

Scheme of Delegation

Current Practice

Effective 1st April 2017

WHITEFIELD ACADEMY TRUST

SCHEME OF DELEGATION

EFFECTIVE DATE: [1st APRIL 2017]

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1. INTRODUCTION

- 1.1 Whitefield Academy Trust (referred to herein as the “**Trust**”) was established on 6th February 2014. In consequence of it entering into both a Master Funding Agreement and a number of Supplemental Funding Agreements (the “**Funding Agreements**”), the Trust is a multi-academy trust capable of operating and maintaining a number of academies (the “**Academies**”).
- 1.2 The Trust is both a company limited by guarantee, registered at Companies House (Company Number 08878604) and, by virtue of its charitable object “to.... advance, for the public benefit, education in the United Kingdom..... by establishing schools” i.e. the Academies, is a charity. The Trust also benefits from wider charitable objects, namely:
- 1.2.1 to provide childcare facilities and adult training for childcare;
 - 1.2.2 to promote the physical, intellectual and social development of primarily but not exclusively children under five;
 - 1.2.3 to develop the skills and capacity of those who are socially and economically disadvantaged so that they may participate more fully in society;
 - 1.2.4 for the relief of poverty and unemployment;
 - 1.2.5 to advance health and well-being; and
 - 1.2.6 to provide recreational and leisure facilities in the interests of social welfare and especially to those who have need of such facilities by reason of their youth, age, infirmity or disablement, poverty or their social and economic circumstances.
- 1.3 The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
- 1.4 The Trust’s constitution is set out in its “**Articles of Association**” and this Scheme of Delegation has been put in place in

accordance with the provisions of the Articles and should be read in the light of them.

- 1.5 The purpose of this Scheme of Delegation is to provide clarity as to the role and responsibilities of those who contribute to the governance and oversight of the Academies and the Trust itself. All those with governance and management responsibilities must be familiar with this Scheme of Delegation so that appropriate steps can be taken to ensure there is sufficient and proper challenge of those with leadership responsibilities, to ensure that senior leaders are held to account for the performance of the Academies and that there is financial stability within the Trust.
- 1.6 The Directors reserve the right (in their absolute discretion) to review and alter this Scheme of Delegation and the level of delegated responsibility at any time, noting that it is likely to be reviewed for its effectiveness at least every two years.
- 1.7 The Effective Date of this Scheme of Delegation is [1st April 2017.]

2. **VISION AND VALUES**

2.1 **Vision and Values**

Our Vision: To promote happy and fulfilled lives through outstanding education and care, keeping children and young people's progress at the centre of everything we do

Our Mission: Enjoyment, Achievement and Wellbeing for all

Our Values: Quality, excellence, ethical practice, inclusivity, equity and respect for diversity

2.2 **Principles for Effective Partnership**

The Academies, and those responsible for the governance and management of the Trust and the Academies, have committed to

working in partnership, supporting one another and there are clear underlying principles around how that partnership will work:

2.2.1 Equal Partners

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

2.2.2 Transparency

All those involved in the running and oversight of the Trust and the Academies will be open and honest in their dealings with each other, at all times acting in good faith and recognising the value of independence and separation in relation to decision making.

2.2.3 Subsidiarity

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

2.2.4 Solidarity

All those with responsibility for the Trust and the Academies share a particular commitment to the mutual support of all Academies for whom the Trust is responsible, especially those that are in need of assistance at any particular time.

2.2.5 **The Common Good**

All recognise their responsibility towards the common good, not just of the Academies for whom the Trust is responsible, but of all of the families and communities in the areas served by the Trust. The Directors will ensure that common action and collaboration is conducted at the correct level and that the balance between subsidiarity and solidarity serves the common good in the most appropriate way.

3. **ACCOUNTABILITY: GOVERNANCE AND MANAGEMENT STRUCTURES**

3.1 **Overall Structure**

- 3.1.1 The nature of the Trust as a company running multiple academies means there are many governance and management layers.
- 3.1.2 The “**Members**” of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to trade or distribute profit to shareholders, the Members are best viewed as guardians of the constitution, ensuring the charitable object is fulfilled. Each Member’s liability is limited to £10 and, in view of the limited liability and therefore scope for accountability, they have limited governance and no day to day management responsibilities.
- 3.1.3 The corporate management and both “trustee” and “director” responsibility for the Trust is vested in the “**Directors**”, who will also be trustees for charity law purposes and company directors registered with Companies House. The Directors are personally responsible for the actions of the Trust and the Academies and are accountable to the Members, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the Academies and the expenditure of public money. The Directors are required as 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 Directors meet as a board of Directors, generally known as the “**Trust Board**”. All Directors have the same responsibility to act in the best interests of the Trust and the Academies, irrespective of their role on the Board and how they were appointed i.e. whether appointed in an executive capacity, such as the “**Chief Executive Officer**”, or appointed by the Board and later ratified by the Members.

- 3.1.4 The Directors oversee the management and administration of the Trust and the Academies run by the Trust and delegate authority and responsibility to others, including executive officers and school leadership teams who can undertake the day to day management of the Academies. The Trust Board will continue to have the necessary strategic and legal oversight of the Trust and will monitor all activities through the oversight of leadership, determining the strategic direction of the Trust, assessing the performance of the Academies and establishing and reviewing the policies and practices governing the life of the Academies.
- 3.1.5 Articles 101–104 provide for the appointment by the Directors of committees or working groups to whom the Trust Board may delegate certain functions and responsibilities. In addition to the committees referred to later in this Scheme of Delegation, the Trust Board has established “**Advisory Councils**” for the each of the Academies and the Research and Development Centre to support the Trust Board and the leadership teams within the Academies. The Advisory Councils are accountable to the Trust Board in relation to any matter delegated to it.
- 3.1.6 Article 107 states that the responsibility for appointing the Chief Executive Officer and any principal or headteacher of an Academy (the “**Principal**”) is vested in the Trust Board and under Article 105 the Trust Board may delegate such power and responsibility to such persons as are required for the proper management and organisation of the Trust and the relevant Academy as the case may be. The appointment of Principals is delegated to the Chief Executive Officer and all Principals will report to the Chief Executive Officer, who in turn reports to the Trust Board. Notwithstanding this, the Advisory Councils will play an active part in supporting the Principal and will liaise as appropriate with the Chief Executive

Officer and the Trust Board more generally in relation to the oversight of executive officers and leadership teams within the Trust.

- 3.1.7 A “**Summary of Key Delegated Responsibilities**” is attached at Appendix 1 and for ease of reference a “**Governance and Leadership Decision Planner**” is set out in Appendix 2.

3.2 **Role of the Members**

3.2.1 The Members are the guardians of the constitution, determining the governance structure of the Trust and providing oversight and challenge of the Directors to ensure the charitable object of the Trust is being fulfilled. Whilst the Members have limited legal and financial responsibility for the affairs of the Trust, the Department for Education recommends that there is some separation between the Members and the Directors as “this enables members who are independent of the Directors to provide challenge and scrutiny to the board” (Governance Handbook November 2015).

3.2.2 The Member Role Description (and code of conduct) is set out in Appendix 5.

3.2.3 Notwithstanding any provision of the Articles, the Members hereby delegate to the Directors a power and responsibility to appoint and remove Directors, which appointments will be ratified at the next General Meeting of the Members. Any removal by the Trust Board of a Director appointed by the Members shall only be undertaken with the consent of the Members.

