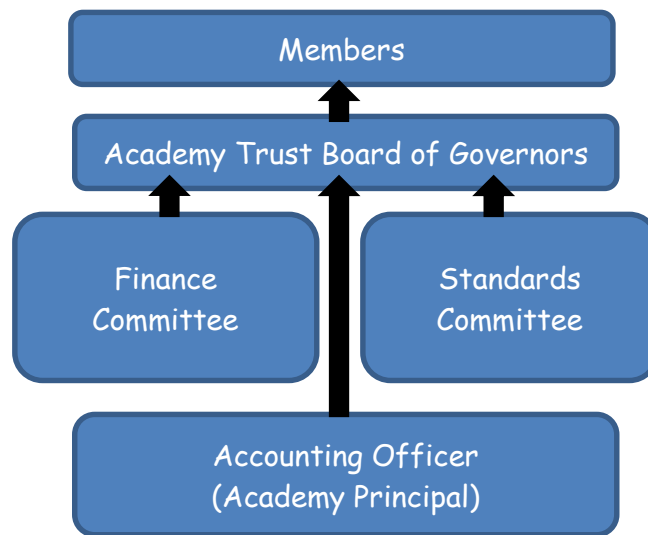




GOVERNANCE: SCHEME OF DELEGATION & COMMITTEE TERMS OF REFERENCE 2022 – 2023



Governance structure and lines of accountability

The Academy Trust Board of Governors delegate responsibility for the day to day running of the academy to the Principal. The Board will hold the Principal to account for the performance of the academy. The Principal, in turn, holds other members of the Senior Leadership Team to account by line managing them. Whilst the Board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The Principal will report to the Board on the performance of the academy, although this will be supplemented by the monitoring of Board's committees and individual Governors with any delegated responsibilities.

The Principal is performance managed by the Principal's Appraisal Panel on behalf of the Academy Trust Board.

Roles and responsibilities

The role of the Members

The Members of the trust have a different status to Governors. Originally, they will have been the signatories to the Memorandum of Association and will have agreed the trust's first Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association will also describe how Members are recruited and replaced, and how many of the Governors the Members can appoint to the Trust Board. The Members appoint Governors to ensure that the Trust's charitable object is carried out and so must be able to remove Governors if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the trust to the Members. Members are also responsible for approving any amendments made to the Trust's Articles of Association.

Whilst Members are permitted to be appointed as Governors, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all members should be Governors. The DfE has amended the model articles to state that Members are not permitted to be employees of the Academy Trust.

The role of the Governors

The Academy Trust is a charitable company and so Governors are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because Governors are bound by both charity and company law, the terms 'trustees', 'governors' and 'directors' are often used interchangeably.

The Governors are responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the Memorandum and Articles of Association and its Funding Agreement, it is legally responsible and accountable for all statutory functions, for the performance of the Trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, it must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the Principal to account for the educational performance of the Trust and its pupils, and the performance management of staff
3. Oversee the financial performance of the Trust and make sure it's money is well spent

The Board of Governors has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of trust board committees

The Board of Governors has established committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the Trust Board. The membership (there must be at least three Governors) and responsibilities of Board committees are set out in the committee's Terms of Reference. It is usual for the Trust Board to appoint Board Committee Chairs and committee members according to their skills.

The Academy Trust Handbook 2022 makes it clear that the Board of Governors should have a finance committee to which the Board delegates financial scrutiny and oversight. The Academy Trust has incorporated an Audit & Risk Committee within the Finance Committee.

The role of the Principal

The Principal has the delegated responsibility for the operation of the Trust. The Principal is the Accounting Officer so has overall responsibility for the operation of the Academy Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Principal leads the Senior Leadership Team (SLT) of the Academy trust. The Principal will delegate management functions to the SLT and is accountable to the Trust Board for the performance of the SLT.

Key

Level 1: Members

Level 2: Academy Trust Board of Governors Level

Level 3: Board Committee

Level 4: Individual Governor

Level 5: Principal (Accounting Officer)

Blue box Function **cannot** be carried out at this level.

