1 is aged under 18 at the date of his or her election or appointment;

6.3.1.2 is a current pupil of any Academy.

6.3.2 A person serving on the Local Governance Committee shall automatically and immediately cease to hold office if:

6.3.2.1 he or she is absent from all the meetings of the Local Governance Committee held within a period of six months and the Local Governance Committee resolves that his or her office be vacated;

6.3.2.2 he or she becomes incapable by reason of illness or injury of managing or administering his or her own affairs;

- 6.3.2.3 he or she would cease to be a Trustee by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision);
 - 6.3.2.4 he or she becomes disqualified from serving on the Local Governance Committee under 6.3.3 below.
- 6.3.3 A person shall be disqualified from serving on the Local Governance Committee if:
- 6.3.3.1 his or her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
 - 6.3.3.2 he or she is the subject of a bankruptcy restrictions order or an interim order;
 - 6.3.3.3 he or she is subject to a disqualification order or a disqualification undertaking under Company 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);
 - 6.3.3.4 he or she has been removed from the office of charity trustee or trustee for 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;
 - 6.3.3.5 he or she has 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;
 - 6.3.3.6 he or she has not provided to the Clerk a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997 within the timeframe given in the request;
 - 6.3.3.7 his or her enhanced disclosure level certificate discloses any information which in the reasonable opinion of either the Clerk or

the Chief Executive Officer confirms their unsuitability to work with children.

- 6.3.4 Where a person becomes disqualified from serving on the Local Governance Committee, 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 Clerk.

6.4 Responsibilities of LGC members

- 6.4.1 The responsibilities of the Local Governance Committee are defined in detail in paragraph 3.8 and paragraph 5 in this Scheme of Delegation.

- 6.4.2 LGC members have a more general responsibility to:

6.4.2.1 question and challenge the Academy leadership and to robustly hold them to account;

6.4.2.2 act in the best interests of the Trust and Academy at all times;

6.4.2.3 keep confidential all information of a confidential nature obtained by them relating to the Academy and the Trust;

6.4.2.4 carry out training to ensure their skills and knowledge are up to date; and

6.4.2.5 take part in regular self-review.

6.5 Appointment and Duties of the Chair and Vice-Chair

- 6.5.1 The LGC members shall at their first meeting in the school year, having regard to any advice of the Trust Board, elect a Chair and a Vice-Chair from among their number (any person who is employed by the Trust to work at any of the Academies shall be ineligible for holding such office). The process will be by self-nomination and candidates must advise the Clerk of their candidacy at least 7 clear days prior to the relevant meeting. The appointment following election is subject to the approval of the Trust Board.

- 6.5.2 The Chair's specific duties are to:

6.5.2.1 provide clear leadership and direction to the work of the Local Governance Committee ensuring strategic leadership and school improvement are the focus of its activities;

6.5.2.2 build an effective team, attracting individuals to the Local Governance Committee with the necessary skills and experience,

- promoting equality and diversity, ensuring LGC members make a positive contribution to driving school improvement and undertaking development to maximise their potential contribution;
- 6.5.2.3 work closely with the Headteacher and the Chief Executive Officer to ensure there is robust challenge and appropriate encouragement;
 - 6.5.2.4 hold the LGC members to account;
 - 6.5.2.5 ensure the business of the Local Governance Committee is conducted efficiently and effectively, chairing meetings ensuring all LGC members have the opportunity to contribute and are listened to with clear decisions being made when necessary;
 - 6.5.2.6 ensure the Local Governance Committee reports formally to the Trustee Board in such format and as regularly as determined by the Trustee Board.
- 6.5.3 The Chair or Vice-Chair may at any time resign his office by giving notice in writing to the Clerk of Local Governance Committee. The Chair or Vice-Chair shall cease to hold office if:
- 6.5.3.1 he or she ceases to serve on the Local Governance Committee;
 - 6.5.3.2 he or she is employed by the Trust whether or not at the Academy;
 - 6.5.3.3 he or she is removed from office in accordance with this Scheme of Delegation; or
 - 6.5.3.4 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.
- 6.5.4 Where by reason of any of the matters referred to in paragraph 6.5.3, a vacancy arises in the office of Chair or Vice-Chair, the LGC members shall at its next meeting elect one of their number to fill that vacancy (the appointment following election being subject to the approval of the Trust Board). If the Local Governance Committee fails to appoint a Chair (or that LGC member is not approved to hold such office by the Trust Board, the Trust Board may appoint a temporary Chair either from the existing LGC members or by appointing a new LGC member and determining they shall be Chair).

- 6.5.5 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.
- 6.5.6 Where in the circumstances referred to in paragraph 6.5.5. the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the LGC members of the Local Governance Committee shall elect one of their number (other than an LGC member who is on the staff of the Academy) to act as a chair solely for the purposes of that meeting.
- 6.5.7 The Clerk shall act as chair during that part of any meeting at which the Chair is elected.
- 6.5.8 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.
- 6.5.9 The Chair or Vice-Chair may be removed from office by the Trust Board at any time (without the need to provide any reasons for the removal).

6.6 **Clerking**

- 6.6.1 The Local Governance Committee shall appoint a Clerk on such term, at such remuneration and upon such conditions as they may think fit having taken advice from the Educational Services Team and subject to the ratification of the Trust Board.
- 6.6.2 The Clerk shall not be an LGC member.
- 6.6.3 All Local Governance Committee meetings shall be professionally clerked.
- 6.6.4 Notwithstanding this paragraph 6.6, LGC members may, where the Clerk fails to attend a meeting, appoint any one of their number or any other person to act as clerk for the purposes of that meeting.
- 6.6.5 The Clerk to the Local Governance Committee shall ensure that a copy of the agenda for every meeting of the Local Governance Committee, the draft minutes of every such meeting (once they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting (including any handed out at the meeting) are, as soon as is reasonably practicable, made available to all LGC members, the Trust Board, the Chief Executive Officer and Educational Services Team.

6.6.6 The minutes of the proceedings of a meeting of the Local Governance Committee shall be drawn up and entered into a book (electronic or otherwise) kept for the purpose by the Clerk of the Local Governance Committee and shall be signed (subject to the approval of the LGC members) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:

6.6.6.1 all appointments of officers made;

6.6.6.2 the names of all persons present at each such meeting; and

6.6.6.3 all proceedings of the meetings.