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

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

- 3.3.2 As Directors of a charity, the Directors have a fiduciary duty to act in good faith in the best interests of the charity. This duty includes a responsibility to do the following:
- 3.3.2.1 to ensure compliance with any legal obligations;
 - 3.3.2.2 to report on the charity's activities (the Trust must prepare accounts in accordance with the Statement of Recommended Practice for Charities, the so called "**Charity SORP**" and any reporting requirements of the Education Funding Agency);
 - 3.3.2.3 to fulfil the charitable object of the charity as set out in its constitution (i.e. the **Articles of Association**) and to act in a way which is compliant with the rules of the charity contained in the Articles;
 - 3.3.2.4 to act with integrity and to avoid any personal conflicts of interest and not to misuse any charity funds or assets;
 - 3.3.2.5 to act prudently in the financial management of the Trust, avoiding putting any assets, funds or reputation of the Trust at undue risk;
 - 3.3.2.6 to exercise reasonable care and skill, using personal knowledge and experience to ensure the Trust is well run and efficient; and
 - 3.3.2.7 to act responsibly, getting advice from others, including professional advisors, where appropriate.
- 3.3.3 The Directors must act independently and in the best interest of the Trust, even if those interests conflict with those of the body or organisation that might have appointed or nominated such Director to serve on the Trust Board. This will include a conflict of loyalty where there is no obvious benefit involved, as well as a conflict of interest. The Trust Board has adopted a formal **Conflict of Interest Policy**, attached to this Scheme of Delegation as Appendix 9, in order to assist all those involved in the running of the Trust at every level to avoid and manage conflicts. Specific attention must be given to any

arrangement whereby a Member or Director will personally benefit from an arrangement and the Conflict of Interest Policy makes reference to the EFA's guidance on "related party transactions" which all those involved in the running of the Trust must have regard to. This does recognise however the fundamental and necessary relationships between the Members, the Directors and the Academies in both governance and management terms and that individuals may serve in a number of capacities and at numerous levels within the Trust.

3.3.4 The Director Role Description (and code of conduct) is set out in Appendix 6.

3.4 **Role of the Chief Executive Officer and the Executive Team**

3.4.1 The "**Executive Team**" is the executive arm of the Trust Board, focusing on operations and resources (including HR, finance and policies) and supporting the educational performance of the Academies. It operates under the leadership and direction of the "**Chief Executive Officer**". The Executive Team works directly with the staff in each Academy to ensure that the Trust's strategic plan (incorporating the Academies development plans and school improvement plans) is being implemented and the required outcomes are achieved in accordance with the direction and vision of the Trust Board.

3.4.2 The job description of the Chief Executive Officer is set out in Appendix 8. The Chief Executive Officer will be the "**Accounting Officer**" for the Trust, who is personally responsible to Parliament and to the accounting officer of the EFA for the resources under the control of the Trust. The essence of the role is a personal responsibility for the propriety and regularity of the public finances for which they are answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; for ensuring value for money; and for the efficient and effective use of all the resources in their charge. Essentially the Accounting Officer must be able to assure Parliament and the public of high standards of probity in the management of public funds.

3.4.3 The primary responsibilities of the Executive Team led by the Chief Executive Officer are:

- 3.4.3.1 to advise on and manage the processes for schools joining the Trust in line with any strategic development plan (including carrying out appropriate due diligence and identifying any actions required to address areas of weakness or opportunities for improvement);
- 3.4.3.2 to advise on and facilitate or provide (as required) the necessary operational and management support to each Academy, advising on policies in core areas of the operation in accordance with the requirements of the Trust Board. These core areas include legal compliance, risk management, teaching and learning/standards (including target setting and curriculum support, staff training and personal development, finance, procurement, HR and ICT;
- 3.4.3.3 to specify management controls and reporting requirements, audit the associated processes, procedures and outcomes in each Academy, identify and deliver appropriate training and support and (as the Chief Executive Officer) report to the Trust Board on progress and concerns;
- 3.4.3.4 to determine the appropriate staffing structures both at a strategic level and within the Academies, identifying areas where collaboration will lead to improvements in teaching and learning and/or efficiencies;
- 3.4.3.5 to undertake the appraisal and performance management of the Principal;
- 3.4.3.6 to support the Principal is undertaking the appraisal and performance management of all other Academy staff;
- 3.4.3.7 subject to any specific terms in the Trust's Disciplinary Policy, to undertake any disciplinary action or capability review as follows:

Member of staff	Responsibility for investigation	Decision maker in respect of sickness absence, capability, disciplinary action and/or dismissal	Person/body to whom there is a right of appeal
Chief Executive Officer	Trust Chair	Decision Panel put in place by Trust Board	Appeal Panel put in place by Trust Board
Member of Trust Executive Team	Chief Executive Officer or nominee	Chief Executive Officer (if nominee investigated) or if Trust Board decides otherwise a Decision Panel put in place by Trust Board	Appeal Panel put in place by Trust Board
Principal	Chief Executive Officer or nominee	Chief Executive Officer (if nominee investigated) or if Trust Board decides otherwise a Decision Panel put in	Appeal Panel put in place by Trust Board

Member of staff	Responsibility for investigation	Decision maker in respect of sickness absence, capability, disciplinary action and/or dismissal	Person/body to whom there is a right of appeal
		place by Trust Board	
Member of School Leadership Team or School Business Manager	Principal	Chief Executive Officer	Appeal Panel put in place by Trust Board
Any other member of staff	Senior officer nominated by Principal	Principal	Chief Executive Officer

3.4.3.8 to monitor the Principal ensuring that he or she will:

- 3.4.3.8.1 implement and comply with all policies dealing with staff issued by the Trust Board from time to time;
- 3.4.3.8.2 take account of any pay terms set by the Trust Board;
- 3.4.3.8.3 adopt any standard contracts or terms and conditions for the employment of staff issued by the Trust Board;
- 3.4.3.8.4 adopt appropriate and transparent procedures for the recruitment of staff;

- 3.4.3.8.5 manage any claims and disputes with staff members having regard to any advice and recommendations given by the Executive Team and/or the Trust's insurers or the EFA;
- 3.4.3.8.6 bring to the attention of the Chief Executive Officer and, if required, the Trust's insurers and/or the EFA without delay any claims or disputes with staff that may require a hearing by a panel of members of the Advisory Council or the Trust Board where escalation is necessary;
- 3.4.3.8.7 seek the advice of the Chief Executive Officer where any significant cost is contemplated either in relation to the appointment or resignation of a member of staff, including in relation to ill health retirement or the settlement of any claims or grievances;
- 3.4.3.9 to implement and review systems for the benchmarking of the Academies across the group (including financial as well as educational performance), developing systems for cross fertilisation and supporting the Trust Board in maximising the opportunities for resource sharing and collaboration;
- 3.4.3.10 to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and director/Director liability;
- 3.4.3.11 to undertake the strategic management of the whole school estate, advising the Trust Board on areas of risk and assessing the Trust's overall safeguarding responsibilities, including drawing up a long term estate plan which identifies areas in need of expansion and/or development and areas likely to be surplus to requirements;
- 3.4.3.12 to take a lead on any capital bids and allocations, supporting the Academies' premises teams to carry out works safely and cost effectively; and
- 3.4.3.13 putting forward budgets for the Trust (and each of the Academies) for the Trust Board to approve.

