



THE  
EDUCATION  
ALLIANCE

## **Governance Framework**

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## INTRODUCTION

The Education Alliance is a Multi-Academy Trust. The Trust is a responsive, collaborative organisation which achieves its strategic and operational objectives through its employees and partners within a transparent governance framework.

At the heart of governance in a charity is the non-executive team. Non executives are those who volunteer and bring experiences and judgement and accept accountability not for personal material benefit but for the greater public good and in particular to improve the life chances of the students in our schools.

The law places accountability for the educational outcomes and financial diligence of the Trust firmly with the Trustees and the CEO as Accounting Officer. However, a fundamental principle for us is that effective governance is best delivered as close as possible to the point of impact of decisions. For this reason we have a governance structure that delegates significant accountability to Local Governing Bodies (LGBs).

The purpose of this document is to provide clarity on the structure by which the different elements of governance work together for the benefit of the whole Trust.

## VISION AND VALUES

We fully support the independence and distinguishing characteristics of each of the Academies. All academies in the Trust are in equal partnership irrespective of size, OFSTED rating or length of membership. The Trust aims to create a family of academies in the Yorkshire and Humber region, enabling an increasing number of children and young people to fulfil their potential, providing them with greater access to a diverse range of opportunities when they leave school.

Seeking excellence through inspirational leadership, collaboration, teamwork, innovation and challenge we work to ensure that all of us achieve our very best.

We have a commitment to supporting the schools within the family for the benefit of the communities served by the schools. Academies will work together in the spirit of solidarity. The relationship between the Academy Trust and Local Governing Bodies is one of partners sharing a common goal, drawing on each other's strengths in order to overcome any weaknesses and respond robustly to any challenges.

The Trust is the cornerstone of the entire group: providing a strong, responsible foundation from which every academy develops and grows. A cornerstone provides a subtle yet crucial role in a building; in the same way, the Trust ensures it is a professional, reliable, innovative and inspirational organisation, delivering the best possible learning experiences.

Our Local Governing Bodies are the champions of our values in our Academies.

## ACCOUNTABILITY FOR DECISIONS

The Trust Board delegates to two key groups in order to ensure the effective leadership and governance of the Academy Trust. The two key groups are:

- Executive leadership and management team (The Executive Team)
- Local Governing Bodies

The relationship between the Trust Board, the Executive Team and the Local Governing Bodies is characterised as a partnership to realise a common vision and common purpose. The relationship between the two tiers of governance is also based on the principles of:

1. No duplication of governance
2. Governance should be as close as possible to the point of impact of decision-making

The Terms of Reference, Roles and Functions Matrix and Scheme of Delegation provide clarity as to who the decision makers are for different levels of decisions. Effectiveness of both management and governance is supported through clarity over who holds the decision-making responsibility and who supports and advises the decision makers.

## INTERVENTION

The Trust Board remains ultimately responsible for the Trust and the conduct of the Academies. There may be circumstances (more exception than the norm) where the Trust Board might need to intervene and, for example, may withdraw delegated authority for a particular element of governance. In such circumstances the Trust Board, along with the Executive Team, will work closely with the Academy concerned and those involved in their governance. The Trust Board reserves the right to review or remove any power or responsibility which it has delegated, in particular, in circumstances where serious concerns in the running of an Academy (or Academies) are identified, including where:

- there are concerns about financial matters;
- insufficient progress is being made against educational targets;
- there has been a breakdown in the way the Academy is managed or governed; or
- safety of the students or staff is threatened, including a breakdown of discipline.

## OVERVIEW OF KEY ELEMENTS OF OUR GOVERNANCE

### Members

“**Members**” are best viewed as guardians of the constitution, changing the Articles if necessary and ensuring the charitable object is fulfilled. The Members appoint and remove Trustees. It is anticipated that this power will be rarely exercised. The Trust will seek to have at least five independent Members.

## Trust Board

The corporate management and trustee responsibility for actions of the company is vested in the “**Trustees**” of the Academy Trust (together, referred to as “the **Trust Board**”), who are company Trustees registered with Companies House. The Trustees are personally responsible for the actions of the Trust and are accountable to the Members, the Secretary of State for Education and to the wider community for the quality of the education received by all students of the academies and for 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.

The role of the Trust Board is reflected in the “21 questions that every Multi-academy Trust should ask itself” identified by the All Party Parliamentary Group on Education Governance and Leadership (January 2015):

- Setting the vision, ethos and strategy for the Trust and its academies over the next three to five years;
- Establishing the governance structures for the Trust, from Members to academy level, in keeping with the Articles of Association;
- Providing clarity, through the published Terms of Reference of the level at which the following governance functions are exercised:
  - determining each individual academy’s vision, ethos and strategic direction
  - recruiting each academy’s Head of School
  - performance management of each academy’s Head of School
  - determining Human Resources policy and practice
  - oversight of each academy’s budget
  - assessment of the risks for each academy
- LGBs will have authority and accountability through the Scheme of Delegation;
- Engaging with the academies’ communities, parents, pupils and staff;
- Contributing to developing collaborative relationships beyond the Trust;
- Ensuring that there is a strong and effective executive leadership structure and personnel in place across the Trust;
- Overview and scrutiny of academies’ education performance data;
- Overview and scrutiny of the Trust’s financial capability and management systems to ensure compliance with the Academies Financial Handbook, and delivery of best value for money;
- Ensuring senior leaders within Academies are challenged to improve the education of students;

- Developing the Trust Board to ensure that it has capacity, skills and succession plans to have a positive impact on outcomes for students.

The Trust Board sets Trust-wide policy.

The Board will carry out a regular skills audit of Trustees and where key skills are missing on the Board, expertise will be procured to support the challenge and scrutiny of specialist areas such as human resources, finance or educational performance. The Board will also undertake an annual performance review which will include individual and team assessments, including self-assessment and external advice.

### Trust Board Sub-committees

Trust Board sub-committees will provide the overview and high level scrutiny of the prioritised risks.

The Trust Board Sub-committees are as follows:

- Trust Performance Review Committee
- Audit Committee

The Trust Performance Review Committee will determine senior leadership salary progression and any additional payments. Senior leaders include the CEO and members of the Executive and Senior Leadership Teams.

### Executive Team

“**Executive Team**” is the executive management arm of the Trust, focusing on translating the strategic objectives of the Trust into operational reality. The Executive Team is also responsible for the operations and the educational performance of the academies. They operate under the leadership and direction of the CEO. The Executive Team work directly with the staff in each academy and the Local Governing Bodies to ensure that the required outcomes are achieved in accordance with the direction and vision of the Trust Board.

### Forums

A Head of School and Chairs of Local Governing Bodies forum will be in place. The purpose of the forums is to:

- promote the values of independence and interdependence;
- building relationships;
- generate new ideas and sharing good practice;
- influence policy development; and
- provide a starting point for consultation.

Forums will be chaired by elected representatives from amongst their membership to encourage freethinking and honest debate.

## Local Governing Bodies (LGBs)

The role of a Local Governor within a Multi-academy Trust is an important one. In developing governance arrangements, the Trust Board will seek to ensure that the responsibility to govern is vested in those closest to the impact of decision-making and that such responsibility matches the capacity of those assuming responsibility. The Trust Board establishes Local Governing Bodies for each of the academies, for the most part made up of individuals drawn from the Academy's community.

The Local Governors are accountable to the Trust Board (who in turn is accountable to the Members and the Department for Education) as well as the communities they serve.