6.7 Meetings

6.7.1 The Local Governance Committee will meet at least once a half term.

6.7.2 An LGC member will notify the Local Governance Committee of any conflict of interest that they consider they have with regard to any matter to be discussed at any meeting of the Local Governance Committee.

6.7.3 Any LGC member who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Governance Committee at which remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement regarding any specific member of staff are to be considered.

6.7.4 Meetings of the Local Governance Committee shall be convened by the Clerk as directed by the Chair (or in extremis by the Trust Board).

6.7.5 Any three LGC members may, by notice in writing given to the Clerk, requisition a meeting of the Local Governance Committee and determine items to be included on the agenda of the meeting; and it shall be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable.

6.7.6 Subject to this Scheme of Delegation and provided the Local Governance Committee complies with any requirements of the Trust Board regarding specific business to be conducted, the Local Governance Committee may regulate its proceedings as it sees fit, provided at all times that there is openness and transparency in matters relating to the Local Governance Committee.

6.7.7 LGC members of the Local Governance Committee shall be given at least seven clear days before the date of a meeting:

6.7.7.1 notice of the meeting; and

6.7.7.2 a copy of the agenda for the meeting;

provided that where the Chair or, in his/her 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 notice of a meeting, and the copy of the agenda thereof are given within such shorter period as he/she directs. In such circumstances only matters specifically included on the agenda may be discussed and determined at that meeting.

6.7.8 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received notice of the meeting or a copy of the agenda thereof.

6.7.9 A resolution to rescind or vary a resolution carried at a previous meeting of the Local Governance Committee shall not be proposed at a meeting of the Local Governance Committee unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.

6.7.10 A meeting of the Local Governance Committee shall be terminated forthwith if:

6.7.10.1 the LGC members so resolve; or

6.7.10.2 the number of LGC members present ceases to constitute a quorum for a meeting of the Local Governance Committee in accordance with paragraph 6.8.

6.7.11 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, the Clerk will give notice of the further meeting to be convened 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.

6.8 **Quorum for meetings**

6.8.1 The quorum for a meeting of the Local Governance Committee, and any vote on any matter thereat, shall be three.

6.8.2 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Local Governance Committee shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every

LGC member shall have one vote. In the event of a tied vote, the chair of the meeting shall not have a casting vote, unless a second vote is conducted following further discussion and that vote is again tied.

6.8.3 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the Local Governance Committee, shall be valid and effective as if it had been passed at a meeting of the Local Governance Committee duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the LGC members and may include an electronic communication by or on behalf of the LGC member indicating his or her agreement to the form of resolution providing that the LGC member has previously notified the Clerk of the Local Governance Committee in writing of the email address which the LGC member uses to express their agreement.

6.8.4 Subject to paragraph 6.8.5, the Local Governance Committee shall ensure that a copy of:

6.8.4.1 the agenda for every meeting of the Local Governance Committee;

6.8.4.2 the draft minutes of every such meeting, (once they have been approved by the person acting as chair of that meeting);

6.8.4.3 the signed minutes of every such meeting; and

6.8.4.4 any report, document or other paper considered at any such meeting,

are, as soon as is reasonably practicable, made available at the Academy to anyone asking to see them.

6.8.5 There may be excluded from any item required to be made available in pursuance of paragraph 6.8.4, any material relating to:

6.8.5.1 a named teacher or other person employed, or proposed to be employed, at the Academy or the Trust;

6.8.5.2 a named pupil at, or candidate for admission to, the Academy; and

6.8.5.3 any matter which, by reason of its nature, the Local Governance Committee reasonably determines should remain confidential.

6.8.6 Any LGC member shall be able to participate in meetings of the Local Governance Committee by telephone or video conference provided that:

6.8.6.1 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 24 hours before the meeting; and

6.8.6.2 the Local Governance Committee 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 to be given to or by any person pursuant to this Scheme of Delegation shall be in writing.

6.9.2 Notice may be given either personally, or by sending it by post in a prepaid envelope or by means of electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Scheme of Delegation, "address" shall mean his or her registered address or in relation to electronic communications, includes a number or address used for the purposes of such communications for the time being notified to the Clerk of the Local Governance Committee by the LGC member.

6.9.3 An LGC member whose registered address is not within the United Kingdom and who gives to the Local Governance Committee an address within the United Kingdom at which notices may be given to him or her, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him or her at that address, but otherwise the LGC member shall not be entitled to receive any notice with respect to a Local Governance Committee meeting.

6.9.4 An LGC member present at any meeting of the Local Governance Committee shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.

6.9.5 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 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 2 working days after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of one working day after the time it was sent.

APPENDIX 1

FINANCIAL REGULATIONS MANUAL

Budgeting and Reporting

Role	Value	Delegated Authority	Method	Review Period
Budget setting process		CEO and Headteacher	Agree academy improvement priorities	Annual
		Academy Headteacher and Management team	Draft budget plan	Annual
		CEO and Headteacher	Agree budget plan	Annual
		Trust Board	Approval and overall monitoring	Annual
Budget holders responsibilities	As per the individual budgets set	Headteacher, SLT and other budget holders	Budget monitoring is the responsibility of the budget holder and must not be overspent at any time during the year unless through prior agreement from the appropriate authorisation level.	Monthly
Role	Value	Delegated Authority	Method	Review Period
Monthly Management Accounts		School business manager and Headteacher in conjunction with Finance Consultants	All transactions to be processed and reconciled by the academies finance staff for the timely checking and production of the monthly management accounts and governors reports as per the Financial Timetable.	Monthly

Role	Value	Delegated Authority	Method	Review Period
Virements	Up to £10,000	Headteacher/Chief Executive Officer	Must be disclosed to the Finance Committee.	As necessary
	Over £10,001	Finance Committee	Must be approved by the Finance committee.	As necessary
EFA Reporting		Headteacher, Chief Executive Officer/Accounting Officer in conjunction with the Trust's Auditors and Financial Consultants	An annual Financial Reporting Timetable will be released by the EFA dates and requirements will be included on this timetable.	As necessary to ensure compliance