- 3.4.4 The Executive Team under the direction of the “**Chief Financial Officer**” will also supervise and facilitate the production of accounts (both at Academy and Trust level) and the auditing of those accounts for disclosure purposes and will report on the activities of all the Academies to the relevant statutory bodies.
- 3.4.5 The cost of the functions undertaken by the Executive Team and the Trust Board (including the Chief Executive Officer) are generally funded on a fair and equal basis by the Academies by the contribution of a percentage of the government funding provided for each Academy (the “**Support Cost Contribution**”). This contribution will be set each year against a budget for the shared costs approved by the Trust Board. The percentage may vary according to the level of activity carried out by the Executive Team. Additional funding received by the Trust from other sources (such as government grants and income received from other schools and organisations in return for wider charitable activities and traded services) will contribute directly to the shared costs and will offset the Support Cost Contribution required from the Academies. An Academy may be asked to reimburse any third party costs payable to consultants where additional support has been agreed or has been necessary.

3.5 **The role of the Advisory Council**

- 3.5.1 The role of those serving on an Advisory Council is an important one, ensuring there is local accountability for the performance of the Trust and the Academies and that the Academies serve their communities. The purpose of the Advisory Council is to work in partnership with the Directors and senior leaders to maintain the highest standards within the Academies and to support and develop the ethos and culture of the Trust across the Academies. The Trust Board has established Advisory Councils for each of the Academies and the Whitefield Research and Development Centre (following any transitional arrangements), for the most part made up of individuals drawn from the Academy’s community.
- 3.5.2 The Advisory Council will be made up of the following:
- 3.5.2.1 1 Director who will act as the chair;

3.5.2.2 the Principal/Headteacher;

3.5.2.3 2 students;

3.5.2.4 2 parents;

3.5.2.5 1 teaching member of staff;

3.5.2.6 1 support staff

3.5.2.7 and other external advisers appointed from time to time by the Trust Board.

3.5.3 Membership of the Advisory Council will be reviewed annually by the Directors.

3.5.4 Those serving on such Advisory Councils are accountable to the Trust Board and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience. As with the Members and the Directors, the members of the Advisory Council must comply with the Trust's Conflict of Interest Policy.

3.5.5 The Job Description for the Advisory Council is set out in Appendix 7.

3.6 **Other Committees and Further Delegation**

3.6.1 Subject to the provisions of the Articles of Association, in addition to the Advisory Councils the Trust Board may establish any other committee or working group to advise and inform the Directors to support them in their decision making.

3.6.2 Provided such power or function has been delegated to the Chief Executive Officer, the Chief Executive Officer may further delegate to the Principal or any other holder of an executive or leadership post, such of their powers or functions as

they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions or requirements the Trust Board may impose and shall be consistent with any policy or statement of recommended practice issued from time to time by the Trust Board and may be revoked or altered by the Trust Board at any time.

- 3.6.3 Where any power or function of the Trust Board is exercised by the Chief Executive Officer or the Principal or any other holder of an executive or leadership post (as the case may), that person shall report to the Trust Board in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Trust Board immediately following the taking of the action or the making of the decision.

4. **SUPERVISION AND INTERVENTION - RISK MANAGEMENT**

4.1 **Supervision and Reporting**

- 4.1.1 Notwithstanding the level of delegated responsibility, the Directors remain legally responsible for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies. The Trust has adopted a Risk Management Policy, which is set out in Appendix 4.
- 4.1.2 The Advisory Council has been established to advise the Directors and provide support to the Chief Executive Officer and the Principals. It will advise on any risks in the day to day running of the Academy at such times and adopting such format specified by the Trust Board from time to time.
- 4.1.3 Particular emphasis is given to circumstances which might lead to prosecution or other litigation or public criticism or adverse publicity or damage to the reputation of the Trust. In such events and in order to minimise risk, the Chair of the Advisory Council or the Principal will immediately advise the Chief Executive Officer or other deputy acting on behalf of the Trust Board. These events will include the following (but shall not exclude any other event that falls within the generality of the circumstances described above):

- 4.1.3.1 any event leading to loss of life or critical injury on the premises of the academy or during an event off the premises organised or supervised by Academy staff;
- 4.1.3.2 any sexual or violent or illegal act against a child committed by any adult while on the premises of the Academy or by a member of staff under any circumstances;
- 4.1.3.3 the suspension or summary dismissal of any member of staff;
- 4.1.3.4 any safeguarding issue;
- 4.1.3.5 any matter or circumstance which either involves or might reasonably involve the authorities, including the police, the Counter Terrorism Unit (or any similar body) any local authority and/or the Secretary of State for Education, or is likely to attract the attention of the press/media, local Councillors and/or MPs, Ofsted, HMI and or any public body;
- 4.1.3.6 any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;
- 4.1.3.7 any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations.

4.2 **Intervention**

- 4.2.1 The Trust Board is accountable for the performance of the Academies, but the responsibility for oversight of the Academies' senior leadership team is shared with the Advisory Council who play an important part in monitoring performance and supporting the senior leadership team.

- 4.2.2 In the event that intervention is either formally threatened or is carried out by the Secretary of State, the Trust Board expressly reserves the unfettered right to review or remove any power or responsibility conferred on the Advisory Council under this Scheme of Delegation in such circumstances.
- 4.2.3 The Trust Board and the Advisory Council acknowledge the value of maintaining a good working relationship and agree to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State and to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, including involving the Chief Executive Officer and Principal who will support and advise on steps to be taken and facilitate additional support if needed.

APPENDIX 1

SUMMARY OF KEY DELEGATED RESPONSIBILITIES

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

APPENDIX 2

GOVERNANCE AND LEADERSHIP DECISION PLANNER

This decision planner is designed to work in conjunction with the formal Scheme of Delegation adopted by the Trust. It provides a quick reference guide to how some of the important decisions within the Trust are to be made. Any discrepancies between this document and the Scheme of Delegation shall be construed in favour of the Scheme of Delegation, which will take precedence. The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

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

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

1. Trust Members (the “**Members**”)
2. Trust Board of Directors/Trustees (the “**Board**”)
3. Trust Finance and/or Audit & Risk Committee (as appropriate) (the “**FAC**”)
4. Curriculum and Standards Committee (the “**CSC**”) (where not undertaken by the Trust Board)
5. Advisory Councils (the “**AC**”)
6. Trust Chief Executive Officer (“**CEO**”)
7. Principal/Head Teacher of individual academies (includes Head of School or Executive Head Teacher where appropriate) (“**HT**”)

	Task	Members	Board	FAC	CSC	AC	CEO	HT
1	Governance							
1.1.	Approve any changes to Trust Articles of Association	A	R					
1.2.	Approve and alter Trust Scheme of Delegation	C	A	C		I	I	I
1.3.	Approve new, converter or sponsored academies joining MAT		A	M	C		R/I	
1.4.	Establish Advisory Councils for each Academy (or a group if appropriate)		A				R	C
1.5.	Establish Trust committees and working groups (other		A				R/I	