✓ Action to be undertaken at this level

✓ Action to be undertaken at this level

A Provide advice and support to those accountable for decision making

<> **Direction** of advice and support

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
Governance framework						
People	Members*: Appoint/Remove	✓				
	Governors: Appoint/Remove	✓	✓			
	Role descriptions for Members	✓				
	Role descriptions for Governors/Chair/ specific roles/committee members: agree		✓	<A		
	Parent Governor: elected		✓			
	Committee Chairs: appoint and remove	✓*	✓	<A		
	Clerk to Board: appoint and remove		✓			
Systems and structures	Articles of Association: agree and review	✓	<A	<A		
	Governance structure (committees) for the Trust: establish and review annually *	✓*	✓	<A		
	Terms of Reference for Trust committees (including audit if required, and scheme of delegation): agree annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓			

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
	Annual self-review of Trust Board and committee performance: complete annually		✓			
	Chair's performance: carry out 360 review periodically		✓			
	Succession: plan		✓			
	Annual schedule of business for Trust Board: agree		✓	< A		
	Annual schedule of business for Trust Board: agree		✓	< A		< A
Reporting						
Reporting	Register of all interests, business, pecuniary, loyalty for Members/Governors: establish and publish		✓	< A	< A	< A
	Annual report on performance of the trust: submit to Members and publish		✓	< A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	< A		
	To determine whether to publish a home school agreement (not statutory)		✓	< A		
	To determine whether to publish a home school agreement (not statutory)					✓

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required details of governance arrangements, performance, financial and equality data are met		✓	<A	<A	<A
	To publish and update at least annually a SEND information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)		✓	✓		✓
Being Strategic						
Being Strategic	Determine Trust policies which reflect the Trust's ethos and values including: admissions; expenses; data protection and FOI; SEND, safeguarding and child protection and curriculum; approve		✓	<A	<A	<A
	Determine Trust staffing policies which reflect the Trust's ethos and values including appraisal, capability, discipline, conduct and grievance: approve		✓	<A		<A
	Determine Trust policy for complaints, health and safety, accessibility plan, premises management, approve		✓	<A		<A
	Establish Trust policy for Relationships and Sex Education		✓	<A		<A
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted where pupils misbehave		✓	<A		<A

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
	To draft content of school behaviour policy and publicise it to staff, pupils and parents.					✓
	To annually determine admission arrangements and to carry out consultation where changes are proposed, or where the Trust Board has not consulted on their arrangements in the last seven years.		✓			<A
	Ensure a broad and balanced curriculum is in place		✓	<A		<A
	To set the times of school sessions and the dates of school terms and holidays		✓			<A
	Agree enrichment/extra-curricular offer including any additional services required		✓	✓		<A
	Embed agreed curriculum and enrichment offer within the day to day operation of the Academy Trust					✓
	To establish and agree a Pay Policy		✓	✓		
	Management of risk: establish register, review and monitor		✓	<A	<A	<A
	Engagement with stakeholders	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A		<A
	Principal: Appoint and dismiss	A>	✓			

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
	To decide whether to join or form a multi-academy trust	A>	✓			
	Budget plan to support delivery of Trust's key priorities: agree		✓	<A		<A
	Academy staffing structure: agree		✓	<A		<A
	Appoint teaching staff				A>	✓
	Appoint non-teaching staff					✓
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	<A	<A	<A
	To produce and maintain a central record of recruitment and vetting checks				A>	✓
	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the <i>Prevent</i> duty into the child protection policy		✓	<A	<A	<A
	Reporting arrangements for progress on key priorities: agree		✓	✓		<A
	Performance management of the Principal: undertake			✓		
	Performance management of staff: undertake					✓