Income

Role	Value	Delegated Authority	Method	Review Period
Collection and receipt of cash and cheques	Any	School business manager or delegated administration assistant	Cash must be receipted by the person with delegated authority and recorded in the appropriate ledger. All on site cash and cheques must be locked in the safe until banking	Daily
Sales invoices	Up to £15,000	Business Manager	All sales invoices must be processed through the financial management system, and issued in a timely manner.	As required
	£15,001 to £100,000	As above plus Headteacher	Headteacher to authorise the issuing of sales invoices above £15,001, and then as above.	As required
	Over £100,001	Finance Committee	Finance committee to approve the issuing of sales invoices above £100,001, and then as above	As required
Banking of cash and cheques	Any	School business manager or delegated administration assistant	Cash and cheques should be banked on a regular basis and should not be allowed to accumulate above £1,000. Banking should be checked and agreed by another member of staff before being banked and should relate back to receipts issued.	As required
Reconciliation of bank accounts		School business manager or delegated administration assistant or finance consultant	Bank accounts should be reconciled at least on a monthly basis by someone other than the person doing the banking. Bank reconciliations should then be signed dated and filed.	Monthly

Petty Cash		School business manager of delegated administration assistant	Petty cash should be kept in a locked tin and stored in the school safe. Petty cash payments should be kept below £25. Receipts must be provided for any claim. Pre approval from the appropriate budget holder must be obtained before any purchases take place. Period checks should take place by finance consultant or responsible officer	Weekly
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Purchases and Payments

Role	Value	Delegated Authority	Method	Review Period
Purchase orders	Up to £1,000	School business manager and budget holders	Orders should be placed with approved suppliers unless agree otherwise with school business manager. Orders should be written on approved purchase order pro forma and authorised before being processed in the financial management system, and before order is placed with supplier. Approved paper based orders should be entered into the financial management system by someone other than the person who approved the order.	Monthly
	£1,001 to £5,000	Headteacher, Deputy and school business manager	As above and three quotes must be obtained. These can include both written and verbal.	Monthly
	£5,001 to £10,000	Headteacher and Deputy	As above however minimum three quotes must be written	Monthly
	£10,001 to £25,000	Headteacher and Deputy with notification to the Chief Executive Officer	As above however minimum three quotes must be written	Monthly
	Over £25,000	Trust Board as recommended by the Chief Executive Officer or the Chief Financial Officer	Formal tendering process, including advertising in OJEU if appropriate	Monthly
Payment by cheque or BACs	Up to £20,000	Two signatories required from either of the Headteacher, Deputy or business manager	Individual payments to any supplier to the value of £20,000 need to be signed by two individual in the delegated authority column. Cheques or payment notifications must be accompanied by authorised supporting documentation	As necessary
	£20,001 to £100,000	Two signatories including	Cheques or payment notification must be	As necessary

Role	Value	Delegated Authority	Method	Review Period
		one from the above list plus the Chief Executive Officer	accompanied by authorised supporting documentation	
	Above £100,000	Chief Executive Officer	Cheques or payment notification must be accompanied by authorised supporting documentation	As necessary
Charge Card	Limited to £5k	Headteacher, business manager and finance consultant	Must be kept in the safe when not in use. All transactions must be supported by a receipt. Orders should be placed only by card holder. Reconciliation should be checked by someone other than the person who places the orders.	Monthly
Standing orders and direct debits	As per limits for cheque of BACs payments	As per limits for cheque of BACs payments	As per limits for cheque of BACs payments	As necessary
Liabilities and Write-Offs	1% of total annual income or £45,000 (whichever is smaller) per single transaction. Cumulatively, 2.5% of total annual income in any one financial year per category of transaction where notified by the Trust Board. Otherwise cumulatively, 5% of total annual income in any one financial year per category of transaction.	Headteacher/Chief Executive Officer	Anything above these limits must be approved by Secretary of State through the EFA	Annual
Purchase or sale of any freehold property	Any	Trust Board EFA approval required	On recommendation of the Chief Executive Officer	Annual
Granting any leasehold or tenancy agreement	Any	Trust Board EFA approval required	On recommendation of the Chief Executive Officer	Annual
Taking up any leasehold or tenancy agreement for more than three years	Any	Trust Board EFA approval required	On recommendation of the Chief Executive Officer	Annual

Wages and Salaries

Role	Value	Delegated Authority	Method	Review Period
Appointment of Staff	Up to senior leadership team	Headteacher		Annual
	Deputies	Headteacher in consultation with the Chief Executive Officer		Annual
	Headteacher	Trust Board on the recommendation of the Chief Executive Officer [following recommendation of the Head Appointments Committee]		Annual
Payroll Processing		School business manager and Headteacher	School business manager to check monthly payroll and make any necessary changes or adjustments. Monthly payroll and any changes must be authorised and signed off on by the Headteacher. Payroll reports and payments made will be checked and agreed by the finance consultant on a monthly basis.	Monthly
Contracts of employment		School business manager or delegated administration assistant	All employee contracts need to be kept up to-date. Any contract changes need to be authorised by the appropriate authority level as per (Appointment of staff) authority and filed in the staff members file. These contracts will be periodically checked by the responsible officer and the auditors.	As required

One-off Payments (e.g. in settlement of claims, ill health retirements, bonuses and golden handshakes)	Any	Headteacher and Chief Executive Officer		
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Assets

Role	Value	Delegated Authority	Method	Review Period
Fixed asset register	£2,000	Business manager or on-site ICT staff member	All assets to the value of £2,000 either individually or as a group will need to be recorded in the asset register.	Monthly and annually

APPENDIX 2

SUMMARY OF KEY DELEGATED RESPONSIBILITIES

Members	Trustees	Members of Local Governance Committee
<ul style="list-style-type: none"> • determine constitution • oversee the Trustees • recognise any strategic partnerships • delegate governance and management responsibility to the Trustees (formally appoint the Trustees) 	<ul style="list-style-type: none"> • determine strategic vision and overarching strategic plan • provide strategic leadership and governance • provide challenge and support to senior leaders • develop and decide strategic and operational policies • facilitate collaboration • co-ordinate and oversee shared services and resources • develop and oversee the implementation of action plans • set performance benchmarks • determine curriculum priorities • set overall Trust budget and approve of Academy budgets • monitor expenditure in accordance with appropriate authorisations • develop and implement a risk management strategy • determine the Trust's reserves/contingency policy • ensure appropriate insurance or risk cover is put in place • undertake recruitment and performance management of head teachers • develop shared staff training programmes and opportunities for professional development • support the development and building of leadership and governance capacity at Academy level • approve of site and asset management strategy • oversee any significant capital expenditure and building projects • approve of all funding applications • decision maker for all appeals 	<ul style="list-style-type: none"> • ensure implementation of strategic vision • support senior leadership team • approve of Academy budget prepared by head teacher and submit to Trust Board for formal approval • ensure Academy works within its budget and implements the Trust risk and financial management policies • support the senior leadership team in the development and review of an appropriate staffing structure • where appropriate, support the head teacher in the recruitment and performance management of strategic personnel • promote collaboration with other Academies in the Trust • develop and review delegated local Academy policies (e.g. admissions, pupil behaviour, safeguarding) • provide advice and feedback to the Trustees, ensuring the Academy is meeting the needs of its community • support the senior leadership team in relation to curriculum and budgeting priorities • support the senior leadership team in monitoring pupil process and analysing performance data • support the implementation of any Academy plan, focussing particularly on school performance targets • undertake all and any appropriate community consultation • provide a point of contact for parents, carers and other members of the local community • maintain effective links with the school community and the wider local community

APPENDIX 3

RISK MANAGEMENT POLICY

Principles

The Trustees 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 Trustees have the power to direct change where required.