	Task	Members	Board	FAC	CSC	AC	CEO	HT
	than the ACs)							
1.6.	Approve and alter Trust committee terms of reference		A				I	
1.7.	Establish AC working groups (if required)		M			A	C	I
1.8.	Appoint (and remove) Chair of Trust Board		A					
1.9.	Appoint Chair of AC		A				C	
1.10.	Remove Chair of AC		A			C	C	
1.11.	Appoint AC members		A			P		C
1.12.	Remove AC members		A			P/C		C
1.13.	Appoint (and remove) Chair(s) of Trust Committees/Working Groups (other than the AC)		A				C	
1.14.	Appoint (and remove) Trust Committee/Working Group members (other than the AC)		A				C	
1.15.	Appoint Trust Board Advisors		A	C			P	
1.16.	Appoint (and remove) Clerk to Trust Board		A				P	
1.17.	Appoint (and remove) Clerk to AC		M			A		R
1.18.	Undertake Director skills audit and carry out governance reviews	C	A				I	
1.19.	Undertake skills audit of AC		M			A	C	I

	Task	Members	Board	FAC	CSC	AC	CEO	HT
1.20.	Organise calendar of Trust Board and AC meetings		A				P	R
1.21.	Approve Directors Expenses Policy		A	M			I	
2	Finance							
2.1.	Trust & Academy Financial Regulations		A	I			R	C
2.2.	Trust & Academy Financial Procedures		A	I			P	C
2.3.	Appoint Trust auditors		A	R			I	
2.4.	Trust 3 year Budget Plan		A	R			P/I	C
2.5.	Trust 1 year Budget		A	R			P/I	C
2.6.	Trust Interim Year End Accounts		M	A			P	
2.7.	Trust Annual Accounts		A	R			I	
2.8.	Directors Report	C	A	R			C	
2.9	Undertake financial efficiency review (across the Trust)		P/M	D			I	
2.10.	Undertake financial efficiency review (within the Academy)		M	D		R	M	I
2.11.	Compile and review Trust risk register	C	A	D/M			I	C
2.12.	Trust Academies Accounts Return to EFA		A	R			I	
2.13.	Response to Auditor's			A/R			I	

	Task	Members	Board	FAC	CSC	AC	CEO	HT
	Management Letter							
2.14.	Academy 3 year Budget Plan		A	R		P	M	D
2.15.	Academy 1 year Budget		A	R		P	M	D
2.16.	Academy YTD reports					M	M	M
2.17.	Academy Interim Year End Accounts		M	A				P
2.18.	Academy Accounts Return to EFA		A	R			I	R
3	Teaching & Learning/Standards/Academy Performance							
3.1.	Trust Strategic Plan		A		P	C	P/I	C
3.2.	Academic Performance Targets		A		R/C	M	P/M	D
3.3.	Academy Performance Review <i>e.g. Academy Action Plan</i>		A		R/C	M	M	R/D
3.4.	Academy 3 year plan		A		R/C	M	P	R/D
3.5.	Academy 1 Year Plan		M			M	A	R/D
3.6.	EYFS Policy		M			M	A	R/I
3.7.	EYFS Plan & Quality of Provision		M			M	A	R/I
3.8.	SEN Policy		M			M	A	P/I
3.9.	SEN Plan & Quality of Provision		M			M	A	P/I
3.10.	Teaching & Learning Policy		M		R/C	M	A	P/I
3.11.	Curriculum Policy		M		R/C	M	A	P/I

	Task	Members	Board	FAC	CSC	AC	CEO	HT
3.12.	Sex Education policy		M			M	A	P/I
3.13.	Religious Education policy		M			M	A	P/I
4	Staffing							
4.1.	Staff complement, structure and grades		A	C	C	M/R	P/I	R/I
4.2.	CEO appointment		A					
4.3.	Trust leadership structure		M				A	
4.4.	Trust strategic appointments		M				A	
4.5.	Executive Headteacher/Principal appointment		C			C	A	
4.6.	Senior leadership appointments		C			M	R/M	A/I
4.7.	Teaching and support staff appointments					M	R/M	A/I
4.8.	Suspension of CEO		A					
4.9.	Return of CEO after suspension		A					
4.10.	Dismissal of CEO		A					
4.11.	Suspension of Executive Headteacher/Principal/SLT		M			C	A	
4.12.	Return of Executive Headteacher/Principal/SLT after suspension		M			C	A	
4.13.	Dismissal of Executive		M			C	A	

	Task	Members	Board	FAC	CSC	AC	CEO	HT
	Headteacher/Principal/SLT							
4.14.	Suspension of other teaching and support staff		C			C	M	A/I
4.15.	Return of teaching and support staff after suspension					C	M	A/I
4.16.	Redundancy of staff		C			C	A	R/I
4.17.	Restructuring of staff		C			C	A	R/I
5	Premises and Assets							
5.1.	Asset Management Policy		A			C	M	R
5.2.	Health & Safety Policy		A			C	M	R
5.3.	Commissioning of repairs or works up to £10,000		C			M	C/M	A
5.4.	Commissioning of repairs or works from £10,000 to £49,999		C/A			M	P/A	R
5.5.	Commissioning of repairs of works over £50,000		A			M	P	I
6	Policies & Procedures							
6.1.	Pay & Remuneration Policy		A			C	P	I
6.2.	Job Role Salary & Grading Policy		A			C	P	I
6.3.	Changes to Employee Terms & Conditions or Collective Agreements		A				R	I
6.4.	Adoption of Transferring Policies and Collective		A			C	P	I

	Task	Members	Board	FAC	CSC	AC	CEO	HT
	Agreements							
6.5.	Teachers Annual Pay Award		A	C		C	P	R
6.6.	Support Staff Annual Pay Award		A	C		C	P	R
6.7.	Individual Performance Pay Awards		C	C		C	R	A
6.8.	Performance Management & Appraisal Review Policy		A	C		C	P	I
6.9.	Disciplinary Policy		A			C	P	I
6.10.	Grievance Policy		A			C	P	R
6.11.	Capability Policy		A			C	P	R
6.12.	Whistle-blowing Policy		A			C	P	R
6.13.	Re-structuring & Redundancy Policy		A		C	C	P	R
6.14.	Employee Health & Safety Policy		A			C	P	R
6.15.	Academy times, terms and holidays		C			A	M	R
6.16.	Change of Academy Age Range		A			C	P	R
6.17.	Expansion of Academy PAN		A			C	P	P
6.18.	Extension of Academy provision (EYFS)		A		C	M	C	P
6.19.	Child Welfare & Safeguarding Policy		A			M	P	I

	Task	Members	Board	FAC	CSC	AC	CEO	HT
6.20.	Attendance Policy & Plan		C			A	C	P
6.21.	Pupil Behaviour & Exclusions Policy		C			A	C	R
6.22.	Community & Religious Ethos & Values Policy		A			M	P	I
6.23.	Short-term Exclusion					C		A
6.24.	Return after short-term exclusion					A		C
6.25.	Permanent Exclusions					C		A
6.26.	Appeals against Permanent Exclusion					A		R
6.27.	Complaints Policy		A			M	P	I
6.28.	Complaints Appeals					A		R
6.29.	Admissions Policy		C/A			M	C/R	P
6.30.	Allocation of places against Admissions Policy					M	C/R	A
6.31.	Admissions Appeals					A		R
6.32.	Academy prospectus					C	C	D/A
6.33.	Academy website		C			C	C	D/A
6.34.	Academy logo & branding		C			C		D/A
6.35.	Academy uniform					C		D/A
6.36.	Academy Trips Policy					C		D/A
6.37.	Extended services on-site					C		D/A

