



Scheme of Delegation

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Name and Title of Author: Chris Huscroft – CEO

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Revision History

Version	Date	Summary of Revision	Revision Author
3.2	13/01/2020	<ul style="list-style-type: none">Updated structure of committees;Renamed ‘Terms of Reference...’ to ‘Meetings of...’ for each board/committee;Removed ‘Amendments to these Terms of Reference’; Added appendices;	CJH
4	April ‘21	Swanland Education Trust (SET) replaced with Edukos Trust Sections/wording with strikethrough removed and no longer valid Additions are in BLUE	CJH
4.1	Nov ‘21	‘School governance’ section added re: CoG appointment in BLUE Renamed Clerk to Governance Professional	CJH
5	Oct ‘22	Additions/amendments in BLUE	CJH

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EDUKOS TRUST

Introduction

Any delegation of powers by the Trust Board under this document shall be made subject to any conditions the Trust Board may impose and may be revoked or altered by it. The functions, meetings and proceedings of the Committees shall be subject to regulations (if any) made by the Trust Board from time to time.

- Our scheme of delegation has been developed to clarify the responsibilities and powers of Members, Trustees and Local Governing Boards at the school, in respect of key aspects of the leadership and management of the Trust and its schools, to ensure compliance with legal requirements.
- It sits alongside the MAT Financial Policies and Procedures manual which covers all financial delegations and the suite of policies through which the Trust operates that further define individual and collective roles and responsibilities.
- The delegations set out in this scheme are delegated to the specific committees and any individuals unless otherwise directed or agreed by the Board of Trustees.
- Delegations cannot be exercised other than by the designated committee or individual unless otherwise directed or agreed by the Trust Board.
- The Chair, or in their absence, the Vice-Chair has power to carry out functions of the Trust Board or Local Governing Board in extreme circumstances where a delay in exercising a function is likely to be seriously detrimental to the interests of the Trust or School, a child at the school or their parents, or a person who works at the School. However, this power does not include matters relating to the alteration and [permanent](#) closure of a school, a change of school category, approval of budget, discipline policies and admissions.

Governance in a MAT

- In a Multi-academy trust (MAT) there is only one legal entity accountable for all the academies (schools) within the Trust, i.e. the multi academy trust (MAT). The MAT has one set of Articles which govern all the schools in that trust. The MAT has a master funding agreement with the Secretary of State. Each academy also has a Supplemental Funding Agreement.
- The MAT is a charitable company and is responsible for the strategic direction of the schools and has 3 main layers of governance: the **members** of the trust, the **board of trustees**, **trustee scrutiny/advisory committees** (inc. Local Governing Boards).

Members

- The members ensure the charitable company achieves its objectives, sign off the financial accounts and annual report and appoint some of the Trustees.

Trustees

- The Trustees have delegated responsibility for the 3 core strategic functions (strategic direction, holding the head teachers to account for educational performance and overseeing the financial performance and compliance of the schools).
- Trustees are responsible for governance within each academy. A trustee must also ensure compliance with charity and company law and the academy trust's funding agreement.

- The MAT Board of Trustees can delegate to any committee, scrutiny or advisory, the Head Teacher or any other holder of an executive office, any of its powers or functions, subject to any prescribed restrictions imposed by the MAT and management of conflicts of interest.
- The MAT board will establish scrutiny/advisory committees who report to the Trustees. The constitution, membership and proceedings of the scrutiny/advisory committees are decided by the Trustees. MAT scrutiny/advisory committees may co-opt governors from local governing boards who have specific skills related to the needs of the committee. The establishment, terms of reference, constitution and membership of any committee must be reviewed every 12 months, by the Board of Trustees.
- The MAT board may be guided, through the Trust structure which consists of the Board of Executive Leaders and any such committee which may be convened at the request of the Trustees. These committees may be convened in response to a specific need of the Trust.

Local Governing Boards

- Quality of Education (inc outcomes for children)
- Compliance with policy
- Engaging with their Local School Community

Composition

Any Board may continue to act notwithstanding a temporary vacancy in its composition.

Members Board

In accordance with the Articles of Association, the composition of the Members Board will be as follows:

5 Members: 1 Chair of Trustees; 1 Diocese of Sheffield Representative; 3 Member appointed.

Board of Trustees.

The composition of the Board will always be made in line with the necessary skills, needed to lead the Trust effectively. The use of an annual skills audit will highlight any areas of need. Once identified, the Trustees will be appointed as follows:

9 Trustees: 3 Trust Appointed (co-opted), 5 Member Appointed (inc 2 spaces for CofE representation), 1 CEO

Local Governing Boards

Local Governing Boards are committees of the Trust's board. Their members are not trustees of the Multi Academy Trust. Those on a local governing board are appointed members of a sub-committee and are referred to as Governors. The Trust encourages all their schools to be self-governing. The structure of each Local Governing Board will be agreed taking into consideration the unique status of each individual school. The number of members on an LGB will be 8. LGBs will be formed following the structure listed below:

Community Schools

8 governors: 4 Trust Appointed, 2 parents, 1 staff*, 1 HT

Church schools

8 governors: 2 foundation, 2 Trust appointed, 2 parents, 1 staff*, 1 HT

For the post of staff member, elections of shall be held every four years by secret ballot of persons who are members of staff of the Local School (either teaching or non-teaching staff) on the date of the election. Any candidate must be a member of staff of the Local School at the date of the election and, if elected, throughout their term of office.