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
	Establish and review procedures for addressing staff discipline, conduct and grievance		✓	✓		<A
	Governor monitoring: agree arrangements		✓	<A		<A
	To review all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in a term of would lose the opportunity to sit a public examination.			✓		
	To ensure that health and safety regulations are followed					✓
	Ensure that school lunch nutritional standards are met					✓
	Maintain a register of pupil attendance					✓
	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals					✓
Ensuring financial probity						
	Business Leader for delivery of trusts detailed accounting processes				A>	✓
	Trust's Scheme of Financial Delegation: establish and review		✓	<A		<A
	External auditors' report: receive and respond		✓			<A
	Principal pay award: agree		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual Governor	Principal
Ensuring financial probity	Staff appraisal procedure and pay progression: monitor and agree			✓		<A
	Benchmarking and academy trust value for money: ensure robustness		✓	<A		<A
	Develop Trust procurement strategies and efficiency savings programme			✓		<A
	To approve the first formal budget plan each financial year		✓	<A		
	To agree annual action plans and monitor how school premiums are spent (i.e. PE and Sports Premium, Service Premium and the Pupil Premium)		✓	<A		<A
	To establish and agree Charging and Remissions Policy		✓	<A		<A
	Buildings insurance and personal liability		✓	<A		<A

ACADEMY TRUST BOARD COMMITTEE STRUCTURE AND TERMS OF REFERENCE		
<div>CORE PURPOSE:</div> <div><div><div></div><div></div><div></div><div></div><div></div><div></div></div><div><div>To obtain the best possible outcomes for children</div><div>To develop and maintain the ethos of the academy</div><div>To strategically plan for development of the academy</div><div>To monitor the academy’s performance</div><div>To effectively manage change</div><div>To obtain the best value for money</div></div></div>		
ACADEMY TRUST BOARD		
<div>STANDARDS COMMITTEE</div> <div>PROVISION</div> <div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div><div>Curriculum</div><div>Safeguarding</div><div>Partnerships:<div><div>Parental</div><div>Church</div><div>Community</div><div>Professional</div><div>Health</div><div>DfE/LA</div><div>Rural Solihull Schools’ Partnership</div><div>Networks</div></div></div></div></div>	<div>FINANCE COMMITTEE</div> <div><i>(incorporates the Pay Committee)</i></div> <div>PROVISION</div> <div><div><div></div><div></div><div></div><div></div><div></div></div><div><div>Staffing/CPD/Premises</div><div>Health & Safety/Equalities</div><div>Business Management Budgets</div><div>Financial Management Audit & Risk Committee</div></div></div> <div>OUTCOMES</div> <div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div><div>Ethos Standards</div><div>Pupil outcomes/data / Teaching & Learning / Personal Development & Well Being</div><div>Able, Gifted & Talented / SEND / Attendance & Behaviour / Leadership & Management Target setting</div></div></div>	
<div>Governors to include:</div> <div><div><div></div><div></div><div></div></div><div><div>Safeguarding/Child Protection Governor</div><div>Staff Governor School</div><div>Parent Governor</div></div></div>	<div>Governors to include:</div> <div><div><div></div><div></div><div></div></div><div><div>Health & Safety Governor / DPRO / Risk Register Governor</div></div></div> <div>Members to include:</div> <div><div><div></div><div></div><div></div></div><div><div>X 3 members</div></div></div> <div>Associate Members:</div> <div><div><div></div><div></div><div></div></div><div><div>Business Leader</div></div></div>	
FULL GOVERNING BODY RESPONSIBILITIES		
<div><div></div><div>Appointment of the Principal</div></div>		
PAY REVIEW PANEL	PRINCIPAL APPRAISAL PANEL	ADMISSIONS AUTHORITY PANEL

STANDARDS COMMITTEE

Membership of the committee will be reviewed annually but will always include the Principal and the Chair. The committee is to meet termly and otherwise as required, using the terms of reference as a guide to agenda setting.

The committee is to report to each meeting of the Academy Board Trust.

The Governance Professional to the Academy Trust Board will take the minutes at each meeting and then liaise with the Chair of Committee with regard to publication and distribution.

TERMS OF REFERENCE

The overall aim is to review and evaluate outcomes for all pupils to ensure that our pupils are well prepared for the future and achieve in line with their individual capabilities.