	Task	Members	Board	FAC	CSC	AC	CEO	HT
6.38.	Pupil Premium Policy			C		C	C	D/A
6.39.	Pupil Premium Plan					C		D/A

SCHEME OF FINANCIAL DELEGATION

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Financial Management				
Ensure the Academy Trust's continuing compliance with the Education Funding Agency's Academies Financial handbook (AFH)		✓	✓	
To review the Trust's financial policy document on an annual basis and the action plan drawn up to address issues identified, as required.		✓		
Review the Trust's continuing compliance with the terms of the financial policy and procedures	✓			
To review the Trust's Financial Procedures Manual and all corresponding financial policies for approval by the Governing Body biennially.		✓		

Approval of the Trust's Financial Procedures Manual.	✓			
Approval of the Trust's financial policies (Schedule of Delegation, Financial Regulations, charging, refunds, debt recovery, asset disposal, etc)	✓			
To review the governor induction pack to ensure that the information is still relevant and up to date.	✓			

	Level of Responsibility			
Area of Responsibility	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Financial Management				
Ensure that there is an induction pack for new directors/governors, tailored to reflect the individual structure of each school in the Academy Trust	✓			
Ensure that all relevant financial updates are brought to the attention of the Finance Committee / Board of directors.			✓	Chief Financial Officer (CFO)
To consider all relevant financial updates and advise the Board of Directors of any issues affecting the Trust's financial administration.		✓		CFO
School improvement Plan – financial implications				
Prepare a fully costed improvement plan setting out the aims of the Trust.			✓	
Secure the implementation of the improvement plan with the collective support of the Academy Trust's staff.			✓	Principal/Headteacher of school

Consider the draft school improvement plan, review and monitor it.	✓			SLT
Approve an ongoing improvement plan and take stock of the progress of the plan on a quarterly basis.	✓			SLT
Financial Planning				
Prepare a three-year medium term budget on the basis of the cost of current policies, the proposals for change (drawn from the school's improvement plan) and estimates of the level of future resources.			✓	CFO

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Annual Budget Plan and Best Value Statement				
Undertake benchmarking exercises on an annual basis for review by the Finance Committee.			✓	CFO
Consider the benchmarking work undertaken by the Trust and propose changes, as required, to ensure that the Trust's budget achieves value for money.		✓		
Prepare the Trust's draft annual budget , based on the agreed objectives of the schools as set out in the improvement plans and key issues paper for consideration by directors			✓	CFO
Consider the draft school budget and key issues (links to the school improvement plans) and the proposal of the balanced budget for the year for the approval of the Board of Directors.		✓		
Approve the Trust's annual budget.	✓			
Review the guidance for the signing of the annual best value statement and ensure that appropriate steps have been taken by the school to obtain best value.		✓	✓	

Annual Timetable for Budget Management				
Prepare a timetable with key dates for annual budget management.				✓
Ensure that meetings are timetabled taking into consideration financial deadlines.		✓		

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Budget Monitoring and Control				
Approve virements between budget headings. Movements above this value to be referred to the Finance Committee before being undertaken.			< £75,000	
Advise the Finance Committee and the Board of Directors of all budget movements (e.g. virements, allocation of additional funding, etc) undertaken where not otherwise approved in advance by the Finance Committee or Board of Directors.				CFO
Review all budget movements undertaken (including virements), ensuring that the reasoning for the movements is sound.	✓	✓		
Monitor and control expenditure against the budget during the financial year, including preparation and approval of reports for the Finance Committee and Governing Body and the production of a register of staff responsible for managing budgets.			✓	CFO

Monitor and control expenditure against the budget during the financial year.		✓	✓	
Review the budget monitoring reports and the projected out-turn position.	Quarterly	Quarterly	Monthly	Monthly
The control and monitoring of delegated budgets.				Departmental Budget Holders
Ensure that earmarked funds and large or trading activities are separately monitored and reported to the Finance Committee.			✓	CFO

	Level of Responsibility			
Area of Responsibility	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Budget Monitoring and Control				
Monitor earmarked funds, trading activities and large operations of the Trust, (restricted funds. e.g. catering, sports facilities, extended school activities, hirings, etc) to ensure that the allocations are spent in accordance with the recognized terms and within the allocation set out in the budget.		✓		
Financial Reporting to the Authority				
The preparation of the year-end accounts and other returns required by the Education Funding agency for consideration by the CEO.				CFO
Approve all year-end accounts and any financial returns required by the EFA.	✓			
Ensure that an annual audited accounts audit is submitted to the EFA and published on the Trust's website by the deadline		✓	✓	CFO
Audit and Inspection Reports				
Produce a formal response to the Internal Audit report and an action plan showing how the recommendations will be implemented.			✓	CFO

Consider the recommendations set out in Internal Audit report and the action plan proposed by the Chief Financial Officer for implementing these.	✓			
Ensure that the recommendations agreed by the Trust have been implemented.	✓	✓	✓	
Retention and Disposal of Accounting Records				
Ensure maintenance of complete financial accounts and full supporting records for all accounts (both official and unofficial). (Refer also to the Financial Systems section below.)			✓	CFO

	Level of Responsibility			
Area of Responsibility	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Retention and Disposal of Accounting Records				
The retention, secure storage and disposal of accounting records in accordance with both legal and EFA requirements.				Finance Director
The maintenance of full financial records for all accounts.				Named Individual
Computer Systems and the Data Protection Act 1998				
Ensure that the Trust complies with the requirements of the Data Protection Act 1998.			✓	ICT Coordinator
Ensure that the school's Data Protection registration is renewed annually			✓	
The setting up and maintenance of access profiles for system users and the production and security of back-up disks and files.			✓	IT Coordinator
Financial Systems				
Undertake an annual review of the controls within the Trust's financial systems.			✓	CFO
Banking Arrangements				

Open bank accounts and approve or vary signatures thereto, taking into consideration the requirements of the Academies Financial Handbook and any effect that this may have on the way the annual budget is advanced to the school.		✓		
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	Level of Responsibility			
Area of Responsibility	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Banking Arrangements				
The signing of cheques for more than £25,000.			CEO/Headteacher plus one named individual	
The signing of cheques for less than £25,000 and reimbursements to the CEO) (where the school has more than two authorised signatories).				SLT cheques signatories
The control and reconciliation of the Trust's bank accounts for consideration by the CEO				CFO
Approve the bank reconciliation on a monthly basis.			✓	
Petty Cash				
Agree, with the Board of Directors, an appropriate amount of petty cash to be held, currently £4,000 and the periodic check of completeness of financial records.			✓	CFO
The maintenance of accounting records, the security and regular reconciliation of petty cash.				CFO
Personnel and Payroll				

Review the staff structure of the Trust [biennially].	✓		✓	
To review the financial implications of changes to staffing numbers and grades, and approve those with a compound annual effect over £10,000		✓		
The maintenance of an authorised signatory list for employment contracts and pay documents.				HR Manager