In the event that there is one or no candidates for the role, the Trust Board will decide how best to fill the vacancies.

The Trust Board may make such rules concerning the administration of an election. The decision of the Trust Board in relation to any disputed matter concerning such an election shall be final.

Resignation and Removal

A Board member may at any time resign their office by giving notice in writing to the Governance Professional to the Committee

A board member shall cease to hold office if they are removed by the persons who appointed them. This provision does not apply in the case of a Staff member, except that a Staff member shall resign from office if and as soon as they ceases to be a member of staff at the Local School, whether or not their term of office has expired.

Any member of a Board, whose presence or conduct is deemed not to be in the best interests of the MAT or the Local School, may have their appointment terminated by the Trust Board.

The Head Teacher shall automatically cease to hold office if they cease to be associated with the Local School in the capacity in which they were appointed.

Persons Ineligible to be Board Members

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

The member shall cease to hold office if they becomes incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs.

A Board member shall cease to hold office if they are absent without the permission of the Board from all their meetings held within a period of six months and the Trust Board resolve that this office be vacated. Furthermore, they shall cease to hold office if they are absent with or without permission of their members from all of their meetings held within a period of twelve months and the Trust Board resolve that this office be vacated.

A Board member shall cease to hold office if they are disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).

A person shall be disqualified from holding or continuing to hold office as a Board member:

If at any time when they are:

- Included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under section 1 of the Protection of Children Act 1999;
- Disqualified from working with children under section 35 of the Criminal Justice and Court Services Act 2000; or
- If they are a person in respect of whom a direction has been made under section 142 of the Education Act 2002.

Where they have, at any time, been convicted of any criminal offence, including any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, but excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993.

If they have not provided a Disclosure Barring Service criminal record certificate at an enhanced disclosure level under the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. In the event that the certificate discloses any information which would in the opinion of the CEO confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

Where a person becomes disqualified from holding or continuing to hold office as a Board member and they are, or are proposed to become, such a Board member, they shall upon becoming so disqualified, give written notice of that fact to the Governance Professional.

Term of Office

Any Board member shall hold and vacate office in accordance with the terms of their appointment but (except in the case of the Head Teacher) the length of their term of office shall not exceed four years.

Board members (other than Staff members) retiring at the end of their term of office shall be eligible for re-appointment at the discretion of the Board of Trustees. LGB Staff members may be re-elected for one further term only.

Conflicts of Interest

The income and property of the MAT must be applied solely towards the provision of the Objects as detailed in the Articles. The restrictions with regard to having a Personal or Financial Interest apply to all Board members.

Any Board member who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with their duties as a Board member, shall disclose that fact to the Board and to the Governance Professional as soon as they become aware of it. A Board member must absent themselves from any discussions in which it is possible that a conflict will arise between their duty to act solely in the interests of the Board and any duty or personal interest (including but not limited to any Personal Financial Interest).

Framework

The governance framework of the Trust is built upon the ethos of ensuring that governors govern and managers manage. This framework enables all parties to fulfil their roles and responsibilities and provides clarity on individual and collective responsibilities and delegated responsibilities, as outlined below.

The Trust Board emphasises its commitment (wherever possible and appropriate) to individual schools sustaining their distinctive ethos and character, with strong and effective Governing Boards working to support their Head Teachers. In the case of a school designated with a CofE religious character, the school shall be conducted in accordance with the principles, practices and tenets of the CofE, preserving and developing its religious character.

It is important to remember however, that even where responsibility is delegated to a local level, it is the MAT as the legal entity (not the local governing board) that is ultimately accountable, for example in terms of finance and performance and as the employer of staff.