The broad duties of the Local Governing Body are summarised as:

- To contribute to and fulfil the vision and ethos of the Trust in so far as it relates to the academy, ensuring that the academy achieves the aims and ambitions it has for its students, having regard in particular for the benefits of being part of a family of schools which stresses the importance of collaboration and mutual support;
- To implement and review periodically the strategic plan for the academy, focussing on the academy's performance and achieving sustained school improvement, having regard to any locally agreed priorities identified by the Trust Board;
- To act as a critical friend to the academy's senior leadership team, being ready to challenge and hold senior leaders to account for all aspects of the academy's performance;
- To oversee the management of the finances of the academy, assessing the annual budget prepared by the academy's Head of School (with the support of the academy's senior leadership team) and submitting such for approval by the Trust Board, ensuring that the academy works within its budget and the academy's senior leadership team adopts and implements appropriate risk and financial management policies and practices;
- To support the Trust Board in ensuring that insurance or equivalent risk protection is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and Trustee liability in accordance with any policy issued by the Trust Board from time to time;
- To support the academy's Head of School in the development and periodic review of an appropriate staffing structure for the academy ensuring there is a robust and accountable monitoring of the performance of staff and implementing all policies relating to staff adopted by the Trust Board;

- To support the Trust Board in its monitoring and evaluation of the delivery of any central services and functions provided or procured by the Trust for the academies, reporting any issues or concerns to the CEO or the Chair of the Trust Board;
- To promote within the organisation and externally the benefits of collaboration with the other academies and to actively seek opportunities to work together with the aim of improving economic efficiencies within academies; developing innovative approaches to teaching and learning and identifying and implementing best practice;
- To develop effective links within the academy's community, communicating openly and frequently as appropriate and ensuring that the academy meets its responsibilities to the community in relation to the safeguarding and education of its students; and
- 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.

## **STUDENT, PARENT AND STAFF VOICE**

Accessing and responding to students' collective concerns is an important part of operations and governance. All academies within the Trust will have active student unions with representatives from each year group. Each LGB is expected to give due regard to issues that are raised through their student union, ensuring appropriate management action is taken in response to the issues.

Parental voice is formally built into the governance structure with the appointment of two parent governors to each LGB. Staff voice is similarly built into the governance structure with the appointment to each LGB of two employees of the academy.



### ALL PARTY PARLIMENTARY GROUP ON EDUCATION, GOVERNANCE AND LEADERSHIP (JANUARY 2015)

#### 21 Questions every Multi-academy Trust Board should ask itself

##### Vision, ethos and strategy

1. Does the Trust Board have a clear vision and strategic priorities for the next three to five years, to which all academies contribute and which is understood by each of its academies?
2. How effectively do these strategic priorities drive the governance structure, activities and agenda setting at all levels of the Trust?
3. What vision does the Trust Board have for the size of the Trust and how does the strategy ensure that there is the capacity to support any additional academies well?

##### Governance structures

4. Is the structure of the Trust from its members to academy level governance conducive to effective working, ensuring checks and balances but avoiding duplication at different levels, and delivering good two-way communications?
5. How does the Trust Board ensure that its governance structure is clear, in keeping with its Articles of Association, and that those at cluster and academy level understand their roles and responsibilities compared to those of the Trust Board?
6. a) Does the Trust Board have a Scheme of Delegation, is it published on its website and those of its academies and does the scheme make clear where the following key governance functions are exercised:
  - Determining each individual academy's vision, ethos and strategic direction?
  - Recruiting each academy's Head of School?
  - Performance management of each academy's Head of School?
  - Determination of Human Resources policy and practice?
  - Oversight of each academy's budget?
  - Assessment of the risk for each academy?
- b) Is the principle of earned autonomy applied to individual academies or local clusters and if so, do all involved at all levels of governance within the MAT understand how?

## Trustee Board effectiveness and conduct

7. **Right skills:** Has the Trust Board adopted a robust and transparent process for the recruitment both of trustees and those at local governance level, including role specifications, skills audits and interview panel to ensure those carrying out governance functions have the full range of experience, qualities and skills necessary to discharge all the Trust Board's responsibilities?
8. **Clerking:** Does the Trust Board have a professional clerk providing information and guidance on regulatory practice and proceedings, including governance leadership to the committees and any academy level governance?
9. **Chair:** How does the Trust Board ensure the Chair shows strong and effective leadership?
10. **Trustee performance:** Does the Chair carry out an annual review of each trustee's contribution to the Board's performance and ensure each trustee is investing in his/her own development?
11. **Succession planning:** Do we engage in good succession planning so that, in normal circumstances, no trustee serves for longer than two terms of office and the Chair is replaced at least every six years?
12. **Conflicts of interest and conduct:** How does the Trust Board ensure conflicts are avoided and that the Nolan principles of public life are adhered to?
13. **Learning from others:** Has the Trust Board reviewed its structures and practice, making use of other Boards' experiences and periodically seeking external expertise?

## Engagement

14. How does the Trust Board listen to, understand and respond to students, parents, staff and local communities across all its academies?
15. What benefit do the academies within the Trust draw from collaboration with other schools and other sectors, including employers, locally and nationally, and how is the Trust involved in contributing to improving leadership and schools beyond its own academies?

## Effective accountability of the executive leadership

16. How well does the Trust Board understand its academies' performance data, and how do Trustees know that students in all their academies are making the best progress they can?
17. What mechanisms do the Trust Board use to ensure there is a strong and effective executive leadership structure and personnel in place across the Trust with the right skills, clear line-management and reporting mechanisms?

18. How does the Trust Board ensure senior leaders within academies are challenged to improve the education of students, and what intervention would be used if improvement is not progressing according to plan at an academy?
19. How does the Trust Board ensure that the Trust's financial capability and management systems are robust to ensure compliance with the Academies Financial Handbook, best value for money and deliver the long-term strategy?
20. Do the compliance systems give assurance to the Trust Board that the Trust is meeting its statutory and legal responsibilities?

### **Impact on outcomes of students**

21. How much have the academies improved over the three years, and what has the Trust Board's contribution been to this?

### GOVERNANCE ELEMENTS IN MORE DETAIL

#### Members – general guidance

The Members of the Trust are the equivalent of the shareholders in a commercial company (save that they do not receive dividends). In simple terms the Members “own” the Trust. They have a number of statutory rights and rights set out in the Trust’s Articles of Association (the **Articles**).

The Academies Financial Handbook issued by the Education Funding Agency (EFA) provides as follows:-

- Members have an overview of the governance arrangements of the trust.
- Members can amend the articles and may do so to support stronger governance arrangements.
- While members can be trustees, retaining some distinction between the two layers ensures that members, independent of the trustees, provide oversight and challenge – this is especially important in multi-academy trusts in which trustees are responsible for a number of academies.
- Members must not be employees of the Trust.
- The appointment of any new Member must be notified to EFA (via the Information Exchange) within 14 days of the appointment.
- The appointment and resignation/removal of Members does not need to be notified at Companies House.
- The Trust’s statutory books/registers should include a register of Members, which should be kept up to date particularly on appointment and removal/resignation.

### Trust Board: Terms of Reference

#### Core Values

The Board will:

- observe the highest standards of impartiality, integrity and objectivity in relation to governance
- be accountable to its stakeholders and regulatory bodies for its activities;
- engage in a partnership with the Executive Team

#### Expectations

All Trustees are required to:

- follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (referred to as “the Nolan Principles”);
- comply with the:
  - Articles of Association,
  - Terms of Reference
  - Scheme of Delegation
  - Roles and Responsibilities Matrix
  - Declaration and Conflicts of Interest Policy
  - Code of Conduct
- ensure they understand their duties, rights and responsibilities, and that they are familiar with the function and role of the Trust
- not misuse information gained in the course of their Trusteeship for personal gain, nor seek to use the opportunity of service to promote their private interests or those of connected persons, firms, business or other organisations;
- participate actively in the induction process, any relevant training and the performance review process.

#### Powers, Functions and Responsibilities of Trustees

The Trustees are responsible for the governance and supervision of the Trust and its committees.

The Trustees have a number of duties and responsibilities relating to the governance of the Trust and its finances. In summary, the Trustees are responsible for:

- establishing the vision, mission and values of the Trust;

- leading and managing the Trust in accordance with the objects of the Trust as set out in the Articles of Association and safeguarding the assets of the Trust;
- Designing strategy and structure for the operation of the Trust;
- Delegating the running of the academies to the Executive Team;
- Ensuring sound management and administration of the Trust by the Executive Team ensuring the Executive Team is equipped with the relevant skills and guidance;
- Ensuring appropriate financial controls and the financial management of the Trust in accordance with the provisions of the Academies Financial Handbook, which sets out in detail provisions for the financial management of the Trust;
- Setting standards of conduct and values, monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon;
- Ensuring there are effective systems in place for identifying, quantifying, minimising and managing the major risks affecting the Trust; and
- Ensuring the Trust and its academies are conducted in compliance with legal and statutory requirements.