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Personnel and Payroll				
The filing and storage of personnel and pay records (including person specifications and interview notes for a least 12 months).				HR Manager
Periodically reconcile gross pay with contracts and other authorised documents (<i>Serco produce a nominal roll report on a termly basis</i>).			✓	HR Manager
Determine employee status for all individuals working on behalf of the Trust.			✓	HR Manager
Authorise all employee-related expenses to be paid through payroll (e.g. employees' overtime, special allowances, travel expenses, etc).			✓	
Approve all payments made to the CEO personally, i.e. reimbursement of payments for goods / services purchases on behalf of the Trust and / or personal expenses incurred, e.g. travel expenses. (refer also to the banking arrangements section above.)	Chair of Directors			
Implement the school pay policy and appointment procedures for all staff employed through the school.			✓	

Purchasing – provision of goods and services				
Set house rules for a purchasing policy, monitor and review the rules in accordance with EFA guidelines/AFH.	✓			
Monitor purchasing regulations to ensure compliance by the Trust.			✓	CFO
Appoint Contracting Officer and Contracts Manager for the contracts taken out.				
Maintain a Contracts Register in accordance with EFA guidelines.			✓	CFO

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Purchasing – provision of goods and services				
Act as Contract Manager and monitor contracts on an on-going basis.				CFO
Review contracts on an on-going basis (and as part of ensuring the Trust continues to achieve 'best value')	✓		✓	
Ensure that a minimum of 3 written quotes are obtained for purchases and contracts valued at under £75,000			✓	
Ensure the Finance Committee approval is gained for all capital works in excess of £75,000.	✓			
Ensure that a minimum of 5 tenders are obtained for purchases and contracts valued between £75,000		✓		
Ensure that EU regulations are applied for all contracts over the EU threshold.		✓		
Maintain a list of contacts for guidance and advice.			✓	CFO
Supervise contractors and service providers to ensure the receipt of best value for money and compliance with	✓			Site Services

legislation.				Manager
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	Level of Responsibility			
Area of Responsibility	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Leasing				
Ensure that all finance lease agreements comply with the requirements of the Academies Financial handbook(AFH)			✓	CFO
The maintenance of a register of all leases held by the school (if not included in the Trust's Contract Register).				CFO
Orders for Goods and Services and Payment of Accounts				
The maintenance of an authorised signatory list for orders (subject to the limitations agreed).				CFO
The authority for the signing of official orders for the purchase of goods and services up to the value of £5,000, other than by the CEO/Finance Director.				Budget Holders ≤ £5000
Control the placing of orders for the purchase of all goods and services, up to a value of 75,000.			✓ Between £5,000 and	Principal/Headteacher

			£75,000	
Approve capital projects above £75,000.	✓			
The confirmation of the receipt of goods and services.				Budget Holder
The preparation of cheques for payment of services.				Finance Officer/Assistant

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
VAT				
To monitor the regulations on VAT, ensuring compliance by the school.				CFO
To complete and submit the reimbursement claim for VAT on a Monthly basis.				CFO
The signing of the VAT reimbursement claims.		✓		CFO
Income				
Set a charging policy for consideration by the Board of Directors.			✓	
Approve the charging policy.	✓			
Draw up proposed charges for the various areas of school income, including lettings, tuition and school meals, on an annual basis.			✓	CFO
Consider the proposed charges for the various areas of school income for approval by the Board of Directors annually.		✓		
Approve the annual review of charges for the various areas of school income (the approval to be formally recorded	✓			

in the Board of Directors' minutes).				
Set suitable controls for the recording and collection of monies due, and for the movement of banking of monies for all accounts under the control of the school.			✓	CFO
The control and collection of all income.				CFO
The preparation of receipts for banking.				CFO
The physical banking of monies.				CFO

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Income				
Approve procedures for chasing outstanding income due to the Trust (debt recovery policy).	✓			
Write off bad debts. Amounts in excess of this limit to be approved by the Finance Committee.			✓ < £15,000	
Approve and write off bad debts accruing to the Trust over £15,000		✓		
Ensure the security of monies held on site.			✓	CFO
Security of Assets, Stocks and Other Property				
Produce and implement a policy for security arrangements at the Trust (including procedures for call-out and key replacements)			✓	Site Service Manager
Approve and periodically review the policy for security arrangements at the Trust.	✓			
To determine a value above which assets should be recorded on the school's inventory.	✓	✓		

Ensure the physical security of the Trust's assets, and maintain and periodically inspect an up-to-date inventory.			✓	Site Services Manager
The security of physical assets.				Site Services Manager
To determine a value above which discrepancies in the inventory should be reported to the Board of Directors.	✓			
The physical inspection of the inventory on an annual basis or through an on-going programme of (random) sample checks.				Site Services Manager

Area of Responsibility	Level of Responsibility			
	Board of Directors	Finance Committee of the Board of Directors	Chief Executive Officer/ Accounting Officer	Other Staff Member
Security of Assets, Stocks and Other Property				
Prepare a policy for the disposal of surplus stock and equipment and property, other than land and buildings, and authorise items for disposal up to a maximum value of £100.			✓	

Approve the policy for disposal of surplus stock and equipment and the sale of property, other than land buildings.	✓			
Authorise items for disposal above a residual value of £100.	✓			
Maintain a register of key holders.			✓	Site Services Manager
Insurance				
Initiate adequate insurance cover for the Trust, and maintain a register of policies taken out.			✓	Finance Director
Undertake an assessment of risk management for insurance purposes at the school.		✓	✓	Site Services Manager

APPENDIX 3

APPENDIX 4

RISK MANAGEMENT POLICY

Principles

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

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

Risk management must prioritise and protect:

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

The responsibility of each Advisory Council

It is the responsibility of each Advisory Council to support the implementation of such policies and procedures to facilitate an annual statement of compliance on those risks identified by the Trust Board. The Advisory Council should take such steps needed to support leadership and assist the Trust Board in meet its legal obligations including the requirements of the Department for Education (or any successor body) as they relate to the operation of the Academies. The Advisory Council and the Principal should provide resources to mitigate identified risks and declare any non-compliance to the Trust Board. The Directors will commission on a regular basis external verification of internal systems so as to ensure the systems fitness for purpose and compliance to current standards.

The responsibilities of the Directors

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

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

Operation of the Risk Management Policy

To assist the Trust Board in fulfilling its function, the Directors may establish a “risk management committee” made up of appointed Directors, representatives of the Advisory Councils and the Executive Team, and others as may be required. The terms of reference should identify that a minimum of two Directors should serve on this committee, with one being present for the committee to be quorate. The risk management committee may be a function of the Finance and Audit Committee or work alongside it. It is the duty of this committee to review the termly schedule of self-assessments made by individual Academies’ Advisory Councils, consider how to support Academies to mitigate identified risks and report to the Trust Board each term on the risks identified.

The Nature of the Risks

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

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

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

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

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

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

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

The Principal should report to the Directors on any OFSTED or other inspections and reports. Equally the Directors should be informed of trends and actual academic outcomes and other key indicators identified by OFSTED (or any successor body) in order that the Directors may broker support and advice from within (or beyond) the Trust to minimise the possibility of the Secretary of State using his reserve powers in relation to one of the Academies for which the Trust is responsible.