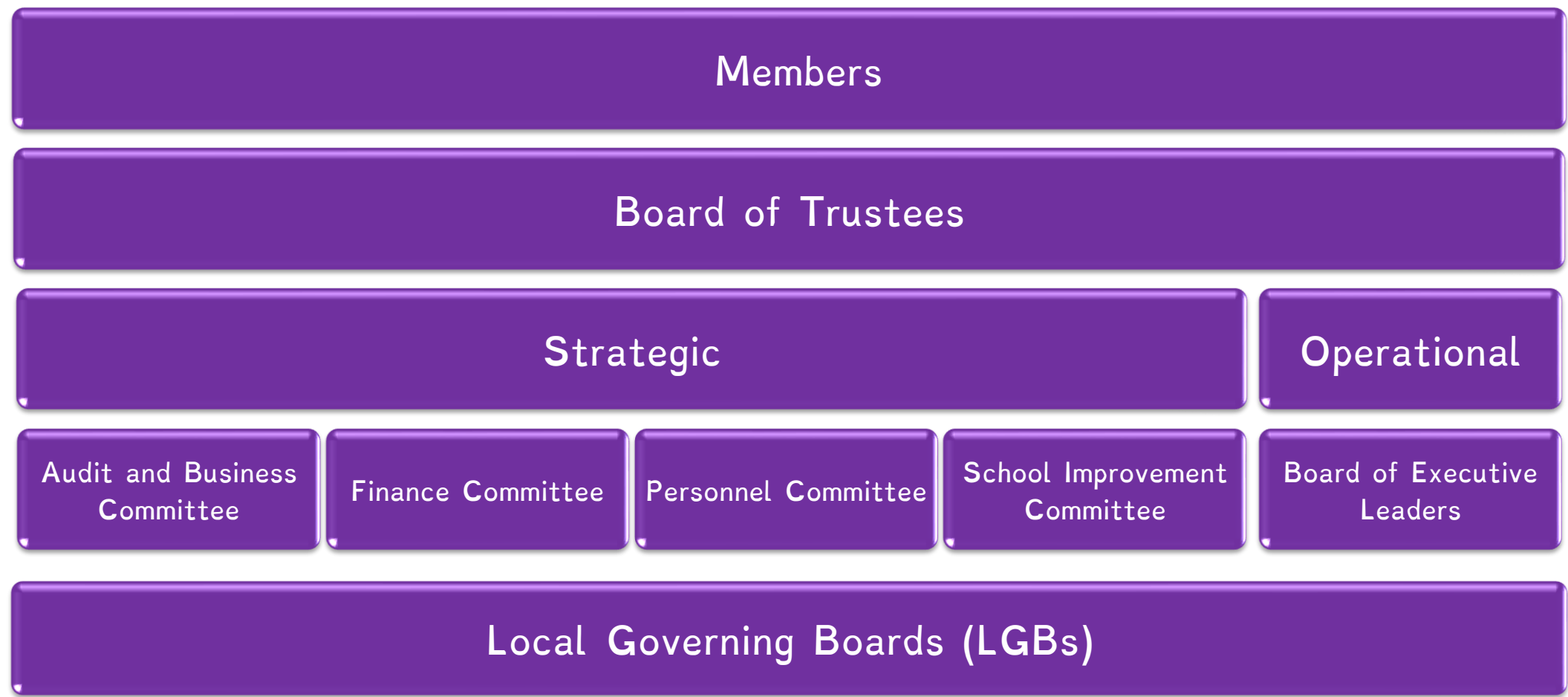
Ethos

To achieve this, it also recognised the need for an effective Board of Trustees with strong sub-committees to

- Provide support on strategy;
- Business planning and direction;
- Support financial planning;
- Enable resources to be used more effectively;
- Seek efficiencies in e.g. procurement;
- Provide “umbrella” services more efficiently;
- Ensure compliance with legal and statutory obligations;
- Ensure that the outcomes and experiences of children and young people are as good as they can be.

The Local Governing Board will govern with an emphasis on:

- Outward vision rather than internal preoccupation;
- Encouragement of equality and diversity;
- Strategic leadership over administrative detail;
- Distinction between Local Governing Board and executive roles;
- Decision making that is collective rather than individual;
- A focus on the future, as well as the present;
- Pro-activity rather than reactivity;
- Promoting, at all times and through all its actions, positive academic and social outcomes and vibrant experiences for children and young people.



Meetings the Board (inc. Members, Trustees and their committees)

Meetings of the Board shall be held at least three times in every academic year and shall hold such other meetings as may be necessary.

All meetings shall be convened by the Governance Professional, who shall send to the Board members written notice of the meeting and ensure copies of the agenda (and any relevant papers) are available at least five working days in advance of the meeting. The convening of a meeting and the proceedings conducted shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

A meeting of the Board may be called by the Governance Professional whenever requested by the Chair or at the request in writing of any three members. Where there are matters demanding urgent consideration, the Chair or, in their absence, a member may waive the need for five working days' notice of the meeting and substitute such notice as they think fit.

Chair

The Chair and Vice Chair of the Board will be appointed, annually at the start of the academic year, by the Board.

If the Chair or Vice Chair is absent from any meeting of the Board, those present shall appoint one of their number to chair the meeting. The provisions of paragraph below as to quorum for meetings shall apply.

Quorum

No meeting of the Board may be held unless at least three members are present. If in the course of a meeting the number of the Board present ceases to constitute a quorum, the meeting shall be terminated forthwith or will continue as a discussion forum with no decision-making authority.

Proceedings of the Meetings

Every question to be decided at a meeting of the Board shall be determined by a majority of the votes of those present and voting on the question. Board members shall have one vote.

No resolution of the Board may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.

Any member of the Board shall be able to participate in meetings by telephone or video conference provided that they have given reasonable notice to the Governance Professional and that the Board has access to the appropriate equipment.

Minutes and Publications

Minutes will be taken of every meeting.

At every meeting of the Board, the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where those present decide otherwise. If agreed to be accurate, they shall be signed as a true record.

The Governance Professional shall ensure that a copy of the agenda for every meeting of the Board, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the Board.

The Board may invite attendance by persons who are not members, where such attendance is considered by the Board to benefit its deliberations.

Decisions by Email/post

On rare occasions a decision or approval is needed for a resolution at short notice. Approval can be provided by a majority of the Board confirming approval by written resolution.