### Accountability of Trustees

The Trustees are chiefly accountable to:

- the beneficiaries of the Trust (students at the academies, their parents and the local community) for the quality of education and pastoral care at the academies, for matters of health and safety and for safeguarding and promoting the welfare of students;
- the DfE, the EFA and specifically the Secretary of State under the terms of the Funding Agreement
- the Secretary of State (in his/her role as principal regulator in respect of charity matters) for operating the Trust for the public benefit, for the prudent management of the Trust and its financial efficiency and for compliance with legislation including charities legislation;
- the employees of the Trust for their working environment, and for compliance with contracts of employment, employment law and statutory requirements and matters of health and safety; and
- other regulatory authorities for compliance with regulated responsibilities to which the Trust and the academies are subject.

## Conducting Trustees' Business

The Trustees are required to:

- act together and in person and not delegate responsibility of the Trust to others;
- act strictly in accordance with the Articles;
- act in the Trust's interests only and without regard to their own private interests;
- manage the Trust's affairs prudently;
- not take personal benefit from the Trust unless expressly authorised by the Articles or the Charity Commission; and
- access proper professional advice on matters on which they are not themselves competent.

The Trustees should also hold the Executive Team to account. They should offer support, constructive advice, be a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information and approve proposals where appropriate and at all times act in the best interests of the Trust.

The Trustees shall have regard to the framework for inspecting schools in England under section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children's Services and Skills (Ofsted).

The duties and responsibilities of Trustees are explained in further detail in *The essential trustee: what you need to know, what you need to do* (Charity Commission, July 2015) and in the *DfE Governors Handbook* (January 2015).

The Trustees shall have regard to the Academies Financial Handbook, which shall be circulated to all Trustees.

## Chair of Trustees

The Board shall appoint an individual from among their number to act as Chair. A change of Chair will require a notification to be made to the DfE, including a Disclosure and Barring Service (DBS).

The main role of the Chair is to chair meetings of the Trust Board. He or she also provides leadership to the Trustees and acts as the main point of contact between the Trustees and the Executive Team.

Apart from any special responsibilities or powers given to the Chair in the Articles of Association (e.g. the right to chair meetings of the Trust Board and to have a second or casting vote in any case of an equality of votes at a meeting of the Trust Board), the Chair has no special powers or rights over any other Trustee. If the Chair is to carry out

certain specific functions (for example, the power to approve an overspend in a certain area of the budget) then this must be expressly delegated by the Board.

### **Meeting of Trustees**

There will be a minimum of three meetings for the Trustees each academic year. Meetings of the Trustees shall be convened and conducted as provided by the Articles.

In determining the agenda for Board meetings and committee meetings, the Trustees will have regard to the requirement on them to:

- ensure good financial management and effective internal controls;
- comply with the Funding Agreement and current version of the Academies Financial Handbook (or successor documents);
- receive and consider information on financial performance at least three times a year; and
- take appropriate action to ensure ongoing viability against agreed budgets.

In consultation with the Chair, the Governance Clerk will prepare an annual plan for the meetings of the Trustees.

### **Delegation of powers of Trustees**

Trustees (and Trusteeship which necessarily follows) is a personal office of trust and responsibility and this cannot be transferred to another individual. However, in order to ensure the proper management of the Academies, the Trustees are able to delegate specific tasks to assist them in carrying out their duties and obligations.

It is for the Trust Board to determine the decisions it will take for itself, those to be delegated to committees, working groups of individual Trustees (e.g. The Chair) and those to be delegated to the Executive Team. The Trustees must also consider when and from whom they should take professional advice.

In determining whether delegation is appropriate, the Trustees will have regards to the following principles:

- non-executive powers must be exercised by the Trustees personally and may not be delegated;
- except when it is impracticable to do so, executive powers should be delegated to the CEO who may authorise further delegation; and
- every act of delegation is only a delegation of powers and does not relieve the trustees of responsibility.

Delegation can be made to:



- Board committees including the following:-
  - Trust Performance Review Committee
  - Audit Committee
- the LGBs;
- any individual Trustee;
- The Executive Team (which in turn may delegate further)

### Stakeholders' Voices

Trustees are asked to have regard to the voices of their various stakeholders and to put in place arrangements to receive feedback and to respond appropriately. This shall include the following, as they are involved in other elements/tiers of trust governance and more broadly:

- Students
- Parents
- Staff

### Risk Management

The charities statements of recommended practice ("the SORP") set out requirements for reporting on the risks to a charity.

The Trustees' report therefore must include a description of the principal risks and uncertainties facing the Trust and any subsidiary undertakings, as identified by the Trustees. The report must also include a summary of the Trustee's plans and strategies for managing these risks. The Trustees must identify specific risks and describe ways to combat each one, rather than making general statements regarding risk management.

The Trustees are therefore responsible for:

- identifying the major risks that apply to the Academy Trust, including:
  - operational risks (employment issues, health and safety, fraud, service quality and development etc.);
  - financial risks (accuracy of financial information, cash flow, reserves, over-reliance on funding sources etc.);
  - external risks (changes in government policy, economic factors, demographic changes, adverse publicity etc.); and
  - regulatory risks (compliance with legislation, changes in policies of the regulators etc.)

- making decisions (based where appropriate on advice from professional advisors) as to how to respond to those risks; and
- making appropriate statements regarding the management or risks in the annual report.

The Audit Committee, supported by the Executive Team, shall prepare a risk register for approval by the Trustees, along with a procedure by which the risk register shall be subject to regular review. The risk register shall have named individuals assigned to manage each area.

### **The Management of Conflicts of Interest**

The Companies Act 2006 imposes a statutory duty on the Trustees to avoid situations in which they have or could have an interest or a perceived interest, which conflicts (or could conflict) with the interests of the Trust. The duty is to:

- a. declare the nature and extent of any interest in any matter relating to the Trust;
- b. avoid any conflict of interest between that interest and the interests of the Trust;
- c. manage potential, actual and perceived conflicts of interest.

Further details are set out in the Declarations and Conflicts of Interest Policy which the Trustees must comply with.

### **Recruitment of Trustees**

It is essential that the Trust Board has a proper mix of skills and experience. The Trustees must therefore be able to identify potential new Trustees in order to plan for succession, which combines continuity of experience and expertise with new ideas.

The Board as a whole is responsible for ensuring that:

- the skills of any new Trustee fit in with the Trust's requirements in the short, medium and longer term;
- each new Trustee is not disqualified from acting as a Trustee by any provision of the Trust's Articles of Association (including the requirement that he or she is not disqualified as a company Trustee or charity trustee);
- there is a system in place which ensures that all relevant checks, including an enhanced DBS check, are completed before or as soon as practicable after a Trustee takes up position; and
- the new Trustee understands the responsibility he/she is taking on and consents to act as a Trustee.

Each new Trustee will be properly inducted to ensure that he/she understands the nature and extent of their role and responsibilities. It is the duty of a new Trustee to ensure that he/she is familiar with the Objects of the Academy Trust; its history and ethos, the nature and extent of its activities; the content of the Trust's Articles of Association and; the Governance Handbook.

The Trustees shall provide each new Trustee with a copy of the:

- Trust's Articles of Association
- Terms of reference
- Governance Handbook
- Declaration and Conflicts of Interest Policy

New Trustees shall be required to sign the declaration set out in Appendix 7.

The Clerk to the Trustees shall ensure that any appointment of a new Trustee is notified to the EFA within 14 days of the appointment (as required under the Academies Financial Handbook).

### **Training and Development of Trustees**

Trustees shall ensure the Board has the skills and experience needed to perform its function effectively. Trustees shall also be kept up to date with developments in the legal and regulatory framework in which the Trust operates.

Trustees will participate in the performance review system for evaluating Trustees individually and as a team, with a view to identifying potential gaps in skills, knowledge and expertise and any requirements for training and development. Such evaluation shall be carried out annually.

### The Seven Principles of Public Life set out by the Committee on Standards of Public Life (“the Nolan Principles”)

#### 1. Selflessness

Holders of public office should act solely in terms of the public interest.