- **The financial integrity of individual academies**

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

- **The capacity of the Trust Board and the Advisory Councils to discharge their duties**

The Trust Board and individual Advisory Councils will be expected to make an annual self-assessment of the skills and experience they require and their capacity to fulfil those requirements. Plans to mitigate deficiencies should be passed to the relevant Advisory Council and the Trust Board. All Directors and members of the Advisory Councils are required to hold an enhanced Criminal Records Bureau certificate and to make a declaration of interests at the beginning of each meeting. The Trust will operate a Conflicts of Interest policy. The Trust will ensure that good quality legal advice is available to the Trust Board, the Academies and those responsible for running the Academies on a day to day basis.

APPENDIX 5

JOB DESCRIPTION FOR MEMBERS

Background

The Trust has been established as a Charitable Company Limited by Guarantee and its governance is underpinned by the Articles of Association, which set out the objects of the Trust. Good governance is crucial to the best possible education for all children and young people.

The Trust is committed to transparency, accountability and diversity across all the activities and functions of the Trust. Anyone invited to a Member of the Trust must act with regard to those commitments.

Purpose

The “Members” of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to trade or distribute profit to shareholders, the Members are best viewed as guardians of the constitution, determining the Trust’s governance structure and ensuring the charitable object is fulfilled. Each Member’s liability is limited to £10 and, in view of the limited liability and therefore scope for accountability, they have limited governance and no day to day management responsibilities.

The management responsibilities have been delegated to the Trust’s Chief Executive Officer and in turn the Principals/Headteachers of the schools. The oversight of management and the governance responsibilities within the Trust are the responsibility of the Board of Directors.

The Directors are accountable to the Members and will provide a copy of the minutes of the Board meetings to ensure the Members are kept informed.

Members’ responsibilities

- To ensure the Objects of the Trust are met, the Annual Report should address this which will be presented to the Members either at a General Meeting of the Trust held in accordance with the Articles of Association or by other means.
- To determine the Trust’s constitution and governance structure, i.e. the Articles, the Members have the power to change the Articles but would normally only do so on the advice of the Directors.
- Exercising either a direct power under the Articles or a statutory power under the Companies Act 2006, to appoint and remove Directors/Trustees (noting any power also

of the Trust Board to make such appointments), the latter being exercised sparingly given the governance and management responsibility is vested in the Trust Board.

- To act as ambassadors of the Trust.

Practical Details

Members are appointed by the other Members passing a special resolution of the Trust. The Articles require there to be at least three at all times, but at least five is encouraged by the Department for Education.

The Company Secretary will maintain a Register of Members and will ensure that their details are noted on the Trust's website and in the Trust's Annual Accounts.

In light of the fact that the Members meet infrequently, the Members' power to appoint the Directors/Trustees is delegated to the Trust Board and appointments will be ratified by the Members at each Annual General Meeting.

Members are not appointed to serve for a fixed term and will serve as Members until they resign or are removed (by the other Members in accordance with the Articles).

Members are expected to have some previous involvement in the Trust or its schools or be a stakeholder. Members must act in the best interests of the Trust and will be held to account for the success of the Trust and its schools.

Member Person Specification

Most important is a willingness to work together with the Directors and Trust leaders to deliver the Trust's vision.

Essential person qualities:

1. Commitment to the Whitefield Academy Trust vision and values and a way of working that demonstrates this, and an ability to communicate this enthusiasm to others.
2. An understanding and acceptance of the legal duties, liabilities and responsibilities of the Members, Directors/Trustees and Chief Executive Officer to ensure decisions are made at the right level.
3. An understanding of the different but complementary roles of governance and management.
4. Good independent judgement, yet the ability to work well as part of a diverse team.
5. Strategic awareness and experience of high level strategy development.
6. Good communication and interpersonal skills, able to both empower and challenge supportively.

7. Willing to engage with contacts and/or fulfil an ambassadorial role if required.
8. Able and willing to devote the necessary time to the role.

APPENDIX 6

JOB DESCRIPTION FOR DIRECTORS

Background

The Trust has been established as a Charitable Company Limited by Guarantee and its governance is underpinned by the Articles of Association, which set out the objects of the Trust. Good governance is crucial to the best possible education for all children and young people.

The Trust is committed to transparency, accountability and diversity across all the activities and functions of the Trust. The Board of Directors will be appointed and act with regard to those commitments.

Purpose

The Board of Directors is responsible for the operation of the Trust. It sets the vision and strategy and is directly accountable for its finance, standards, management and administration.

The Board of Directors has determined that the Local Governing Body of each school will convert to a local Advisory Council on 1 April 2017, whose terms of reference are detailed elsewhere.

Directors' responsibilities:

- To provide strategic leadership support and constructive challenge to the management of the Trust in order to ensure that the Trust provides an outstanding educational experience for all that raises aspirations and equips pupils and students with the skills to achieve their goals during their time with the Trust and beyond.
- To ensure that the Trust's finances are appropriately accounted for through budget setting, monitoring, preparation and publication of accounts and overseeing any investment decisions of the Trust.
- To ensure the Trust's compliance with legal duties and responsibilities, including adherence to the Trust's Memorandum and Articles.
- To appoint and supervise the Trust's Chief Executive and provide constructive challenge to executive recommendations in order to provide robust accountability, oversight and assurance for both educational outcomes and financial performance of the Trust.
- To promote the quality and continuous improvement of the Trust's provision considering feedback through a variety of channels.
- To establish and review the Trust's vision and strategy and ensure that results are delivered for the benefit of pupils and students.

- To ensure that the Trust offers a curriculum that maximises outcome for its students and to determine and monitor the trust's performance against key indicators and the School Improvement Plans.
- To ensure the Trust manage its assets and ensure that these remain fit for purpose.
- To ensure that the Trust has sufficient resources (human, financial and material) to meet its agreed objectives and determine what financial resources should be held in reserve for specific projects or as a contingency to withstand unforeseen events.
- To assess and monitor the risks (financial and non-financial) faced by the Trust on an ongoing basis and with particular regard to development projects. The Directors will monitor the Trust Risk Register and ensure policies are effectively implemented.
- To promote the high reputation of the school externally and be an ambassador for the Trust.
- To undertake such Director functions as determined from time to time through the Whitefield Academy Trust Scheme of Delegation.

Practical Details

The Directors Board will consist of such number of Directors (Trustees) as the Board determines is necessary for the efficient and proportionate delivery and scrutiny of the WATs vision and business. The CEO will sit on the Board of Directors.

The Principal/Head Teacher of the schools within the multi-academy trust, the Director of the Teaching School and the Chief Financial Officer will be in attendance at Directors meetings.