Scheme of Delegation

Trust Governance

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
1.1	Review and amend the Articles of Association	X					Reviewed as and when needed. Reviewed in light of change in legislation Reviewed when a change in status of Trust	A routine exercise;
1.2	To change the name of the Academy Trust	X					Only changed if circumstances around the Trust change	An opportunity to regularly change the name;
1.3	To Receive the Annual Report	X					A report/presentation in December of each year, outlining the current standing of each school and the Trust as a whole Opportunity to give feedback to the Board of Trustees and CEO	To make operational decisions based on the report;
1.4	To appoint External Auditors	X					Through a tendering process; Based on best value; Fulfilment of strict criteria; In consultation with the Trust's CFO	Simply re-appointing previous contractors;
1.5	To approve any contracts between the Academy Trust and Trustees	X					Oversee Pecuniary interests related to Trustees.	Preventing Trustees from seeking approval
1.6	To appoint/remove Trustees	X					In accordance with the Articles of Association When a vacancy arises When the Board of Trustees raise a concern about a Trustee	An opportunity to make regular changes
1.7	To appoint/remove new Members	X					In accordance with the Articles of Association When a vacancy arises When a concern is raised about a member.	An opportunity to make regular changes

Finance

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
2.1	Approve formal budget plan for each financial year		X				Is completed in conjunction with Head Teachers and local finance teams.	It should not be specific to how funding is spent.
2.2	Set financial policy and procedures		X				Is in line with national guidance and policy. Is specific to the structure of the Trust.	
2.3a	Investigate financial irregularities at academy level		X				When a concern is raised	A routine task
2.3b	Investigate financial irregularities at Trust level	X					When a concern is raised	A routine task
2.4	Agree contracts and make payments Trust wide, not relating to a single academy		X				Through a tendering process; Based on best value; Fulfilment of strict criteria; In consultation with the Trust’s CFO	Simply re-appointing previous contractors; Simply awarding to the cheapest provider;
2.5	Agree contracts or other binding agreements		X	X	X	X	As per the Trust’s Financial Procedures	An opportunity to operate outside of the Trust’s agreement
2.6	Make payments		X	X		X	As per the Trust’s Financial Procedures	An opportunity to operate outside of the Trust’s agreement
2.7	Approve charging policy in school		X				Is in line with national guidance and policy. In line with the Funding Agreements;	An opportunity to make individual policies/exceptions;
2.8	Approve charging policy Trust level		X				Is in line with national guidance and policy. In line with the Funding Agreements;	An opportunity to make individual policies/exceptions;
2.9	Agree scheme of delegation		X				In accordance with the Articles of Association Reviewed in light of change in legislation	Not a routine exercise

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
							Reviewed when a change in status of Trust Reviewed a minimum of every 3 years	
2.10	Appoint Chief Financial Officer		X				Agree Job Specification and Description; Agree Salary; Act as interviewers; Ratify decision of interviewing panel; Hold the post holder to account	
2.11	Ensure Pupil Premium funding is used to raise achievement of disadvantaged pupils				X		Is responsible for knowing, understating and challenging the effectiveness of spending by asking questions on the impact of the funding's use/implementation.	Is not directing how or where the funding should be spent. Is not the same arrangements year on year.

Staffing

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
3.1	Determine staffing structure at school level up to TLR3 or equivalent					X	Provide an annual update; Included in the Trust's Pay Policy; Clear Rationale for the structure;	An opportunity to rationalise structure without definitive motives/reasons
3.2	Determine staffing structure school leadership level			X			In consultation with Head Teacher/Head of School; Appropriate and proportionate to the individual school;	
3.3	Determine staffing level structure for the Trust		X				In consultation with CEO/CFO; Agree Job Specification and Description; Agree Salary; Act as interviewers;	

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
							Ratify decision of interviewing panel; Hold the post holder to account	
3.4	Determine dismissal payments and agree early/IHR retirements		X				Assess the need on a case by case basis; In accordance with terms and conditions of employment In accordance with the Trust’s Pay Policy.	
3.5	Determine all HR/personnel policies and procedures		X				In light of legislation/national agreements; Specific to the structure of the Trust; Includes H&S/wellbeing policies and procedures; Regularly review all related policies and documents;	Implementing changes that will adversely affect recruitment and retention; Going against national agreements/legislation;
3.6	Agree general employment terms and conditions (not an individual’s pay/package) for staff		X				In light of legislation/national agreements; Specific to the structure of the Trust; Includes H&S/wellbeing policies and procedures; Regularly review all related policies and documents;	Implementing changes that will adversely affect recruitment and retention; Going against national agreements/legislation;
3.7	Appoint the Principal		X				In consultation with CEO, LGB & Diocese (for CofE schools), agree the process for appointing to the role; Agree Job Specification and Description; Agree Salary; Act as interviewers;	

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
3.8	Approve appointment of staff on leadership pay spine			X			In consultation with Head Teacher/Head of School; In consultation with LGB members;	Not to make a personal decision without consultation;
3.9	Approve teaching staff appointment					X	In consultation with LGB members; Act as interviewers;	
3.10	Determine pay decisions school level up to TLR3 or equivalent					X	In consultation with LGB members;	
3.11	Determine pay decisions leadership level			X			In consultation with Head Teacher/Head of School;	
3.13	Dismiss the Principal		X				In accordance with relevant Trust HR policies; In accordance with the law; In response to a serious concern; In consultation with the Chair of LGB/CEO	A process without justifiable reasons;
3.14	Dismiss other staff			X			In accordance with relevant Trust HR policies; In accordance with the law; In response to a serious concern; In consultation with the Chair of LGB/Head Teacher or Head of School;	A process without justifiable reasons;
3.15	Suspend the Principal			X			In accordance with relevant Trust HR policies; In accordance with the law; In response to a serious concern; In consultation with Chair of LGB	A process without justifiable reasons;
3.16	Suspend other staff					X	In accordance with relevant Trust HR policies; In accordance with the law; In response to a serious concern;	A process without justifiable reasons;