#### 2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### 3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### 4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### 5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### 6. Honesty

Holders of public office should be truthful.

#### 7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

### Trustee's Code of Practice

#### Introduction

This code of practice is designed to set out the conduct required of trustees in order to ensure the highest standards of integrity and stewardship.

#### General Responsibilities

*“Trustees must act reasonably and prudently in all matters relating to the Charity and must always bear in mind the interests of the Charity. They should not let their personal views or prejudices affect their conduct as trustees”. (The Essential trustee: what you need to know (CC3), Charity Commission, February 2008).*

*“The primary duty of a trustee is to carry out the function of his or her office with the utmost good faith. He or she must be impartial and mindful of the interests of the beneficiaries of the Charity and of the objects for which the Charity is established” (Governance and management of charities, Andrea Hind, NCVO Publications, 1995).*

Trustees should listen to the view of other trustees, staff, volunteers or external advisors respectfully. Trustees should not cause offence to others or undermine the standing of their colleagues as a member of the Trust Board.

#### Board Papers

Whilst the Board aims to conduct its business openly, it is inevitable that some matters must be confidential either for a time or always.

All matters discussed at Board meetings (save for items which are clearly neither confidential nor of a sensitive nature either legally, commercially, financially or personally) should be treated as strictly confidential and should not be discussed with anyone other than those present in the meeting when the matter in question was discussed unless authorised by the Board to do so. If in any doubt, trustees should contact the Chair.

#### Board Meetings

Open discussion and debate is actively encouraged.

As Trustees must act with probity, the Board should take and consider professional advice from internal and/or from external advisors where appropriate.

Where consensus is not achieved, decisions will be taken during Board meetings by calling for a vote by those present. Trustees who abstain on, or vote against, any motion may request an appropriate note to be made in the minutes.

The Board must be accountable but delegate authority on various matters on which it is entitled as necessary.

## **Outside Board Meetings**

Trustees should exercise restraint outside a meeting in relation to particular comments made within the Board meeting by individual members. Trustees must accept that it is inappropriate for any private or public references to “who said what”, except in dialogue with other trustees.

Trustees should accept the need for care and restraint, honouring the spirit as well as the letter of the code of practice, when talking about Board matters in any other forum.

## **Disagreements**

Where a Trustee has a disagreement on any matter, he or she should raise the matter informally with the Chair or through the normal procedures at a Board meeting.

If not resolved, a Trustee may request the matter be taken further by the Chair.

If a satisfactory conclusion is not reached, the Board may recommend the appointment of an independent mediator.

## **The Executive Team and the Wider Staff**

Staff and Trustees are expected to deal with each other with respect and courtesy.

Trustees must ensure there is a clear understanding of the scope of authority delegated to the CEO.

Having given the CEO delegated authority, Trustees should be careful individually and collectively, not to undermine the authority either by word or action.

Trustees delegate management to the CEO, which includes the management of staff.

If a Trustee has concerns relating to the performance of a member of staff, he or she should contact the Chair, who will take up the matter with the CEO.

### Reserved Matters

The Reserved Matters are:

#### Members

(Subject to such other consents/requirements as might be required by law or the Funding Agreement)

1. to change the name of the Trust
2. to change the Objects (which would require Charity Commission and Secretary of State consent)
3. to change the structure of the Trust Board
4. to amend the Articles of Association
5. to pass a resolution to wind up the Trust
6. to appoint the auditors (save to the extent that the Trustees may make a casual appointment)

#### Trustees

(Subject to such other consents/requirements as might be required by law or the Funding Agreement)

7. to change the name of the academies
8. to determine the educational character, mission or ethos of the academies
9. to adopt or alter the constitution and terms of reference of any committee of the Trust
10. to terminate a supplemental funding agreement for an academy
11. to establish a trading company
12. to sell, purchase, mortgage or change any land in which the Trust has an interest
13. to approve the annual estimates of income and expenditure (budgets) and major projects

14. to appoint investment advisors
15. to sign off the annual accounts
16. appoint or dismiss the CEO, the Finance Director, the HR Director and the Clerk to the Trust Board.
17. do any other act which the Funding Agreement expressly reserves to the Trust Board or to another body (including for the avoidance of doubt, terminating the Funding Agreement or any part of it).
18. to do any other act which the Articles expressly reserve to the Trust Board or to another body or
19. do any other act which the Trust Board determine to be a Reserved Matter from time to time.



**TRUST DECLARATION ON APPOINTMENT**

The Education Alliance

I confirm that I am willing to act as a Trustee of The Education Alliance (“a Trustee”). I further confirm that I am not disqualified from so acting by virtue of any provisions of the Articles of Association of the Trust, including, but not limited to, the requirement that I am not disqualified from acting as Charity Trustee by virtue of section 178 of the Charities Act 2011.

Signed .....

Full Name .....

Address .....

.....

.....

.....

Date .....

### TERMS OF REFERENCE

#### Audit Committee

##### Role

The role of the Audit Committee is to maintain an oversight of the Trust's governance, risk management, internal control and value for money framework. It will report its findings bi-annually to the Board of Trustees and the Accounting Officer as a critical element of the Trust's annual reporting requirements.

##### Authority

The Audit Committee is a Committee of the Board of Trustees and is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Board. It is authorised to request any information it requires from any employee, external audit, internal audit or other assurance provider.

The Audit Committee is authorised to obtain external legal or independent professional advice it considers necessary to fulfil its duties, normally in consultation with the Accounting Officer and/or Chair of the Board.

The Audit Committee has no executive powers or operational responsibilities/duties.

##### Duties

- advise the Board of Trustees and Accounting Officer on the adequacy and effectiveness of the Trust's governance, risk management, internal control and value for money systems and frameworks;
- review the draft audited financial statements and highlight any significant issues to the Board of Trustees, prior to submission to the Secretary of State by 31 December each year;
- review audit provision and make any recommendations to the Board of Trustees for the appointment, re-appointment, dismissal and remuneration of external auditors;
- recommend the programme for the independent checking of financial controls, systems, transactions and risk. This programme of work is to be derived from the Audit Committee's regard of the key risks faced by the Trust, the assurance framework in place and its duty to report to the Board of Trustees;

- review internal audit provision and approve the appointment, re-appointment, dismissal and remuneration of an internal auditor or other assurance provider which are most appropriate to the circumstances of the Trust and as outlined in the Academies Financial Handbook;
- receive the reports on risk and financial controls to review and assess the effectiveness of the financial procedures and internal control;
- receive reports (annual reports, management letters etc.) from the external auditor and other bodies, for example the EFA and NAO, and consider any issues raised, the associated management response and action plans related to referring reports to the Board of Trustees or other committees for information and action where appropriate;
- Regularly monitor outstanding audit recommendations from whatever source, ensuring the progress of actions and any delays to implementation dates are reasonable;
- Review the Trust's Whistleblowing Policy and ensure that all allegations of fraud or irregularity are managed and investigated appropriately;
- Consider any additional services delivered by the external auditor or other assurance provider and ensure appropriate independence is maintained;
- Ensure appropriate cooperation and coordination of the work of the external auditor and responsible officer or other assurance provider;
- The Chair of the Audit Committee will make contact with the external auditor and responsible officer, without management present, as appropriate.

### Administration

- the membership of the Audit Committee will consist of committee members appointed by the Board of Trustees and will include:
  - as a minimum 2 Trustees from the Board of Trustees
  - there is provision for the Board of Trustees to appoint a person or persons who is not a Trustee to sit on the Audit Committee
- the Audit Committee will normally be attended by the CEO (Accounting Officer) and the Director of Finance.

- the Audit Committee may ask other officials of the organisation or a representative of External Audit to attend to assist with discussions on any particular matters.
- the Audit Committee may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussion of particular matters.
- the Chair of the Audit Committee will be appointed annually by the Trust Board of Trustees.
- any Trustees may attend Audit Committee meetings with the consent of the Audit Committee Chair and they will have observer status.
- the quorum for the Audit Committee shall be three.
- the Board, the Accounting Officer or the Chair of the Audit Committee may ask the Audit Committee to convene further meetings to discuss particular issues on which they want the Committee's advice.
- The External Auditor or Responsible Officer may request a meeting with the Chair of the Audit Committee at any time in the year.