To take the lead on:

- monitoring and evaluating rates of progress and standards of achievement by pupils, including any underachieving groups
- developing an overview of the quality of teaching and learning across all three key stages and how this relates to performance management of academy staff
- achieving the aims of the academy's pay policy in a fair and equal manner
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation
- developing and reviewing policies identified within the academy's policy review programme and in accordance with its delegated powers

To accept responsibility for the discharge of the following duties:

Monitor and evaluate:

- the effectiveness of leadership and management including the Academy Trust Board
- the impact of quality of teaching on rates of pupil progress and standards of achievement
- the impact of continuing professional development on improving staff performance
- observing all statutory and contractual obligations
- minuting clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the Academy Trust Board
- keeping abreast of all relevant developments and to advise the Academy Trust Board when the academy's pay policy needs to be revised
- working with the Principal in ensuring that the Academy Trust Board complies with the Appraisal Regulations 2012 (Teachers)
- the effectiveness of provision for pupils with special educational needs
- the quality of the curriculum in securing high standards of achievement
- the effectiveness of care, guidance and support for learners
- the extent to which pupils feel safe
- the extent to which pupils adopt healthy lifestyles
- the extent to which pupils contribute to the school and wider community
- the extent to which pupils develop workplace and other skills that will contribute to their future economic well-being
- the extent of pupils' spiritual, moral, social and cultural development
- the impact of any actions or interventions taken to address differential standards of achievement or rates of progress within groups of pupils (eg SEND, gender, PP/free school meals, EAL, LAC etc)
- the impact of the academy's policy and procedures regarding attendance

- The overall aim is to promote a positive image of the academy to the community by
a) ensuring the best possible curriculum provision for all our pupils and b) developing strong, effective and appropriate partnerships between the academy, parents, the Church, the local community and all professional colleagues.

To take the lead on:

- curriculum development and priorities ensuring that the curriculum is balanced, broadly based, meets the needs of all pupils and complies with statutory requirements
- safeguarding
- child protection
- ensuring the development and maintenance of all links and relationships with our partners
- promoting the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance for those with different faiths and beliefs; and encourage pupils to respect other people, with particular regard to the protected characteristics set out in the Equality Act 2010
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation
- developing and reviewing policies identified within the school's policy review programme and in accordance with its delegated powers

To accept responsibility for the discharge of the following duties:

- To ensure the curriculum (taught in school or remotely) meets the statutory requirements and is effectively meeting the needs of all pupils. Every curriculum area will be supported by a link governor.
- the effectiveness of safeguarding policies and procedures and ensure that the school complies with all health and safety and other safeguarding regulations (including child protection and safe recruitment)
- the effectiveness with which the school promotes community cohesion
- To systematically gather the views of all school partners and report on these, in order that outcomes are effectively used to inform planning
- To liaise with the Finance Committee on the financial impact of all decisions taken by this group
- To monitor and evaluate:
 - the quality of the academy's curriculum provision
 - monitor and evaluate the effectiveness of partnerships in securing improved pupil outcomes
 - ensure that the Register of Governors' Business Interests is maintained and reviewed at each meeting

FINANCE COMMITTEE

Membership of the committee will be reviewed annually but will always include the Principal and the Chair.

The committee is to meet termly and otherwise as required, using the terms of reference as a guide to agenda setting.

The committee is to report to each meeting of the Academy Trust Board.

The Governance Professional to the Academy Trust Board will take the minutes at each meeting and then liaise with the Chair of Committee with regard to publication and distribution.

TERMS OF REFERENCE

To provide a framework enabling the direction of all forms of resources to the enhancement of the teaching and learning processes within the academy, reflecting the academy's prioritised educational objectives contained within the academy's improvement plan.