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
							In consultation with Chair of LGB/CEO	
3.17	End suspension of the Principal.		X				In accordance with relevant Trust HR policies; In accordance with the law; In consultation with Chair of LGB/CEO Is ratified after a full investigation has been carried out	Is not for individual Trustees to conduct their own investigation.
3.18	End suspension of other staff				X		In accordance with relevant Trust HR policies; In accordance with the law; In consultation with CEO; Is ratified after a full investigation has been carried out	Is not for individual governors to conduct their own investigation.
3.19	Hear appeals for redundancies		X				In accordance with relevant Trust HR policies; In accordance with the law; To ensure the process has been applied fairly and consistently;	Is not for Trustees to decide that a post is/isn’t needed;

Standards

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
4.1	Approve challenging pupil progress targets (school level)		X				Receive targets set by individual schools; Question and challenge the rationale for the targets set; Reach a majority agreement;	An opportunity for dictating targets;
4.2	Monitor pupil progress against targets (school level)				X		Is responsible for knowing, understanding and challenging, on a regular basis, pupil progress against school level targets	Is not asking about individual children. It is not just a 'rubber stamping' activity.
4.3	Evaluate the school's impact on pupil progress against targets for all groups of pupils				X		Is responsible for knowing, understanding and challenging, on a regular basis, pupil progress for all groups against school/class level targets	Is not asking about individual children. It is not just a 'rubber stamping' activity.
4.4	Evaluate Trust wide standards and progress		X				Receive analysis of school performance from individual schools; Question and challenge the outcomes/progress; Feedback any notable achievements/concerns;	An opportunity to be overcritical without being in receipt of all relevant information

Provision of Curriculum

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
5.1	Agree curriculum				X		Is responsible for agreeing the principles on which the school's curriculum policies are based.	Is not imposing personal preferences. Is not a 'one fits all' model.

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
5.2	Ensure agreed curriculum is taught				X		Is responsible for supporting, challenging and advising the school in the development and implementation of its curriculum framework and its extra-curricular provision.	It should not be the same as every other school.
5.3	Evaluate impact of curriculum		X		X		Is responsible for knowing and understanding the school's own evaluation of the quality and impact of its curricular and extra-curricular provision.	Is not an assumption that once established it would not need reviewing and adapting to current cohorts of children and national expectations.

Appraisal

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
6.1	Approve and keep under review appraisal and capability policy		X				In accordance with Trust policy; In consultation with CEO; Ensure individual schools comply with policy;	
6.2	Implement the appraisal and capability process in relation to the Principal\CEO		X				In accordance with Trust policy; Ensure the Trust comply with policy;	
6.3	Implement the appraisal and capability process in relation to other staff					X	In accordance with Trust policy; In consultation with CEO; Ensure individual schools comply with policy;	

Behaviour and Conduct

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
7.1	Establish Trust-wide conduct of code for staff		X				Developed in line with national expectations; Accurately reflects the Trust's structure;	Not an opportunity to bring personal views to policy making;
7.2	Keep under review academy wide behaviour policy for pupils		X				Ensure the policy is being upheld in each school; Ensure the policy is regularly reviewed and evaluated;	To impose personal views on its content;
7.3	Implement academy wide behaviour policy for pupils					X	Ensure the policy has a local school protocol; Ensure that all staff adhere and follow the policy;	Not an opportunity to make individual policies/procedures.
7.4	Monitor impact of academy wide behaviour policy for pupils		X				Receive data on school's behaviour; Question and challenge the data; Give feedback on the information received;	An opportunity to be overcritical without being in receipt of all relevant information

Exclusions

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
8.1	Exclude a pupil					X	To first ensure a discussion has taken place with the CEO; Ensuring that national guidance is adhered to; Graduated response;	Used as an opportunity to give the school a break;
8.2	To review permanent exclusions and fixed term exclusions exceeding 15 days in a term		X				Following national guidance and documentation; Review the factual information received from the school;	Passing personal judgement about the individual; Not an opportunity to question the school's support/intervention;

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
8.3	Direct reinstatement of a pupil		X				Following national guidance and documentation; Review the factual information received from the school;	Passing personal judgement about the individual; Not an opportunity to question the school's support/intervention;

Admissions

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
9.1	Establish appeals and policy, panel procedure		X				Following national guidance and procedures; Ensure that those policies and procedures are adhered to; Working in consultation with the LA	Used as an opportunity to fulfil personal needs;
9.2	Consult annually before agreeing admissions policy		X				By 31 st January in the year before the policy is enforced i.e. 31/01/19 for admission in September 2020.	An opportunity to regularly change the criteria;

Collective Worship

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
10.1	Ensure statutory requirements are met				X		Is responsible for knowing and understanding the school's policy on collective worship. Is to ensure that it takes place on a daily basis.	It should not be just an assembly.

Premises

Ref	Decision-making authority /responsibility	Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
11.1	Insure the building(s)		X				Using best value principles;	Using the cheapest quote;
11.2	Set Facilities Management policy		X				Ensure the policy adheres to the current legislation;	
11.3	Implement Site Facilities Management policy					X	Ensure that schools are aware of their duty to implement the policy; Receive confirmation that it is being implemented and adhered to;	
11.4	Prepare and keep under review a Health and Safety Policy		X				Ensure the policy adheres to the current legislation; Ensure that it is specific to the Trust's structure	
11.5	Implement the Health and Safety Policy					X	Ensure that the policy has local school protocols;	Not an opportunity to create individual school policies;
11.6	Monitor and evaluate the implementation of the Health and Safety Policy and intervene where necessary		X				Ensure that schools are aware of their duty to implement the policy; Receive confirmation that it is being implemented and adhered to; Receive information about the effectiveness of the policy i.e. accident reporting;	Not an opportunity to micro-manage the H&S of a school;