## Roles and Function Matrix

Governance				
Members	Trustees	LGB members	Executive Team	Head of School
<p>To review and amend the Articles of Association</p> <p>To change the name of the Trust</p> <p>To receive an annual report from the Trustees and the Executive Principal on the Trust's performance</p>	<p>To review and amend:</p> <p>The Terms of Reference for the Trust Board</p> <p>The Constitution and Terms of Reference of the Local Governing Bodies (including those relating to Transition and Intervention Boards)</p> <p>The Terms of Reference and Scheme of Delegation</p> <p>This Roles and Functions Matrix</p> <p>To determine the Board's Reserved Matters</p>	<p>To champion the vision and values in the academy and to ensure the spiritual wellbeing of the students</p> <p>To determine the educational and spiritual character, mission or ethos of a particular academy (to the extent that it is not inconsistent with that of the Trust) in collaboration with the Head of School.</p> <p>To ensure that the school has a medium to long-term vision for its future and that there is a robust strategy in place for achieving its vision.</p>	<p>To attend meetings of the Trustees and to provide an CEO's report.</p> <p>To support the appointment process for the Clerk.</p> <p>To secure professional advice on behalf of the Trustees as may be requested.</p> <p>To support the Trustees and the academies in the preparation of Trust-wide and academy specific policy requirements.</p>	<p>To implement the educational character, mission or ethos of a particular academy (to the extent that it is not inconsistent with that of the Trust) as determined by the LGB.</p> <p>To attend meetings of the LGB and to provide a Head of School's report.</p> <p>To support the appointment process of the Clerk</p> <p>To tailor Trust-wide policies to academies as recommended by or in consultation with the Executive Team</p>

	<p>To determine the educational character, mission and ethos of the Trust</p> <p>To appoint a Clerk to the Trustees</p> <p>To review and amend the policies of the Trust</p>	<p>To appoint (and remove) from its number: chair, vice-chair and local governors with specific responsibilities for special educational needs, child protection, pupil premium and financial matters</p> <p>To appoint a Clerk to the LGBs</p> <p>To implement Trust policies and where there are specific school policies, review and amend the policies of the academies (in line with any Trust prescribed policy)</p> <p>To monitor a means whereby the academy can receive and react to student, parent and staff feedback</p> <p>To establish and maintain a relationship with members of the local community.</p>		
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## Roles and Function Matrix

Finance				
Members	Trustees	LGB members	Executive Team	Head of School
To appoint external auditors	<p>To appoint internal auditors</p> <p>To sign off annual accounts and report</p> <p>To approve the financial scheme of delegation</p> <p>To approve the annual budget for the Trust</p> <p>To approve any significant changes to the approved budget</p> <p>To monitor income, expenditure, cash flow and balance sheet of the Trust</p> <p>To retain an overview of the Trust Declaration and Conflicts of Interest register</p> <p>To establish a charging and remissions policy and to keep this under review.</p>	<p>To appoint a Local Governor responsible for finance</p> <p>To approve the annual budget for the academy</p> <p>To monitor the income, expenditure and cash flow for the academy</p> <p>To ensure any variances from the budget are reported to the Trust Board</p> <p>To ensure proper financial controls are in place at the academy</p> <p>To ensure the Trust Declaration and Conflicts of Interest register remains up-to-date</p>	<p>To prepare the annual budget for the Trust</p> <p>To monitor the income, expenditure, cash flow and balance sheet of the Trust</p> <p>To prepare monitoring reports for the Trustees.</p> <p>CEO to act as the Accounting Officer</p> <p>To ensure proper financial controls are in place</p> <p>To ensure the Trust Declaration and Conflicts of Interest register remains up-to-date</p> <p>To set up and approve staff expenses for the Executive Team</p> <p>To open bank accounts</p>	<p>To ensure the preparation of the annual budget for the academy in consultation with the Executive Team</p> <p>To monitor the income, expenditure and cash flow of the academy</p> <p>To prepare monitoring reports for the LGBs</p> <p>To ensure proper financial controls are in place at the Academy</p> <p>To ensure provision of free school meals to those students meeting the criteria</p> <p>To set up and approve staff expenses at the Academy (e.g. overtime, travel, expensive learning and development agreements,</p>

	<p>To appoint an Accounting Officer</p> <p>To ensure proper financial controls are in place</p> <p>To maintain a register of business interests</p> <p>Trust Performance Review Committee approve and oversee senior leadership pay progression, bonus payments and pay reviews.</p> <p>Oversight of pay progression and the associated pay bill forecasts for the Trust.</p> <p>Approval of pay scale reviews and inflationary uplifts across the Trust, ensuring adherence to legal and statutory requirements.</p> <p>Annual review of the Trust Pay Policy.</p>	<p>To ensure provision of free school meals to those students meeting the criteria.</p> <p>Monitor adherence to Trust pay related policies (e.g. Pay Policy and Performance Management).</p>	<p>Recommend to the Trust Performance Review Committee and Board meetings pay progression, pay scale reviews, inflationary uplifts and bonus payments.</p> <p>Review of HR pay related policies and procedures (e.g. Recruitment and Retention Premia, Relocation, Pay Policy and Performance Reviews), advising the Heads of School and LGBs on their implementation.</p>	<p>recruitment and retention payments, interview expenses, relocation assistance, performance reviews and pay progression - all in line with the relevant Trust policies).</p>
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## Roles and Function Matrix

Contracts				
Members	Trustees	LGB members	Executive Team	Head of School
To approve any service contracts for Trustees	<p>To adopt a Trust-wide procurement policy</p> <p>To set the delegated levels of authority for contracts</p> <p>To approve contracts as per limits of financial delegation.</p> <p>To approve contracts which constitute related party transactions</p> <p>To set up and approve Trustee expenses in accordance with the Trust Declarations and Conflicts of Interest Policy.</p>	<p>To enter into contracts up to the limits of delegation and within an agreed budget</p> <p>To support the Trust Board in its monitoring and evaluation of the delivery of any central services and functions provided or procured by the Academy Trust for the Academy.</p>	<p>To enter into contracts up to the limits of delegation and within an agreed budget</p> <p>To make payments within agreed financial limits</p> <p>Monitor third party performance against contract specifications</p>	<p>To make payments within agreed financial limits</p> <p>To enter into contracts up to the limits of delegation and within an agreed budget</p> <p>To act as a signatory of the Academy specific bank account</p> <p>Monitor third party performance against contract specifications</p>

## Roles and Function Matrix

Curriculum and Standards				
Members	Trustees	LGB members	Executive Team	Head of School
<p>To receive an annual report from the Trustees and the CEO on standards</p>	<p>To determine a Trust-wide curriculum policy to ensure provision of a balanced and broadly based curriculum and to include:</p> <ul style="list-style-type: none"> <li>• A prohibition on political indoctrination and a balanced treatment of political issues; and</li> <li>• A written policy on sex and relationship education.</li> </ul> <p>To determine a Trust-wide policy on religious education and collective worship.</p> <p>To receive a report from the Executive Team regarding standards.</p>	<p>To approve the curriculum proposed by the Head of School (to the extent that it is consistent with the Trust-wide policy)</p> <p>To ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Academy.</p> <p>To monitor the KPI figures reported from the Head of School relating to standards</p> <p>To develop, monitor and approve the Academy Development Plan</p>	<p>To provide oversight of the implementation of the Trust-wide curriculum policy.</p> <p>To provide a report to the Trustees regarding standards</p> <p>To provide an oversight of the target setting for student achievement and progress by the Heads of School and monitor against targets.</p> <p>To monitor the KPI figures reported from the Heads of School relating to standards.</p>	<p>To ensure the curriculum is delivered at the Academy including compliance with any funding agreement requirements</p> <p>To implement Trust policy on religious education and collective worship</p> <p>To set targets for student achievement and progress and monitor against targets</p> <p>To report KPI figures for the Executive Team and the LGB relating to standards.</p> <p>To prepare a draft Academy Development Plan for approval by the LGB</p>