To take the lead on:

- monitoring and evaluating the budget allocated to the academy to achieve value for money
- planning for future site and premises development as part of the Academy Improvement planning cycle
- determining all matters relating to pay to establish the academy's Pay Policy
- agreeing procedures for staff conduct, discipline, grievance and staff reduction
- setting priorities for improvement and monitoring and evaluating the impact of improvement plans which relate to the committee's area of operation
- developing and reviewing policies identified within the academy's policy review programme and in accordance with its delegated powers
- monitoring and evaluating the academy's policies and procedures with regards to Health and Safety

To accept responsibility for the discharge of the following duties:

- Receive the draft annual budgets and recommend them to the Academy Trust Board for approval
- Review annually the Purchasing Policy and ensure the academy gets value for money and that the academy's purchasing arrangements are effective and secure with consideration to the ESFA's Academy Trust Handbook 2022
- Authorisation of material disposals and/or write-offs of equipment on an on-going basis
- Reviewing details of delegated authority for making budget adjustments including the use of reserves
- Organise and undertake an annual Health and Safety/Premises Inspection
- Review short, medium, and long-term development/maintenance plans for the academy site and premises and monitor progress as required
- Ensuring that the academy Pay Policy observes all statutory and contractual obligations notably including compliance with the STPCD, Appraisal Regulations 2012 and Equalities Legislation (as outlined in the Pay Policy)
- Reviewing the academy's pay policy and making amendments where necessary

- Reviewing the academy pay structure on an annual basis to consider the impact of any changes to nationally recommended pay rates and reporting to the Academy Trust Board as appropriate
- In accordance with the Pay Policy, determination of appropriate pay for all staff employed in the school, including allowances and temporary recruitment and retention payments where appropriate
- To minute clearly the reasons for any pay decisions made under this committee's remit reporting to the Academy Trust Board as appropriate
- Achieve the aims of the whole Academy Pay Policy in a fair and equal manner
- Apply the criteria set by the whole Academy Pay Policy in determining the pay of each member of staff, following consideration of the recommendations made by the reviewers at the annual review
- Observe all statutory and contractual obligations
- Clearly minute the reasons for all decisions and report the fact of these decisions to the next meeting of the full Governing Body
- Recommend to the Governing Body the annual budget needed for pay progression for all eligible Teachers
- Keep abreast of relevant developments and advise the Governing Body when the Academy's Pay Policy needs to be revised
- Work with the Principal in ensuring that the Governing Body complies with the Performance Management/Appraisal and appropriate legislation
- Recommend an appropriate staffing structure to the Academy Trust Board for approval
- Monitor the recruitment, selection and appointment of staff
- To convene a panel to consider appeals against pupil exclusion
- Ensure that the assets of the academy are protected
- Ensure that the Register of Governors' Business Interests is maintained and reviewed at each meeting
- Ensure systems are in place to prevent/detect and deal with fraud should it occur
- Regularly review the Risk Register as and when required

Addendum - Audit & Risk Committee

To liaise with the Company appointed to carry out Internal Scrutiny, in order to develop a framework to evaluate the suitability of and level of compliance with financial and non-financial controls within the academy.

The committee must:

- Agree who will perform the Internal Scrutiny
- Agree a programme of work annually to deliver internal scrutiny that provides coverage across the year (January)
- Utilise risk register to assist in deciding the programme of work; ensuring checks are modified as appropriate each year
- Utilise findings from annual audit to assist in deciding the programme of work; ensuring checks are modified as appropriate each year
- Be timely with the programme of work so higher risk areas are reviewed in goodtime
- Consider annual report produced by the company carrying out Internal Scrutiny (DRB)
- Consider progress in addressing recommendations
- Appropriate reporting lines must be established, whereby the company carrying out internal scrutiny reports directly to the committee, who in turn reports to Full Board
- Meetings should be minuted by the Governance Professional to the governors and circulated for approval
- The trust must confirm in its governance statement, accompanying its annual accounts, which of the internal scrutiny options it has applied and why

- The outcome of the work must also be included in the accounting officer's statement of regularity in the annual accounts
- The academy must submit its annual summary report of the areas reviewed, key findings and conclusions (as presented to the finance committee) to ESFA by 31 December each year when audited annual accounts are submitted. This should be submitted to the appointed external auditors as they submit the academy audited accounts each year to the ESFA