School Improvement

Ref	Decision-making authority /responsibility	Non-Supported Academies					'What it is'	'What it isn't'
		Members	Trustee	CEO	LGB	Principal		
12.1	Prepare a school improvement plan, including SMART					X	Is knowing and understanding the priorities of the school and with the key	It should not be a box ticking exercise;

Ref	Decision-making authority /responsibility	Non-Supported Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
	objectives and resource implications						leaders, jointly developing an annual plan of action.	
12.2	Approve the development plan				X		Is knowing and understanding the priorities of the school and with the head teacher, jointly developing an annual plan of action.	It should not be a ‘rubber stamping’ activity.
12.3	Prepare a trust-wide school development plan			X			Is knowing and understanding the priorities of the Trust and with the key leaders, jointly developing an annual plan of action.	It should not be a box ticking exercise;
12.4	Approve a Trust-wide school development plan		X				Is knowing and understanding the priorities of the Trust and with the CEO, jointly developing an annual plan of action.	It should not be a ‘rubber stamping’ activity.
12.5	Evaluate the impact of the development plan and overall school performance				X		Is receiving termly evaluations on the progress towards achieving the objectives set in the action plan. Is quality assuring the judgements made by the head teacher and staff through visits to the school. (see policy for governor/trustee visits)	Is not assuming the plan cannot be revised/adapted in year, in order to further improve outcomes and impact.
12.6	Evaluate the impact of the development plan and overall academy performance	X					Is receiving termly evaluations on the progress towards achieving the objectives set in the action plan. Is quality assuring the judgements made by the head teacher and staff through visits to the school. (see policy for governor/trustee visits)	Is not assuming the plan cannot be revised/adapted in year, in order to further improve outcomes and impact.

School Governance

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
13.1	Appoint/remove governors		X				In accordance with the Articles of Association When a vacancy arises When the Board of Trustees/LGB raise a concern about a Trustee	
13.2	Appoint/remove the Chair of Governors		X				Based on skills of the individual; Appointed annually at the start of the academic year; If resignation received part way through year, vice-chair automatically ‘steps-up’ until a vote appointing new chair can be held;	Appointing to fill the role;
13.3	Appoint/dismiss the Governance Professional		X				Through a tendering process; Based on best value; Fulfilment of strict criteria; In consultation with the Trust’s Company Secretary;	Simply re-appointing previous contractors;
13.4	Establish register of governors/ Trustees /members business interests	X	X		X		Is to establish a register of interests on an annual basis. Is for individuals to inform the LGB as circumstances change.	Is not to assume that these will not change throughout the year.
13.5	Ensure potential conflicts of interest (pecuniary/ personal) are declared and recorded at each meeting	X	X		X		Is to know and understand the items to be covered at each meeting. Individuals responsibility to declare this at the beginning of proceedings.	Is not assuming that everyone knows an interest/conflict exists.
13.6	Hold a meeting of the local governing board at least once per term				X		Is to ensure that the year’s meetings are noted in advance, as per the Trust’s	

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
							schedule of meetings ensuring maximum possible attendance.	
13.7	Approve a scheme for paying governors’ expenses		X				Adhering to guidance; Ensuring governors expenses are appropriately covered;	Is not for covering work outside of the role of a governor;

School Organisation

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
15.1	Approve times of school day and term dates		X				Based on factual information, which includes consideration of improved academic standards and wellbeing of children and staff; Through consultation with key stakeholders, where necessary;	Impose own personal ideas/beliefs Use own situation to make a decision;

Information for Parents

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
13.1	Provide parents with a written report on their child’s achievement.					X	Ensuring that parents have a written report prepared for them; Accurate and informative data parents understand where their child is in relation to national standards;	Descriptive account;

Website

Ref	Decision-making authority /responsibility	Academies					‘What it is’	‘What it isn’t’
		Members	Trustee	CEO	LGB	Principal		
13.1	Include legal disclosures on corporate website.		X				Complying with guidance and funding agreement;	
13.2	Publish information relating to the Academy on Academy’s website.				X		<p>Is knowing and understanding the legal requirements of what information is required on the school’s website.</p> <p>Is an opportunity to celebrate and publish the distinctive work of the school.</p> <p>Is to ensure the information is regularly updated and reflects the current position of the school as per the Trust’s ‘Audit your school’s website’ guidance.</p>	It should not be imposing personal preference.

Committees of Edukos Trust Board – Terms of Reference (ToR)

All terms of reference should be read in conjunction with the Scheme of Delegation and relevant policies/procedures. Where there is any conflict between these, the CEO may determine which takes precedence (taking account of any relevant statutory requirements) and will then ensure the conflict is addressed at the next Board meeting.

Appeals Panel

Quorum: 3

Governance Professional: Linda Taylor

Frequency of meetings: when required

Terms of Reference

- To consider and decide on any appeals against the decisions of Committees of the Board.