## Roles and Function Matrix

Special Educational Needs (SEN)				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To determine a Trust-wide SEN and Disability Discrimination Act Policy</p> <p>To ensure an annual SEN Report is produced by each academy</p>	<p>To appoint a Local Governor responsible for SEN and inclusion</p> <p>To review and maintain the Academy's SEN policy and to review annual SEN Report.</p> <p>To provide oversight of the implementation of the policy within the Academy and compliance with the Disability Discrimination Act requirements</p>	<p>To provide oversight of the implementation of the Trust-wide SEN policy</p> <p>To ensure compliance with the Disability Discrimination Act requirements within the Academies</p>	<p>To designate a teacher to be responsible for co-ordinating SEN provision</p> <p>To liaise with the local authority in respect of students who have (or might have) SEN</p> <p>To make provision for SEN students with or without a statement or Education, Health and Care plan</p> <p>To ensure compliance with the Disability Discrimination Act requirements within the Academy</p> <p>To produce annual SEN Report</p>

## Roles and Function Matrix

Safeguarding				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To adopt a Trust-wide Safeguarding and Child Protection policy</p> <p>To adopt a Trust-wide policy regarding school trips</p>	<p>To appoint a designated governor for safeguarding and looked after children</p> <p>To review and maintain a Safeguarding and Child Protection policy for the Academy (consistent with the Trust-wide policy)</p> <p>To ensure the completion of the single central record and its regular up-dating.</p>	<p>To ensure that each Academy has appointed a designated teacher to support looked after children</p> <p>To make arrangements for safeguarding audits to be conducted by independent personnel</p> <p>To report to the Trustees on the procedures in place for safeguarding and on matters as they arise.</p>	<p>To appoint a designated teacher to support looked after children and to ensure the role is compliant with statutory guidance</p> <p>To maintain the single central record</p> <p>To approve off-site visits for students of more than 24 hours</p> <p>To appoint a Safeguarding and Deputy Safeguarding Officer.</p>

## Roles and Function Matrix

Behaviour				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To adopt a Trust-wide Behaviour Policy</p> <p>To view the use of exclusions across the Academy Trust</p>	<p>To adopt and ensure the implementation of a Behaviour Policy for the Academy</p> <p>To convene a committee to review any exclusion of a student.</p> <p>To ensure effective processes are in place to monitor the quality assurance of behaviour and safety of students</p>	<p>To prepare a Trust-wide Behaviour Policy for adoption by the Trustees</p> <p>To review the overall pattern of exclusions and to report to the Trustees</p> <p>To monitor the KPI figures reported from the Head of School relating to behaviour and safety of students.</p>	<p>To prepare a Behaviour Policy for the Academy for adoption by the LGB</p> <p>To exclude a student for a fixed term or permanently.</p> <p>To report the KPI figures to the Executive Team and the LGB relating to behaviour and safety of students.</p>

## Roles and Function Matrix

Admissions				
Members	Trustees	LGB members	Executive Team	Head of School
	To adopt a Trust-wide admissions policy	<p>To undertake consultation, publish admissions and determine arrangements as required in accordance with the School Admissions and Appeals Code</p> <p>To make arrangements for determining admissions and hearing admission appeals</p> <p>To ensure effective arrangements are in place for student recruitment, including the prospectus.</p>	<p>To propose a Trust-wide admissions policy for adoption by the Trustees</p> <p>To provide an oversight and support of the implementation of the admissions arrangements across the Trust</p>	<p>To provide direction to the LGB as to requirements under the Schools Admissions and Appeals Code.</p> <p>To ensure compliance with the Trust-wide policy</p> <p>To make arrangements for determining admissions and hearing admission appeals</p> <p>To participate in local admissions forum</p> <p>To ensure participation in the fair access protocol</p> <p>To develop the Academy Prospectus, consistent with the Trust.</p>

## Roles and Function Matrix

Other Student Related Matters				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To receive a report from the Executive Team regarding standards (to include attendance)</p> <p>To adopt a Trust-wide Complaints Policy and receive reports from the Executive Team regarding the level of complaints across the Academy Trust</p>	<p>To review attendance and student absences (as part of the KPIs)</p> <p>To appoint a Local Governor responsible for statutory grants including pupil premium</p> <p>To appoint a Local Governor responsible for monitoring and evaluation</p> <p>Where the Academy is 11-18, appoint a Local Governor responsible for sixth form</p> <p>To monitor the impact of the pupil premium in the Academy</p> <p>To adopt the Trust Complaints Policy</p>	<p>To monitor the levels of attendance in the Academies and the use of home-Academy agreements and reports termly to the Trustees</p> <p>To monitor the impact of the pupil premium across the Academy Trust</p> <p>To review the level of complaints across the Academy Trust</p>	<p>To maintain a register of student attendance</p> <p>To report on attendance and student absences (as part of the KPIs)</p> <p>To review and maintain home-Academy agreements</p> <p>To set the times of Academy sessions and the dates of Academy terms and holidays</p> <p>To ensure that the Academy meets for 380 sessions in an Academy year</p> <p>To ensure effective deployment of the pupil premium and to monitor its impact</p>

		<p>To hear complaints at the relevant stage</p> <p>To ensure effective arrangements are in place for student support and representation at the Academy</p> <p>To support the Academy Trust and the Head of School in the extended school provision in the Academy</p> <p>To review the level of complaints</p>		<p>To implement the Trust Complaints Policy and to hear complaints at the relevant stage</p>
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## Roles and Function Matrix

Workforce				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To define any overarching management structures across Trust and budget</p> <p>To adopt Trust-wide employment policies and procedures</p> <p>To appoint, suspend and dismiss the CEO</p> <p>To conduct the performance management of the CEO</p> <p>To appoint, suspend and dismiss the Clerk</p>	<p>To participate in the process to appoint the Head of School as requested by the Executive Team (acting with the delegated authority of the Trust Board) and to take part in the performance management of the Head of School</p> <p>To support the Head of School in the development and review (from time to time) of an appropriate staffing structure for the Academy and for the appointment of Academy staff to ensure that the Academy is fully staffed in accordance with that structure.</p>	<p>To determine the senior leadership and non-teaching structures for each Academy and the Trust</p> <p>To advise the Trustees on suitable Trust-wide policies and procedures and to ensure their effective implementation</p> <p>To monitor and review workforce changes across the Trust and within academies</p> <p>The CEO will conduct the performance management review of the Executive Leaders with support from the Trust Performance Review Committee</p> <p>Adhere to the responsibilities delegated</p>	<p>To determine workforce requirements, undertaking careful workforce planning including workforce risk management within each Academy and budget</p> <p>To implement the Trust-wide policies and procedures in the Academy</p> <p>To appoint teaching and non-teaching staff</p> <p>To suspend or dismiss teaching or associate staff in consultation with the Executive Team</p> <p>To conduct the performance management of staff in the Academy</p> <p>To approve applications for early retirement,</p>

		<p>To ensure the Academy Trust's policies on all HR matters are implemented in the Academy</p> <p>To monitor and scrutinise the implementation of the Trust's policies at the Academy for HR matters including the appointment, induction and performance management of staff, pay review processes and procedures for dealing with disciplinary matters, performance, grievances and dismissal</p>	<p>through the Scheme of Delegation</p>	<p>secondment and leave of absence, with advice from the Executive Team.</p>
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## Roles and Function Matrix

Information Management and Communication				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To adopt freedom of information and data protection policies and procedures to cover</p> <ul style="list-style-type: none"> <li>the requirement to notify individuals as to how information is to be used and</li> <li>the matter of safe storage.</li> </ul>	<p>To ensure the effective implementation of data protection policies and procedures in the Academy.</p> <p>To ensure systems are in place in line with the Trust's strategy at the Academy for effective communication with students, parents or carers, staff and the wider community.</p>	<p>To ensure compliance with all freedom of information and data protection legislation and good practice across the academies.</p> <p>To support the individual academies on the effective safe storage of data.</p> <p>To maintain accurate and secure staff records for the Executive Team.</p> <p>To ensure registration with the Information Commissioner's Office is up to date.</p>	<p>To ensure publication of Academy information, ensuring that all electronic communication, including web pages are up to date.</p> <p>To maintain accurate and secure student records.</p> <p>To maintain accurate and secure staff records for the Academy.</p> <p>To ensure compliance with all data protection legislation and good practice in the Academy</p> <p>Ensure the Trust Governance Clerk is aware of all Freedom of Information and Subject Access Requests</p>