The Trustees have delegated certain responsibilities for the running of each of the Academies to a Local Governance Committee and to the Headteacher and senior leadership team who are responsible for the internal organisation, management and control of the Academy on a day to day basis. The responsibilities of the Local Governance Committee are set out in the Trust's "Scheme of Delegation".

Risk management must prioritise and protect:

- The safeguarding of high quality and effective education of the young people in the Academies;
- The reputation and ethos of the Trust and the Academies;
- The common good in terms of the interests of the families in the communities served by the Academies and the pupils of the future;
- The Scheme of Delegation and the balance struck between central management and local responsibility.

The responsibility of each Local Governance Committee

It is the responsibility of each Local Governance Committee to implement, monitor and verify such policies and procedures to facilitate an annual statement of compliance on those risks identified by the Trust Board. The Local Governance Committee should take such steps needed to support leadership and assist the Trust Board in meet its legal obligations including the requirements of the Department for Education (or any successor body) as they relate to the operation of the Academies. The Local Governance Committee and the Headteacher should provide resources to mitigate identified risks and declare any non-compliance to the Trust Board. The Trustees will 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 Trustees

It is the responsibility of the Trustees 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 Trustees will require all Academies 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 Academies.

Beyond these areas the Trustees will identify risks common to all Academies, set policy frameworks but seek not to impose specific control mechanisms for those risks which are the responsibility of the Local Governance Committee. The Trustees should receive compliance reports from the Headteacher, which shall be collated and monitored by the Chief Executive Officer, with appropriate acknowledgements from the Local Governance Committee (and declarations of non-compliance) and develop systems to support individual Academies to mitigate risk to the Trustees and the Trust generally.

Operation of the Risk Management Policy

To assist the Trust Board in fulfilling its function, the Trustees may establish a “risk management committee” made up of appointed Trustees, representatives of the Local Governing Bodies and the Educational Services Team, and others as may be required. The terms of reference should identify that a minimum of two Trustees 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 Finance and Audit Committee or work alongside it. It is the duty of this committee to review the termly schedule of self-assessments made by individual Academies’ Local Governing Bodies, consider how to support Academies 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 Trustees 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 Trustees and individual Academies 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 Trustees reserve the right to direct individual Academies with regard to the insurances of Trust property (buildings, land and assets) and to approve and be kept informed of planned capital works. The Academies 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 Headteacher should report to the Trustees on any OFSTED or other inspections and reports. Equally the Trustees should be informed of trends and actual academic outcomes and other key indicators identified by OFSTED (or any successor body) in order that the Trustees 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 Academies for which the Trust is responsible.

- **The financial integrity of individual academies**

The Trustees reserve the right to direct the Academies to bank with a named bank and to direct the Academies 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. Academies will not be permitted to operate deficit budgets without specific approval from the Trust Board. The Local Governing Bodies 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 Trust Board will appoint a suitably experienced “responsible officer” to work in the Academy who will oversee the financial integrity of the Academy 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 Governance Committee and the Trust Board. All Trustees and members of the Local Governing Bodies are required to hold an enhanced Criminal Records Bureau certificate and to make a declaration of interests at the beginning of each meeting. The Trust will operate a Conflicts of Interest policy. The Trust will ensure that good quality

legal advice is available to the Trust Board, the Academies and those responsible for running the Academies on a day to day basis.

APPENDIX 4

JOB DESCRIPTION AND PERSON SPECIFICATION INCORPORATING A CODE OF CONDUCT AND ROLE RESPONSIBILITIES FOR TRUSTEES

Job title:	Trustee (also a Director of the Empower Learning Academy Trust serving on the Trust Board)
Location:	Trust Board meetings to be held at Hall Mead School Site visits to the Academies as necessary Site visit to the Trust's registered office as necessary
Hours:	[Up to six Trust Board meetings a year] Remote involvement via email/telephone Regular review of reports and documentation
Salary range:	Voluntary
Term of office:	Four years

Job purpose: The Trustees oversee the management and administration of the Trust and the Academies run by the Trust.

Job Description

Vision

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Governance

The corporate management and "trustee" responsibility for the Trust is vested in the "Trustees", who will also be the company directors registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the Academies and are accountable to the Members of the Trust, 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 Trustees are required as trustees 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.

Specific responsibilities of the Trust Board and the Trustees

The role of the Trust Board and the Trustees collectively is to:

- determine the strategic vision and overarching strategic plan of the Trust
- provide strategic leadership and governance
- to develop effective links within the Academy's community, communicating openly and frequently as appropriate and ensuring that the Academies meet their responsibilities to the community and serve the community's needs in relation to the safeguarding and education of its pupils
- provide challenge and support to senior leaders including the CEO and the principals of the Academies
- develop and decide strategic and operational policies
- facilitate collaboration between the Academies to actively seek opportunities for the Academies to work together either with the aim of improving economic efficiencies within the Trust or identifying and implementing best practice across all Academies
- co-ordinate and oversee shared services and resources
- develop and oversee the implementation of Academy action plans focussing on school improvement
- set and monitor performance benchmarks
- determine curriculum priorities
- set the overall Trust budget and approve of Academy budgets
- monitor expenditure in accordance with appropriate authorisations
- develop and implement a risk management strategy
- ensure the Trust and the Academies comply with their legal obligations
- determine the Trust's reserves/contingency policy
- ensure appropriate insurance or risk cover is put in place
- undertake recruitment and performance management of principals and other senior leaders
- develop staff training programmes and opportunities for professional development
- support the development and building of leadership and governance capacity at Academy level
- approve of site and asset management strategies
- oversee any significant capital expenditure and building projects
- approve of all funding applications
- act as decision maker for all appeals

Core Competencies

The following are the core competencies and skills expected of the Trustees:

- to work as a team;
- to attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- to be respectful of the views of others and to be open to new ideas and thoughts;
- to treat all confidential information confidentially;

- to act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy
- 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;
- understand the policies and procedures of the Trust and how these flow down to the Academies;
- to support the Trust in public and act as an ambassador of the Trust and the Academies;
- to commit to training and skills development
- to be ready to ask questions;
- to be focussed on problem solving and be ready to learn from past experiences.