Business and Audit Committee

Membership: 3

Quorum: 3

Mr C Wilson (Chair)

Mrs T Akhtar

Mrs S Myers

Mrs S Breene

Mr C Huscroft (in attendance)

Mrs S Crawford (in attendance)

Governance Professional: Linda Taylor

Frequency of meetings: termly,

Terms of Reference:

- To advise the Board of Trustees on the adequacy of internal controls and value for money systems;
- To review financial statements and reports and highlight any significant issues to the Board of Trustees;
- To review Health and Safety statements and reports and highlight any significant issues to the Board of Trustees;
- To monitor and review the effectiveness of financial procedures, controls, internal audit and Health and Safety, making recommendations for improvement, where appropriate;
- To recommend to members the appointment of the external auditors;
- To recommend the programme of independent checks on financial controls, systems and Health and Safety;
- To receive auditors' reports and Health and Safety Reports, making recommendations to the Board of Trustees any action as appropriate in response to audit/report's findings;
- To ensure all relevant reports and management letters are responded to effectively and in a timely manner;
- To keep under review the whistleblowing policy and ensure allegations of fraud or irregularity are investigated;
- To review relevant sections of the Trust's risk register.

- To plan and manage strategic business development, including the formulation, monitoring and evaluation of the Trust's business strategy and plan.
- To co-ordinate applications for additional grant funding to support business development.
- To ensure effective due diligence in relation to schools wishing to join the Trust and make recommendations to the Board of Trustees.
- To provide support in relation to the conversion process for schools joining the Trust.
- To approve/recommend for approval policies and procedures relating to business development.
- To maintain oversight of premises issues, including capital investment, facilities management and community use.
- To ensure the implementation of a rolling programme of repairs and maintenance across all sites, based on identified priorities.
- To make the best use of the Trust's capital assets.
- To insure the buildings.
- To monitor Trust-wide ICT provision.
- To make recommendations in relation to tendering and procurement policy and practice.
- To prepare and keep under review the health and safety policy.
- To monitor and evaluate the implementation of the health and safety policy and intervene where necessary.
- To ensure compliance with health and safety legislation and best practice, including monitoring accidents and near misses.
- To make recommendations in relation to health and safety practice/provision within the Trust.
- To co-ordinate the Trust's marketing strategy, including corporate branding.
- To organise corporate events and conferences.
- To include legal disclosures on the corporate website.
- To review annually (in the Summer term) the relevant section(s) of the scheme of delegation, for approval by the Board of Directors.
- To review relevant sections of the Trust's risk register.

Finance Committee

Membership: 3

Quorum: 3

Mr N Greenfield

Mr N Robinson (Chair)

Mrs E Macdonald

Mr C Huscroft (in attendance)

Mrs S Crawford (in attendance)

Governance Professional: Linda Taylor

Frequency of meetings: termly,

Any 3 eligible Trustees shall constitute the Committee

Purpose

The Finance Committee is responsible for ensuring that the Trust is accountable financially and will report on this to the Board of Trustees.

Responsibilities of the Committee

- To ensure the financial sustainability of the Trust by ensuring the appropriate and effective use of Trust funds, holding budget holders (Heads) to account and reporting any concerns to the Board of Trustees.
- To consider **GAG** funding, notified annually by the **ESFA**, and to assess its implications, drawing any matters of significance or concern to the attention of the Board of Trustees.
- To monitor and review expenditure on a regular basis and ensure compliance with the overall financial plan for the Trust, the financial regulations of the **ESFA** and the Academies Financial Handbook, drawing any matters of concern to the attention of the Board of Trustees.
- To report to the **ESFA** as required.
- To prepare the financial statements, forming part of the annual report to the Board of Trustees, for presentation to members and filing in accordance with the Companies Act and the Charity Commission requirements.
- To ensure appropriate financial procedures and controls are in place.
- To approve and provide oversight of the 4-year budget plans for Trust Academies and Central Services each financial year, ensuring that there is scrutiny of the budgets set.
- To contribute to the formulation of the Trust's development plan, through the consideration of financial/growth priorities and proposals.
- To receive and make recommendations on the level of reserve balances, ensuring the compatibility of all balances with the Trust growth and development plans.
- To monitor school level budget planning and expenditure monthly, investigating financial irregularities at school level.
- To agree contracts and make payments Trust-wide or not relating to a school.
- To agree contracts or other binding agreements, in accordance with the tendering policy.
- To make payments in accordance with the tendering policy.
- To approve/recommend for approval policies and procedures relating to financial management, including the Trust's central charging policy and the charging policy for schools.
- To review annually (in the Summer term) the relevant section(s) of the scheme of delegation, for approval by the Board of Directors.
- To approve the scheme for paying any governors'/Trustee expenses.
- To review relevant sections of the Trust's risk register.

Pay Committee

Quorum: 3

Governance Professional: Linda Taylor

Frequency of meetings: annually and additionally as required

Terms of Reference

- To make decisions in relation to centrally employed staff pay, in accordance with the agreed Pay Policy.
- To make decisions in relation to head teachers' pay, based on **LGB** recommendations.

Pupil Exclusions Committee

Membership: Quorum 3.

Frequency of meetings: when required

Not less than three trustees (no more than one Head; no more than one LGB Chair; at least one trustee not employed in a school)

Governance Professional: Linda Taylor

Terms of Reference

- To consider permanent exclusions and fixed period exclusions exceeding 15 school days per term, in accordance with the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and associated statutory guidance.