## Roles and Function Matrix

Health, Safety, Risk and Estates				
Members	Trustees	LGB members	Executive Team	Head of School
	<p>To appoint an Audit Committee</p> <p>To review risk management utilising a risk register</p> <p>To approve insurance arrangements</p> <p>To review and maintain a buildings strategy and asset management planning arrangements.</p> <p>To adopt a Trust-wide health and safety policy</p> <p>To adopt a Trust-wide lettings policy.</p> <p>To approve capital investments in line with the Trust Estates Strategy</p>	<p>To appoint a Local Governor responsible for health and safety</p> <p>To review the risk register of the Academy and oversee the Academy risk report for the Board.</p> <p>To adopt a health and safety policy for Academy (in-line with the Trust-wide policy)</p> <p>To review the implementation of the above policy and ensure that appropriate risk assessments are being carried out in the Academy.</p>	<p>To prepare and maintain the risk register for the Academy Trust.</p> <p>To procure buildings and related insurance and make proposals to the Trustees.</p> <p>To prepare a buildings strategy and asset management planning arrangements.</p> <p>To propose a Trust-wide Health and Safety Policy for the Trustees' approval.</p> <p>To monitor and support the implementation of the Trust-wide Health and Safety Policy</p>	<p>To prepare the risk register for the LGB having regard to the risk identified by the Regional Board.</p> <p>To prepare a Health and Safety Policy for the Academy (in line with the Trust-wide policy) for adoption by the LGB.</p> <p>To monitor the accident book and agree appropriate actions.</p> <p>To ensure suitable risk assessments are prepared and appropriate actions taken.</p> <p>To review security of premises and equipment.</p>

		<p>To conduct site inspections to review any health and safety issues and the security of premises and equipment.</p>	<p>To draw up, agree and monitor an accessibility plan for each Academy in consultation with the Head of School.</p>	<p>Review sickness absence, looking for any trends and mitigating risks wherever possible, ensuring absence related to illness and injury is minimised wherever possible.</p> <p>To implement the Trust-wide lettings policy.</p> <p>To liaise with Executive Team on accessibility plan for the Academy.</p>
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# Scheme of Delegation

# Composition of the Trust Board

Type of Member	Number	Term of Office	How they are elected
Chair and Vice Chair	2	Maximum of 6 years	Appointed by Members and elected by the Board
Trustee	Up to 10	4 years	Appointed by Members
Governance Clerk	1	Indefinite	To be appointed by the CEO and appointment approved by the Board

There will be a maximum of 12 Trustees, including the Chair and Vice Chair and they will cover, as a team, the following specialisms: HR; Estates, Health and Safety; Strategic Partnerships and Public Relations; Constitutional Governance; Leadership and Policy; Education, Performance and Curriculum; Audit; Safeguarding; Legal; IT and Risk and; Finance.

# Composition of Academy LGBs

Type of Member	Number	Term of Office	How they are elected
Chair and Vice Chair	2	Maximum of 6 years	Appointed by the LGB
Governor	Maximum 6	4 years	Appointed by the Board
Staff Governor	2	4 years	Nomination and interview to be organised by the relevant Academy
Parent Governor	2	4 years	Nomination and interview to be organised by the relevant Academy
Governance Clerk	1	Indefinite	To be appointed by the Academy

There will be a maximum of 12 Governors, including the Chair and Vice Chair, Staff and Parent Governors. The LGB will nominate specific Governors to oversee Finance, SEN/Inclusion, Safeguarding and Looked After Children, Pupil Premium and other statutory grants and health and safety.

Staff Governors have a term of office of 4 years and they will automatically step down if they leave the school.

Parent Governors have a term of office of 4 years and they won't automatically step down if their child leaves the school and they are no longer a parent of a student of the school. However, if the maximum number of Governors has been met and there are less than 2 Governors on the LGB that are parents, at that point the Governor may be required to step down to enable the school to find another Parent Governor.



### Central Trust Team

As part of a Family of Schools we aim to have the greatest amount of impact with efficacy. A contribution rate of between 4-5% will be agreed with each school based on the services and support they require.

Budget Setting		
<p>All final Academy budgets must be submitted to the Board for ratification by 30 July each year. Budgets require authorisation by the LGB, Executive Principal, Head of School and the Director of Finance prior to being presented to the Board.</p> <p>All Heads of School in conjunction with their LGB will submit to the Board their Head of School report three times a year (which includes budget information), the School Development Plan once a year and a staffing cost analysis in July in readiness for the following September.</p>		
Delegated Duty	Delegated Authority	Comment
Admissions	LGB	All Academies will follow the Local Authorities admission policy for 11 – 16 and their own at post 16 taking into account Local Authority admission policies.
Capital Programme	Trust Board	Proposed capital programmes need to be submitted by 30 June each year with the approval of the Finance Director, CEO, LGB and Head of School.
Capital Programme Contract Variations	LGB – if within agreed programme budget/contingency Trust Board – if exceeding agreed programme budget/contingency	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme.
Health and Safety	Trust Board	It is the responsibility of the Trust Board to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. The operational compliance of this function will be delegated on a day to day basis to the Premises Manager of each Academy, working with their Head of School.

Income Generation	Trust Board and LGB	Any income generated by LGBs belongs to each individual Academy for them to invest in the future learning of the students, however, income generated by the Trust Board will be re-invested within the Trust where student need is greatest.
Insurance	Trust Board	The Trust Board will use its purchasing power to ensure that all Academies receive value for money with their insurance.
Investments	Trust Board	The Trust Board currently invest any surplus monies on behalf of each Academy. All interest generated from such investments reverts back to the individual Academy.
Permanent Exclusions	Head of School and LGB	All Academies will follow Local Authority procedures for permanent exclusions and independent permanent exclusion appeals.
Procurement	Trust Board	The Finance Director must be satisfied that appropriate procurement has taken place across the Trust as detailed in the Trust Finance Manual and associated documentation.
Service Level Agreements / Contracts	LGB, Director of Finance and the Executive Principal	Depending on the context of each Academy, each Academy may have different SLAs / Contracts in place. It is the responsibility of the LGB to negotiate new SLAs/ Contracts and to ensure they are receiving value for money and quality of service. From time to time the Trust may procure SLAs on behalf of all academies as part of a best value review.
Safeguarding	Trust Board	The Trust Board will, in respect of each Academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All Academies will follow the Trust's safeguarding policies and procedures.

# Financial Levels of Authority

Delegated Duty	Value	Delegated Authority	Comment
	All procurement must be carried out in compliance with the principles of the EU Treaties, include the free movement of goods (Article 28 of the EC Treaty), the right of establishment (Article 43), the freedom to provide services (Article 49), non-discrimination and equal treatment, transparency, proportionality and mutual recognition. For most goods and services where contracts will have a value over their lifetime in excess of the OJEU threshold, a strict procedure must be followed in compliance with the Public Contracts Regulations 2006 and related regulations.		
	Up to £5,000	Budget Holders	If within approved budget level <ul style="list-style-type: none"> <li>Orders up to £5,000 at least a single written quotation is required</li> </ul> Orders over £5,000 require 3 written quotations
	£5,001-£9,999	Head of School	If within approved budget level <ul style="list-style-type: none"> <li>Orders up to £5,000 at least a single written quotation is required</li> <li>Orders over £5,000 and up to £9,999 require 3 written quotations</li> </ul>
	£10,000 - £35,000	Head of School and Director of Finance	If within approved budget level. <ul style="list-style-type: none"> <li>Orders over £5,000 require 3 written quotations</li> <li>Order over £150,000 are subject to the Trust's tendering policy and approval by the Board</li> </ul>
	£35,001-£50,000	CEO & Director of Finance	If within approved budget level <ul style="list-style-type: none"> <li>Order over £150,000 are subject to the Trust's tendering policy and approval by the Board</li> </ul>