Person Specification

Personal qualities and values:

- A desire to create positive change for young people
- A commitment to the aims and objectives of the Trust
- A willingness to devote time and effort
- An ability to work effectively as a team while contributing an independent perspective
- An ability to build productive and supportive professional relationships
- A commitment to the Nolan's seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- A commitment to equal opportunities and anti-discriminatory practice
- A commitment to Safeguarding young people
- Reliability and integrity

Education and training:

- A record of continuous professional development
- Educated to higher level in professional area of expertise

Experience:

- Experience of driving positive change
- Experience in leadership and management
- Professional experience in education / accountancy/ finance / business / HR / marketing/law

Knowledge:

- An understanding and acceptance of legal duties, responsibilities and liabilities of trusteeship
- An understanding of the use of attainment and other data to assess the progress, strengths and weaknesses of a school
- An understanding of financial and workforce data

Skills:

- Strategic vision
- An ability to think creatively
- Good, independent judgement
- An ability to use financial and workforce data to inform decision-making

Legal Requirements:

Individuals who are not able to make the following declarations may not serve as a Trustee:

- I am not disqualified from acting as a charity trustee
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as “spent”)
- I have not been involved in tax fraud or other fraudulent behaviour including misrepresentation and/or identity theft
- I have not used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance
- I am not an undischarged bankrupt
- I have not made compositions or arrangements with my creditors from which I have not been discharged
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity
- I have not been disqualified from serving as a company director
- I am not included in the list kept by the Secretary of State for Education under s1 of the Protection of Children Act 1999 (or equivalent) or have ever been disqualified from working with children or serving on a governing body of a school
- I am able to provide a valid Disclosure and Barring Service Certificate under the Protection of Freedoms Act 2012 which does not disclose any reason why I should be unsuitable for working with children

APPENDIX 5

JOB DESCRIPTION AND PERSON SPECIFICATION INCORPORATING A CODE OF CONDUCT AND ROLE RESPONSIBILITIES FOR MEMBERS OF A LOCAL GOVERNANCE COMMITTEE

Job title:	Member of a Local Governance Committee for an Academy run by the Empower Learning Academy Trust
Location:	Local Governance Committee meetings to be held at the relevant Academy Site visits to other Academies operated by the Trust as necessary
Hours:	Up to three Local Governance Committee meetings a year Remote involvement via email/telephone Regular review of reports and documentation
Salary range:	Voluntary
Term of office:	Four years

Job purpose: The Local Governance Committee for an Academy plays an active part in supporting the Headteacher, liaising as appropriate with the Trust's Chief Executive Officer and the Trust Board more generally in relation to the oversight of the Academy and the Academy's senior leadership team.

Appointments to the Local Governance Committee will be made by the Local Governance Committee. Recommendations to appoint may be put forward by either the Headteacher or by the Trust Board.

Job Description

Vision

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Governance Support and Local Accountability

The role of those serving on a Local Governance Committee is an important one, ensuring there is local accountability for the performance of the Trust and the Academies and that the

Academies serve their communities. Those serving on a Local Governance Committee are accountable to the Trust Board and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience.

Specific responsibilities of a Member of a Local Governance Committee

The specific tasks and responsibilities of the members of the Local Governance Committee are as follows, to:

- ensure implementation of the strategic vision of the Trust and the Academy in particular;
- support the Trust Board in developing and maintaining 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;
- support the Academy's senior leadership team;
- ensure the Academy works within its budget and implements the Trust's risk and financial management policies;
- support the Academy's senior leadership team in the development and review of an appropriate staffing structure;
- where appropriate, support the Headteacher in the recruitment and performance management of strategic personnel;
- promote collaboration with other Academies in the Trust, actively seeking opportunities for the Academies to work together either with the aim of improving economic efficiencies within the Trust or identifying and implementing best practice across all Academies;
- develop and review delegated local Academy policies (e.g. admissions, pupil behaviour, safeguarding);
- provide advice and feedback to the Trustees and reporting on all matters, responsibility for which has been passed to the Local Governance Committee;
- support the Academy's senior leadership team in relation to curriculum and budgeting priorities;
- support the Academy's senior leadership team in monitoring pupil progress and analysing performance data;
- support the implementation of any Academy plan, focussing particularly on school performance targets;
- undertake all and any appropriate community consultation;
- provide a point of contact for parents, carers and other members of the local community;
- maintain effective links with the school community and the wider local community.

Core Competencies

The following are the core competencies and skills expected of a member of the Local Governance Committee:

- to work as a team;
- to attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- to be respectful of the views of others and to be open to new ideas and thoughts;

- to treat all confidential information confidentially;
- to act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy
- 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;
- understand the policies and procedures of the Trust and how these flow down to the Academies;
- to support the Trust in public and act as an ambassador of the Trust and the Academies;
- to commit to training and skills development
- to be ready to ask questions;
- to be focussed on problem solving and be ready to learn from past experiences;
- to act in accordance with any authority delegated to him or her, including complying with any regulation or requirement of those from whom delegated authority is received.