- (a) Directors will be appointed on the basis of their experience and qualification to undertake the role. Appointment may be through open competition, having regard to balancing the skills on the Board, the WAT community and range of stakeholders.
- (b) The Chair of the Board of Directors will be appointed by the Directors for a period of 4 years, or such other term as the Board may determine. The CEO may not be appointed Chair.
- (c) All other Directors will be appointed by the Directors for a period of up to 4 years (the term of each office to be established to ensure that the all Directors are not eligible for re-appointment at the same time). Directors will be eligible for a second term of appointment of 4 years. In exceptional circumstances and with the unanimous agreement of the Board of Directors a third term may be served.
- (d) The anticipated time commitment (excluding travel) for Directors is 8 to 15 days in any normal year.
- (e) Directors may be expected to sit on committees or working parties, as determined from time to time by the Board of Directors, which requires additional time

- (f) Induction and support are provided to Directors on appointment.
- (g) The role of Directors is not remunerated but reasonable expenses are paid in accordance with the WAT expenses policies.
- (h) Ordinary meetings take place on the Trust's premises.
- (i) The Directors may appoint a vice-chair from its members to substitute for the Chair when required. The CEO may not be appointed vice-chair.

Legal Requirements:

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

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

APPENDIX 7

JOB DESCRIPTION FOR MEMBERS OF AN ADVISORY COUNCIL

Structure

Advisory councils consist of 1 director who acts as chair working closely with the Principal/Headteacher, 2 students, 2 parents, the Principal/ Headteacher of the school, 1 teaching member of staff, 1 support staff and a number of external people.

All members of the Advisory Council are appointed by the directors. Membership is to be reviewed annually.

Purpose

To work in partnership with directors and senior leaders to maintain the highest standards within the Academy Trust schools and to support and develop the ethos and culture across the schools.

Remit

- To promote the high reputation of the school externally
- To undertake learning walks with staff/directors
- To be involved with staff interviews
- To attend staff hearing panels
- To assist the chair and Principal/ Headteacher with collating views to inform the board of directors
- To discuss a range of wide issues that impact on pupils' life chances, further developing the longer view for students to influence the strategy of the academy e.g. attendance, progress and achievement, results, health and mental wellbeing, transition arrangements for life after school, job and occupation potentials, college placements, managing money, family circumstances
- To be involved in discussion and research that will raise attainment and achievement for students e.g. working with outside agencies, other schools, colleges and universities, social groups, parent groups
- To represent the school or the Academy in a variety of activities/events
- To assist with the monitoring and evaluation of the School Improvement Plans termly
- To assist with the analysis and future plans raised through pupil, parent and staff questionnaires

Expectations

- Chair of advisory council and Principal/Headteacher to pre-meet before each separate meeting to facilitate the work of the group
- Each member will be assigned to a focus group or working party
- To attend meetings regularly and visit the school at least termly
- To undertake a DBS
- To be involved with parent and staff groups

Reporting

- The chair and Principal/Headteacher submits a termly report to the CEO and the board of directors. An annual report is to be scheduled for the first board of directors meeting of the Autumn term.

APPENDIX 8

JOB DESCRIPTION AND ROLE RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER

**Autumn 2016
JD1**

Accountable: through the Chair to the Board of Directors of the Trust

Core purpose:

The Chief Executive will be expected to:

- Lead the strategic planning of the Trust and the development and deployment of its resources so as to secure the best possible outcomes for students and the sustainment of the Trust
- Maintain and develop the effective collaborative culture for working with schools and teaching school within and beyond the Whitefield Academy Trust
- Engage with and enhance the profile of the Trust with key stakeholders, local, national and international bodies and professionals from a range of sectors
- As Chief Executive and Accounting Officer of the Company, carry out the delegated responsibilities of the Board for managing the Trust
- Inspire, lead and set unambiguous challenging targets for staff and students that encourage everyone to achieve their potential

The Chief Executive will:

Lead and manage the Trust to ensure that:

- Each school maximises the performance of all students through high quality learning and teaching which motivates, challenges and empowers
- The teaching school actively ensures the needs of the Academy staff training are met
- The teaching school effectively ensures that its role to the wider community is met.
- Research undertaken effectively impacts upon the Academy

- Ensure that quality control systems are effective in raising standards across the Academy
- All students are encouraged and or empowered to be active participants in their learning
- Students have access to good quality arrangements for the promotion of employment and lifelong learning post school.
- Supporting services and Trust facilities are creatively managed to deliver best value for money
- Innovative solutions for income generation are realised
- Create and maintain excellent places of learning and develop these as wider resources accessible to the wider community offering a diverse range of extended and complementary services and opportunities
- Enhance opportunities for learning and development through partnerships between parents/carers, students, staff, the local community, other educational organisations, voluntary organisations, other public sector bodies and employers
- Develop effective relationships with other education providers and the education authorities to improve the standard of education within the reach of the Trust
- Realise the education vision of the Trust as determined by the Directors

Key responsibilities:

- a. Execute all the functions and responsibilities of the Chief Executive and Accounting Officer of the Trust Company (a Company Limited by Guarantee with charitable status), ensuring that the Trust meets all legislative and statutory requirements, including safeguarding and those required by the Charity Commissioners and DfE
- b. Enthusiastically lead the Trust's education work, setting high professional standards and ensuring that the education vision is understood and embraced by staff, students, parents/carers and the wider community
- c. Ensure the Trust's management and organisational structures are fit for purpose and facilitate continuous improvement
- d. Explore all opportunities for income generation and optimise the provision of support services
- e. Deploy all resources, including staff and financial resources. Lead, motivate, support, challenge and develop staff, ensuring effective induction, training and performance management
- f. Secure and sustain effective inclusive teaching and learning and in particular to:
 - Ensure a curriculum that meets statutory requirements and the Trust's education vision
 - Maintain effective behaviour management and the health, safety, welfare and emotional development of all students
- g. Ensure the effectiveness and efficiency of the Trust, providing information and advice to the Trust's Board of Directors on progress towards achievement of the Trust's education vision
- h. Work in partnership with parents, the community, and other schools and stakeholders
- i. Undertake such other duties as are commensurate with the post and which may reasonably be required by the Trust's Board of Directors

Working with our Academies:

The Chief Executive will work with Academy Headteachers and Directors to ensure that:

- The vision, values and ethos of the Trust are embedded into strategic and operational planning and are evident in the daily life of each Academy and the Teaching school
- There is continuing improvement in student outcomes
- Expectations and aspirations of parents/carers and of students are managed

- The Trust meets the needs of all its students
- The Trust develops effective and efficient practices, policies and procedures and that compliance is assured
- The safeguarding policy and practice complies with statutory requirements and are maintained as the highest priority for all directors, staff and advisory board members across the Academy.
- The Trust and the Teaching school remains in sound financial health
- Expertise within the Trust is identified, developed and shared
- The Trust exercises sound governance
- The interests of the Trust are actively promoted locally, regionally, nationally and internationally

Reporting

The CEO reports to the Chair and Directors of the Whitefield Academy Trust

The CEO will participate in an annual review as part of the agreed appraisal process

APPENDIX 9

CONFLICT OF INTEREST POLICY

Why we have a Policy

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

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

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

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

The Declaration of Interests

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

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

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

Data Protection

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

What to do if you face a Conflict of Interest

If you have a direct or indirect interest in:

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

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

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

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

Decisions taken where an individual has an Interest

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

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

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

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

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

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

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

Managing Contracts

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

Notified Conflicts of Interest

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

- The appointment or nomination of individuals by the Advisory Council to serve on the Trust Board;
- The appointment or nomination of individuals by the Trust Board to serve on the Advisory Council;
- The fact that some of the Directors might also be Members of the Trust; and
- Dealings with any Trust trading subsidiary.