	£50,001-£150,000	Executive Team (including CEO and Director of Finance)	If within approved budget level <ul style="list-style-type: none"> <li>Order over £150,000 are subject to the Trust's tendering policy and approval by the Board</li> </ul>
	£150,001 and above	Board of Trustees (with advice from CEO and Director of Finance)	If within approved budget level <ul style="list-style-type: none"> <li>Order over £150,000 are subject to the Trust's tendering policy and approval by the Board</li> </ul>
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Authorising monthly salary payments</b>	Unlimited	Director of Finance	Report to Board any anomalies
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Signatures for Cheques, BACS payment authorisations and other bank transfers</b>	Up to £10,000	Any two signatures in line with the Bank Mandate	
	£10,001-£35,000	Two signatures in accordance with the bank mandate and one must be Director of Finance	
	£35,001-£150,000	Two signatures in accordance with the bank mandate and one must be CEO	
	£150,001 plus	Two signatures in accordance with the bank mandate and one must be Chair of the Board	
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Signatories for grant claims and DfE Returns</b>	Unlimited	The Director of Finance and one of the following: <ul style="list-style-type: none"> <li>Chair of the Board</li> <li>CEO</li> <li>Head of School</li> </ul>	Two signatories, or as required by DfE / YPLA
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>

<b>Virement of budget provision between budget heads</b>	Up to £35,000	Director of Finance	Virement within a department at discretion of Finance Manager in consultation with Head of School. All virements to be reported to the Director of Finance
	£35,001-£50,000	Budget Holder, CEO & Finance Manager	Reported to the LGB
	£50,001-£150,000	Executive Team	Reported to LGB and the Board
	£150,001 plus	Board of Trustees	
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Disposal of assets</b>	Up to £20,000	Head of School and Director of Finance	Head of School reports to the Board
	Over £20,000	CEO, the Board, Director of Finance and DfE	DfE approval required for disposal of assets funded with more than £20,000 of DfE grant or transferred from the LA at nominal consideration
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Write-off bad debts</b>	Up to 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 for any academy trust that has not submitted timely, unqualified financial returns for the previous 2 financial years.  Cumulatively 5% of total annual income in any one financial year per category of transaction	Head of School and Finance Manager	Report to LGB

	for any academy trust that has not submitted timely, unqualified financial returns for the previous 2 financial years.		
	Over the above limits.	Board and Director of Finance plus DfE approval	Report to the Board
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Write-off overpayments to staff</b>	Up to £1,000	Head of School and Finance Manager	Report to Director of HR who reports to the Executive Principal
	Over £1,000	CEO, Director of HR and Director of Finance	Reported to the Board
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Comment</b>
<b>Purchase or sale of freehold property</b>	Any	Board, CEO and Director of Finance plus DfE approval required	
<b>Granting or taking up of any leasehold or tenancy agreement exceeding 3 years</b>	Any	Board, CEO and Director of Finance plus DfE approval required	
<b>Any guarantees, indemnities and letters of comfort entered into</b>	Any	Board, CEO and Director of Finance plus DfE approval required	
<b>Ex-gratia payments</b>	Under £50,000	Head of School, CEO and Director of HR	
	Over £50,000	Head of School, CEO, Director of Finance, Director of HR, EFA and HM Treasury	The Director of Finance will speak to the DFA at the earliest opportunity

## APPOINTMENTS

**All appointment panels must contain at least one member who has undertaken Safer Recruitment Training  
The Executive Principal may nominate an alternative representative if they are unavailable to make up a panel**

CEO	1 Member and 2 Trustees
Executive Principal	2 Trustees and CEO
Head of School	1 Trustee, CEO and Executive Principal
Trust Director	1 Trustee, CEO and 1 other as determined by the CEO
Assistant/Deputy Heads	1 Trustee, CEO and Chair or Vice-Chair of LGB
School Directors	Executive Principal, Head of School and a Trustee/Governor
Managers and Leaders	Executive Principal, Head of School and Governor
Temporary Leadership Development Opportunities	Executive Principal, Head of School and 1 other as determined by the Executive Principal
All other posts	Head of School, Member of SLT and another determined by the Head of School
All Support Staff posts (other than SLT posts)	Assistant/Deputy Head and 2 others

# HR Levels of Authority

## POTENTIAL DISMISSALS

**For all potential dismissals the following delegation model shall apply:**

- Disciplinary
- Capability (professional competence)
- Ill Health Capability
- Redundancy (The Board will have determined that there is a Redundancy situation)
- Some other substantial situation

**For all potential dismissals the following delegation model shall apply:**

Posts	Delegated Authority	Appeal
CEO	3 Trustees	3 Trust Members
Executive Principal	2 Trustees and CEO	3 Trust Members
Head of School	2 Trustees and CEO/Executive Principal	3 Trust Members
Assistant Heads/Deputy/Directors	2 Trustees and the CEO/Executive Principal	3 Trust Members
All other staff	2 Trustees or Governors and either the CEO, Executive Principal or the Head of School	3 Trust Members



<b>GRIEVANCE</b>		
<b>Posts</b>	<b>Delegated Authority</b>	<b>Appeal</b>
CEO	3 Trustees	3 Trust Members
Executive Principal	CEO	3 Trustees
Head of School	Executive Principal	CEO
Assistant/Deputy Head/Director	Head of School	Executive Principal
All other staff	Head of School	Executive Principal
<b>OTHER HR FUNCTIONS</b>		
<b>Function</b>	<b>Delegated Authority</b>	
Settlement agreements up to and including £10,000	CEO and Director of HR to agree terms	
Settlement agreements between £10,001-£49,999	CEO and Director of HR to agree terms Chair of Board to sign	
Settlement agreements in excess of £50,000	Approval to be sought from the EFA/HM Treasury	
<b>Function</b>	<b>Delegated Authority</b>	
<b>Acting up Payments/Additional Payments</b>		
<ul style="list-style-type: none"> <li>• CEO</li> <li>• Executive Principal</li> <li>• Head of School</li> <li>• Assistant/Deputy Head/Director</li> <li>• All other staff</li> </ul>	<ul style="list-style-type: none"> <li>• Trust Performance Review Committee</li> <li>• Trust Performance Review Committee</li> <li>• Trust Performance Review Committee</li> <li>• Trust Performance Review Committee</li> <li>• CEO with advice from the Director of HR</li> </ul>	

Performance Management and Pay Progression	Delegated Authority
CEO	Trust Performance Review Committee (Appeals to Board)
Executive Principal and Head of School	Assessed by CEO and recommendation to Trust Performance Review Committee (Appeals to Board)
Trust Directors	Assessed by CEO and recommendation to Trust Performance Review Committee (Appeals to Board)
Assistant/Deputy Heads and Academy Directors	Assessed by Head of School and recommendation to CEO and Chair of LGB (Appeals to Board)
Teaching Leaders	Assessed by Head of School and recommendation to CEO and Chair of LGB (Appeals to Board)
Expert Teachers	Assessed by member of Academy SLT and recommendation to Head of School (Appeals to CEO)
Classroom Teachers	Line manager appraises
All other staff	Line manager appraises
Staffing restructures	CEO, Executive Principal, Head of School, Director of HR, Chair of LGB (working within financial parameters)
<b>Re-grading/Re-designation</b> <ul style="list-style-type: none"> <li>• Salaries in excess of £55,000</li> <li>• Salaries below £55,000</li> </ul>	<ul style="list-style-type: none"> <li>• Trust Board</li> <li>• CEO with advice from the Director of HR</li> </ul>
Creation of permanent new posts with salary above £55,000	Trust Board
Creation of permanent new posts with salary between £20,000 and £55,000	CEO with advice from the Director of HR
Creation of permanent new posts with salary below £20,000	Head of School and Director of HR
Creation of temporary new posts of up to 1 year	CEO with advice from the Director of HR
Revisions to Pay and Conditions	Trust Board
Decision to make Redundancies	Trust Board on recommendation from LGB, CEO and Director of HR

Authorisation of redundancy/early retirement payments	CEO with recommendation from Director of HR and Director of Finance as long as redundancies were approved by Board
Determination of the CEO, Executive Principal and Head of School pay range	Trust Performance Review Committee
Determination of pay range for an individual with a salary in excess of £55,000	Trust Board on recommendation from CEO and Director of HR
Determination of pay range for an individual with a salary less than £55,000	CEO with advice from the Director of HR