School Improvement Committee

Membership: 3

Quorum: 3 (trustees must form the majority)

Mrs E Macdonald (Chair)

Mr A Dolman

Vacancy

Mr C Huscroft (in attendance)

Mrs S Crawford (in attendance)

Trust Heads (in attendance)

Governance Professional: Linda Taylor

Frequency of meetings: termly

Terms of Reference:

- To oversee curriculum provision and facilitate the sharing of good practice.
- To evaluate the impact of the curriculum.
- To closely monitor standards and achievement, including quality of teaching.
- To approve challenging school-level progress targets.
- To monitor provision in relation to disadvantaged pupils.
- To monitor provision in relation to pupils with SEND/additional needs.
- To approve/recommend for approval school improvement policies and procedures.
- To evaluate Trust-wide standards and progress.
- To establish and keep under review academy behaviour policy for children.
- To monitor the impact of the academy behaviour policy for children.
- To set times of the school day and term dates.
- To consult annually before agreeing admissions policy.
- To establish the appeals policy, procedure and panel.
- To deal with complaints against the Trust in accordance with the agreed policy.
- To approve and keep under review the appraisal policy (linked with pay and capability procedures).
- To implement the appraisal and capability process in relation to head teachers.
- To consider the Trust's obligations in relation to all aspects of safeguarding, including child protection, safer recruitment and e-safety.
- To make recommendations in relation to safeguarding practice/provision.

- To approve the trust-wide school improvement plan.
- To evaluate the impact of the improvement plan and overall school performance, including standards and achievement.
- To assess whether a school requires support in one or more areas.
- To review annually (in the Summer term) the relevant section(s) of the scheme of delegation, for approval by the Board of Directors.
- To review relevant sections of the Trust's risk register.

Board of Executive Leaders

Terms of Reference

Purpose

The Trustees have established the sub-committee of the Board of Trustees, known as the Board of Executive Leaders (The Board). It will provide a link between the strategic and operational boards which exist within the Trust.

Status

The Board of Executive Leaders will assist the role of the Trustees by researching, considering and putting forward recommendations, but have no delegated powers. They will report termly on their work to Trustees.

Terms of reference

The Board of Executive Leaders' terms of reference are to consider any necessary decisions in, but not exclusively, the following areas, making recommendations to the Board of Trustees as required:

Trust policies and procedures; research current national legislation/information which may impact up on the policies and procedures that schools within Edukos Trust may have to work; give consideration on how this will impact the day-to-day operation of a school within Edukos Trust; make recommendations on how policy and procedure may be implemented within Edukos Trust.

Practice and provision within the Trust; consider training needs for individual/groups of schools within Edukos Trust; research how best these training needs can be met/delivered; make recommendations on how and when to deliver this to staff/schools within Edukos Trust. Consider staffing provision within the Trust; research possible avenues for fulfilling this provision; make recommendations to the Trust on how this provision can be delivered.

Membership

The Board of Executive Leaders shall comprise:

- CEO of Edukos Trust
- An Executive Head Teacher
- CFO of Edukos Trust
- Two Head Teachers with a track record of Good or Outstanding leadership from schools within Edukos Trust
- Staff member with responsibility for School Improvement in Edukos Trust
- Staff member with responsibility for Business in Edukos Trust
- A member of SLT from within a Trust school who is able to provide expertise in an identified area of need.

The Chair of the Board of Executive Leaders shall be the CEO or in their absence, a vote will be held to elect a temporary Chair.

A quorum shall be **three**.

Term of office

The term of office for most members of the board is three years or until they resign from the Board, except for the CEO who is an ex-officio member (for as long as they hold the post of CEO). After their term of office, members may be reappointed or re-elected if they remain eligible and agree.

Resignation or removal

A Board member will cease to hold office if they resign their office by notice to Chair of The Board.

A Board member will cease to hold office if they are removed by the persons who appointed them.

Where a Board member resigns from office or is removed from office, they or the person removing them shall notify the Board in writing.

Selection

Trustee appointments

Trustees will be able to appoint the following members to this board:

- The Executive Head Teacher
- CFO of Edukos Trust
- One of the two Head Teachers – In making these appointments, they will take into consideration, using a skills matrix, the skills needed by The Board to carry out its duty. This appointment can be made by whatever means the Trustees see fit.
- Staff member with responsibility for School Improvement in Edukos Trust
- Staff member with responsibility for Business in Edukos Trust

The Board appointments

The Board will be able to appoint the following members to its board:

- 2 of the 5 One of the two Head Teachers. In making these appointments, they will take into consideration, using a skills matrix, the skills needed by The Board to carry out its duty. This appointment can be made by whatever means the Board see fit.
- An SLT member from schools within Edukos Trust. In making this appointment, they will take into consideration the needs of The Board. It can be made by whatever means The Board see fit.

Meetings

The Board of Executive Leaders shall meet at least six times each year and these meetings will be noted for transparency and accuracy. The minutes will be presented to Trustees at their termly meeting.

A forward programme of scheduled meetings will be established at the beginning of each academic year and will be supplemented, as necessary, with meetings convened by agreement of the Chair of the Board.

Participation will usually be in person, but, as agreed by the Chair of the Board, a person may participate by telephone or video-conferencing facility and be deemed to be present and constitute part of the Committee for that meeting.

Only the persons appointed to the Board of Executive Leaders (or their representatives authorised to represent them) may vote. In the case of equality of votes, the Chair of the Board of Executive Leaders has the casting vote.

The Board of Executive Leaders may invite any employee of Edukos Trust or any other person to attend all or part of a meeting.

Review

These terms of reference were written in July 2017 and will be reviewed annually by this board and the Trustees at their first meeting in the academic year.

BoEL ToR due for review Aut 2023