Person Specification

Personal qualities and values:

- A desire to create positive change for young people
- A commitment to the aims and objectives of the Green Spring Education Trust
- A willingness to devote time and effort
- An ability to work effectively as a team while contributing an independent perspective
- An ability to build productive and supportive professional relationships
- A commitment to the Nolan's seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- A commitment to equal opportunities and anti-discriminatory practice
- A commitment to Safeguarding young people
- Reliability and integrity

Education and training:

- A record of continuous professional development
- Educated to higher level in professional area of expertise

Experience:

- Experience of driving positive change
- Experience in leadership and management
- Professional experience in education / accountancy/ finance / business / HR / marketing/law

Knowledge:

- An understanding and acceptance of legal duties, responsibilities and liabilities of trusteeship
- An understanding of the use of attainment and other data to assess the progress, strengths and weaknesses of a school
- An understanding of financial and workforce data

Skills:

- Strategic vision
- An ability to think creatively
- Good, independent judgement
- An ability to use financial and workforce data to inform decision-making

Legal Requirements:

Individuals who are not able to make the following declarations may not serve on the Local Governance Committee:

- I am not disqualified from acting as a charity trustee
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as “spent”)
- I have not been involved in tax fraud or other fraudulent behaviour including misrepresentation and/or identity theft
- I have not used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance
- I am not an undischarged bankrupt
- I have not made compositions or arrangements with my creditors from which I have not been discharged
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity
- I have not been disqualified from serving as a company director
- I am not included in the list kept by the Secretary of State for Education under s1 of the Protection of Children Act 1999 (or equivalent) or have ever been disqualified from working with children or serving on a governing body of a school
- I am able to provide a valid Disclosure and Barring Service Certificate under the Protection of Freedoms Act 2012 which does not disclose any reason why I should be unsuitable for working with children

APPENDIX 6

JOB DESCRIPTION AND ROLE RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER

[Drafting Note: This is just a starting point for discussion, it can be omitted and reliance placed on the Scheme itself to identify the role of the CEO.]

[Name of MAT] JOB DESCRIPTION

Job Title [CHIEF EXECUTIVE OFFICER] [EXECUTIVE DIRECTOR/TRUSTEE (LEADERSHIP)][EXECUTIVE LEADER][CHIEF ACCOUNTING OFFICER] [(PART TIME)]	Post Holder [Name]
Reports To: Chair of Trust Board and more generally to all the Director/Trustees with additional oversight by the Members (as required) The Executive Director/Trustee will [not] be a Director/Trustee of the Trust [and] [but] will be expected to attend meetings of the Director/Trustees and to provide an executive report.	Hours per Week [15] Weeks per Year 52

PURPOSE OF THE JOB

- [To act as the accounting officer of the Trust, being responsible for the propriety and regularity of the public funds under the Trust's control and ensuring that the Trust has high standards of probity in the management of those funds. *Drafting Note: Where the role of the Executive Director/Trustee is undertaken by a consultant rather than an employee of the Trust, that person cannot be the accounting officer but can support one of the headteachers who agrees to fulfil this function.*]
- To provide a focus for collaboration between the Academies, embedding the vision and values of the Trust in all operations and supporting the smooth transition of the schools from Local Authority maintained to Academies within the Trust.
- Work with the Chair to ensure that the Board receives appropriate advice and information on all relevant matters to enable it to fulfil its governance responsibilities and deliver sustainable improvement, facilitating the production of management information in respect of the Academies.
- Work with the Chair to develop and deliver the Trust's strategic plan, ensuring that annual plans and targets for the Academies are robustly monitored and clearly delivered.
- To support the Board to ensure that the Board as a whole works well in partnership with the headteachers and senior staff in the Academies.

- To support, and where appropriate to challenge, the headteachers in the delivery and implementation of the Academy Improvement Plan and in turn the Trust's overall strategic plan.
- To develop and support others (the Board and senior staff in the Academies) in the implementation of robust systems and processes to facilitate collaboration between the Academies, so that the opportunities afforded as a consequence of being a multi academy trust can be realised.

DUTIES AND RESPONSIBILITIES

1. To provide leadership to the Board and to ensure that Board Director/Trustees fulfil their duties and responsibilities for the proper governance of the Trust.
 - 1.1 To guard the long-term future of the Trust by ensuring, with the headteachers and the Chair of the Trust, as appropriate, that:
 - the Board sets the mission, vision, strategy and high-level policies for the Trust within the powers and restrictions in its charitable objects and governing documents, the Executive Director/Trustee acting as an ambassador of that vision and modelling collaborative behaviour;
 - the Board monitors the performance of the Trust and to ensure that it satisfies all regulatory and legal compliance requirements;
 - the register of strategic risks to which the Trust and the Academies are exposed is reviewed regularly and systems are established to mitigate these risks without becoming unduly risk averse;
 - the Trust's financial dealings are systematically accounted for, audited and publicly available, through the work of the finance teams within the Academies (recognising the desire to consolidate those systems where that will lead to improvements and efficiencies);
 - internal controls and systems (both financial and non-financial) are audited and reviewed regularly;
 - there is appropriate consistency across the Trust, and working alongside support staff to develop systems and facilities that deliver operational efficiency;
 - opportunities are identified and cultivated for the growth of the Trust, either through working with other schools or academy trusts or enabling other schools to join the Trust where this fits with the Trust's strategic plan and vision.
 - 1.2 To support the Chair of the Trust in securing the highest possible standards of governance by ensuring that:
 - the Trust has a governance structure that is appropriate to its size/complexity, stage of development, and its objectives bearing in mind the requirements of the Members and specifically the Bishop of Arundel & Brighton (the appropriate diocesan authority) and that these structures and the governing documents are reviewed regularly;
 - the Board delegates sufficient authority to its committees, including the local governing bodies, the Chair, the headteachers and others to enable Trust business to be carried on effectively between meetings of the Board;
 - the Board's delegated authority is recorded in writing by means of terms of reference for Board committees and/or a scheme of delegation, job descriptions for senior staff; and the Board monitors use of these delegated powers;
 - the Board has the skills required to govern the Trust well and that these skills are utilised, and that the Board has access to relevant external professional advice and expertise where necessary;
 - there is a systematic, open and appropriate procedure for the recruitment and appointment of Board Director/Trustees, which process will involve the Diocese and will be focussed on relevant skills, experience and capacity.

2. To support, and where appropriate, to challenge the headteachers of the Academies and to ensure that there is effective leadership of the Trust and the Academies, ensuring the Board works in partnership with executive and leadership staff.
 - 2.1 To support the headteachers and advise the Board as appropriate by:
 - ensuring there are clear and open processes for the recruitment (and if necessary dismissal) of the headteachers, and advising the Board on the setting and reviewing of the remuneration packages of the headteachers;
 - ensuring that the Board focuses on its governance role and does not slip incrementally, or otherwise, into the management role of the Academies which is properly for the headteachers (with oversight by the Local Governing Bodies);
 - arranging regular meetings with the headteachers and by developing a professional relationship with the headteachers within which each can speak openly about concerns, worries and challenges;
 - supporting the headteachers to help and empower them to be effective leaders of their Academies;
 - providing leadership to the Board to ensure that the Trust is run in accordance with the decisions of the Board and its governing documents and that there is clarity about the Trust's objectives at all levels;
 - ensuring the headteachers' performance is reviewed regularly, having regard to the views and advice of the Local Governing Bodies and determining clear performance measures by which the headteachers will be judged;
 - ensuring the headteachers have the opportunity for professional development and appropriate external professional support, facilitating peer to peer review when appropriate.
 - 2.2 To make sure that the Board understands and fulfils its responsibility to hold the headteachers to account by ensuring that:
 - when necessary, the Chair and the Director/Trustees challenge the headteachers constructively, and only in the best interests of the Trust and as "critical friends";
 - there are appropriate mechanisms, both internal and external, to verify that the Board receives a balanced and honest picture of how the Trust is performing;
 - the Board understand the drivers of school improvement and prioritise their efforts accordingly;
 - good practice is shared and a collaborative learning culture is developed and sustained.
 - 2.3 To ensure the Board works in partnership with management by:
 - ensuring, through the headteachers, that the staff understand the role of the Board and that the Executive Director/Trustee and the headteachers provide an effective link between the Board and staff;
 - ensuring that staff are aware of the Board's appreciation of their successes and hard work;
 - ensuring that, through the headteachers, a performance management process is in place for everyone in the Trust (including at the centre) and that the Trust invests in the development of teaching and non-teaching staff with a view to raising standards and nurturing talent;
 - identifying any organisational weaknesses and being proactive about succession planning.
 - 2.4 [To undertake the role of accounting officer, by:
 - ensuring the annual accounts are produced in accordance with the requirements of the Companies Act 1985 and the EFA guidance issued to academies;
 - completion of the accounting officer's statement on governance, regularity, propriety and compliance for inclusion in the Trust's annual report;

- establishing and reviewing the procedures for the authorising and entering into of contracts and legal commitments;
- overseeing expenditure and advising the Trust Board where significant expenditure is anticipated, and
- where indicated in the Trust's financial regulations manual/scheme for financial delegation, signing cheques and authorising BACs payments in conjunction with the bank mandate.]

3. Line Management

The role of the Executive Director/Trustee will be line managed by the Chair of the Trust Board.

STANDARDS

Appropriate leadership experience in a school.

The job description will be reviewed by the Board annually and the time allocated will be reviewed to ensure the best possible arrangements are in place to sustain improvements in the Academies.

Signed

Post Holder

Date

APPENDIX 7

TERMS OF REFERENCE FOR OTHER COMMITTEES

Terms of Reference for the Empower Learning Academy Trust Human Resources Committee

The board of trustees (the **Trust Board**) of Empower Learning Academy Trust (the **Academy Trust**) has established a committee of the Trust Board to be known as the Human Resources Committee (**Committee**). These are its terms of reference.

Membership The Committee will be appointed by the Trust Board and will comprise no more than five and no fewer than three members, of whom a majority will be trustees. The Trust Board will appoint one of the members within the Committee as its Chair (the **Chair**). The Committee will elect a Clerk to the Committee.

Attendance The Committee may ask the Chief Executive Officer and any other executive officer to attend meetings of the Committee either regularly or by invitation. Invitees have no right to attend Committee meetings. The Committee may also ask any other person whose attendance they consider necessary or desirable to attend any meeting either regularly or by invitation, to provide information.

Voting The quorum for each meeting should be one half of the members of the Committee rounded up. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on any equality of votes. The Committee will be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

Meetings The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee. Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven working days prior to the date of the meeting.

Minutes The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly. Minutes of each Committee meeting will be sent to all members of the Committee and the Trust Board within seven working days of the meeting.

The Committee is authorised by the Trust Board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee. The Committee is authorised by the Trust Board to obtain outside legal or other independent professional advice if it considers this necessary.

Duties The duties of the Committee shall be:

- to consider, determine and keep under review any strategies and policies for human resources and organisational development

- to consider, determine and keep under review effective arrangements for consultation with staff as a whole and for negotiation and consultation with appropriately recognised Trade Unions and/or other representatives
- to undertake the role of the Appeals Panel to consider appeals against the Chief Executive Officer or Academy Trust decisions relating to H.R. matters
- to ensure effective measures are in place to promote equality and diversity in employment
- to consider the details of restructuring programs following any necessary approvals in principle by the Trust Board
- to develop strategy and policy in all matters relating to the recruitment, reward, retention, motivation and development of the Academy Trust's staff
- to review, on a regular basis, its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness

APPENDIX 8

TERMS OF REFERENCE FOR THE FINANCE AND AUDIT COMMITTEE

Responsibility / Delegated Authority	Assessment
Ethos and vision	
Support the actions of the Trustees to develop and sustain a clear vision for the Trust.	
Advise and report to the Trustees in relation any organisational risks which might impede the development and implementation of a long term strategy for the success of the Trust. The Trustees shall consider any such advice given by the Audit Committee.	
Support the Trustees 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.	
Compliance and General Duties	
The Audit Committee shall meet at least once a term.	
Have regard to and advise the Trustees on their duties as trustees and their responsibility to preserve charitable assets and safeguard public money.	
Act in accordance with the terms of the Master and Supplemental Funding Agreements, the Academies Financial Handbook, any account directions issued by the Education Funding Agency, the Trust's Articles of Association and the resolutions of the Trust in effect from time to time when fulfilling duties.	
Ensure that at all times the Trust is meeting any legal requirements and duties in relation to the management of public money.	
Support the Trustees 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 Strategic Plan or long term strategic vision.	
Advise the Trustees 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).	
Regularly review the statement on internal control and make appropriate recommendation to the Trustees and when appropriate communicate messages and advice to the governing bodies of the Academies, liaising as necessary with any responsible officer appointed by the governing body to be responsible for financial oversight and risk management of the Academy's activities.	

Responsibility / Delegated Authority	Assessment
Review the Audit Committee's membership and effectiveness on an annual basis to ensure that it has appropriate skills and relevant experience.	
Support (and challenge when necessary) the chief executive officer to ensure he or she satisfies his or her duty as accounting officer to: <ul style="list-style-type: none"> • 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; 	
Finance and Risk Management	
Establish and implement a system of financial and risk reporting by the Academies to the Trustees and to oversee that reporting to ensure that such a system complies with the Trust's legal obligations.	
Review any financial and risk report submitted by the Academies and advising the Trustees 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.	
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.	
Advise the Trustees on the appointment, reappointment, dismissal and remuneration of auditors (both external auditors and internal audit).	
Monitor the effectiveness of auditors, including the use of auditor performance indicators.	
Ensure effective coordination between auditors ensuring that a consistent method of audit is adopted across all Academies.	
Ensure that additional services undertaken by auditors is compatible with the audit independence and objectivity.	
Agree the work programme of internal audit including the checking of financial controls, systems, transactions and risks.	
Consider the reports of the auditors and, when appropriate, advise the Trustees and the Academies of material control issues.	
Monitor the implementation of agreed audit recommendations.	

Responsibility / Delegated Authority	Assessment		
Advise on policies for the securing of the funds and assets of the Trust including by the prevention of loss through fraud and irregularity.			
Ensure that all allegations of fraud and irregularity are appropriately investigated and control weaknesses addressed, working with the Trustees, the chief executive officer and the principals of the Academies, as appropriate.			
Recommend the annual financial statements to the Trustees for approval.			
Curriculum and Standards			
<p>Advise the Chief Executive Officer and 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"> • any nationally recognised curriculum priorities and initiatives • the obligation to provide religious education, sex education and physical education • special educational needs • national testing and attainment targets, and • any teaching objectives and priorities adopted by the Trust Board for all Academies. 			
Advise and report to the Chief Executive Officer and 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.			
Pupil Behaviour and Attendance			
Formulate and implement a pupil behaviour policy in accordance with guidance produced by the Department for Education and as advised by the Chief Executive Officer.			

Responsibility / Delegated Authority	Assessment	
Staff Recruitment		
In conjunction with the Chief Executive Officer and 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 Chief Executive Officer and the Trust Board, 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 Chief Executive Officer and/or the Trust Board which includes the Chief Executive Officer.		
Staff Appraisal and Performance Management		
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 Chief Executive Officer of any areas of weakness or where additional support and/or training is required.		
Advise the Chief Executive Officer 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.		
Undertake any disciplinary or grievance procedure for the Principal/Headteacher and other members of the Academy's leadership team, reporting to the Chief Executive Officer and noting any right of appeal to the Trust Board.		

Responsibility / Delegated Authority	Assessment	
Facilitate discussion with staff representative bodies, including the unions, at both Trust Board level and within the Academy.		
Premises And Resources		
Formulate, implement and keep under review a policy for health and safety at the Academy, having regard to any advice issued by the Chief Executive Officer 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 Chief Executive Officer and 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 Transition Board without the express written consent of the Chief Executive Officer and 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.		
Delegation		
The Transition Board may delegate any powers and responsibilities to the Principal/Headteacher of the Academy, subject to any requirements of the Trust Board. The Transition Board will ensure the gradual transfer of responsibility to the Principal/Headteacher, the leadership team and the Local Governance Committee when established is done sensitively to help successfully deliver the Academy's long term strategic plan.		

Responsibility / Delegated Authority	Assessment

APPENDIX 9

CONFLICT OF INTEREST POLICY

Why we have a Policy

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

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 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

We are asking Members of the Trust, the Trustees, members of the Local Governing Bodies and all staff to 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 the Members, Trustees, members of the Local Governing Bodies 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 Member, Trustee and member of the Local Governance Committee 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 Governance Committee, the Clerk or Chair will declare that interest.

Decisions taken where an individual has an Interest

In the event of the Trust Board having to decide upon a question in which a Member, Trustee, member of the Local Governance Committee 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 Governance Committee by a third party or the Trust itself 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 either a Member or Trustee 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 Members and Trustees will be reported in the Trust's Accounts and Annual Report, with amounts for each Member and Trustee 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 Trustees have identified the following as matters 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 Governance Committee to serve on the Trust Board;
- The appointment or nomination of individuals by the Trust Board to serve on the Local Governance Committee; and
- The fact that some of the Trustees might also be Members of the Trust.

APPENDIX 10

TERMS OF REFERENCE FOR THE TRANSITION BOARD

[NAME OF ACADEMY] (the “Academy”)

EFFECTIVE DATE [] REVIEW DATE []

PURPOSE

The Transition Board’s primary role is to support the rapid turnaround of the Academy. The Transition 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 Transition Board shall meet at least twice a term, more if necessary.

The Transition 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 Transition Board will report to the Chief Executive Officer and to the Trust Board on progress, recommending further action as necessary.

MEMBERSHIP

Members of the Transition 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 the Chief Executive Officer.

REVIEW

Operating with a Transition 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.

Responsibility / Delegated Authority	Assessment
Ethos and vision	
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.	
Compliance and Leadership	
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 Chief Executive Officer 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 both the Chief Executive Officer and 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.	
Finance and Risk Management	
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 either by the Trust Board or the Chief Executive Officer 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 to the Chief Executive Officer and the Trust Board, 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.	
Pupil Behaviour and Attendance	
Formulate and implement a pupil behaviour policy in accordance with guidance produced by the Department for Education and as advised by the Chief Executive Officer.	
Staff Recruitment	
In conjunction with the Chief Executive Officer and 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 Chief Executive Officer and the Trust Board, 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 Chief Executive Officer and/or the Trust Board which includes the Chief Executive Officer.	
Staff Appraisal and Performance Management	
Evaluate the standards of teaching and learning in the Academy and ensure that proper standards of professional performance are established and maintained.	

Responsibility / Delegated Authority	Assessment
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 Chief Executive Officer of any areas of weakness or where additional support and/or training is required.	
Advise the Chief Executive Officer 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.	
Undertake any disciplinary or grievance procedure for the Principal/Headteacher and other members of the Academy's leadership team, reporting to the Chief Executive Officer and noting any right of appeal to the Trust Board.	
Facilitate discussion with staff representative bodies, including the unions, at both Trust Board level and within the Academy.	
Premises And Resources	
Formulate, implement and keep under review a policy for health and safety at the Academy, having regard to any advice issued by the Chief Executive Officer 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 Chief Executive Officer and 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.	

Responsibility / Delegated Authority	Assessment
No significant capital works will be undertaken or commissioned by the Transition Board without the express written consent of the Chief Executive Officer and 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.	
Delegation	
The Transition Board may delegate any powers and responsibilities to the Principal/Headteacher of the Academy, subject to any requirements of the Trust Board. The Transition Board will ensure the gradual transfer of responsibility to the Principal/Headteacher, the leadership team and the Local Governance Committee when established is done sensitively to help successfully deliver the Academy's long term strategic plan.	