

SCHEME OF DELEGATION

made between

THE DIOCESE OF GLOUCESTER ACADEMIES TRUST

and

**THE LOCAL GOVERNING BOARD
OF
HARDWICKE PAROCHIAL ACADEMY**

EFFECTIVE DATE OF THIS SCHEME: 1 November 2020

Academy originally converted on 1 December 2014

Log of document review: August 2020

THIS SCHEME OF DELEGATION (which in this document is referred to as the "**Scheme**") is made on **1 November 2020** between:

(1) The Diocese of Gloucester Academies Trust, a charitable company limited by guarantee and registered in England and Wales under company number 08149299 (the "Trust"); and

(2) THE LGB OF HARDWICKE PAROCHIAL ACADEMY (the "LGB").

I. DEFINITIONS AND INTERPRETATION

1.1 In this Scheme:

"The Academy" means Hardwicke Parochial Academy

"Academies Financial Handbook" means the DfE's financial handbook for academies in force at the time

"Articles" means the Articles of Association of the Trust

"Budget" means the annual budget set by the Directors for the Academy in accordance with the Master Funding Agreement and/or the Relevant Funding Agreement;

"The Trust" means the Diocese of Gloucester Academies Trust

"DfE" means the Department for Education

"DBE" means the Diocesan Board of Education for the Diocese within which the Academy is situated;

"ESFA" means Education Skills and Funding Agency

"Directors" means the Directors of the Trust

"Members" means the members of the Trust

"The Effective Date" means 1 November 2020

"Incumbent or Principal Officiating Minister of the Parish in which the Academy is sited" means the Incumbent or Principal or Officiating Minister of the ecclesiastical Parish of Hardwicke, Gloucester, or a suitably qualified

substitute (who can be nominated by the Incumbent but will be appointed by the Archdeacon of Gloucester. In the case of a vacancy of a Headteacher/Principal Officiating Minister, the Archdeacon of Gloucester will appoint a suitably qualified person to act in their stead.

"LGB" means the Local Governing Board of the Academy constituted by clause 5.2 of this Scheme and pursuant to Articles of Association.

"Master Funding Agreement" means the Master Funding Agreement entered into by the Trust and the Secretary of State on 27 October 2015;

"Parochial Church Council" means the PCC of PCC of St Nicholas Church Hardwicke

"Headteacher/Principal" means the Headteacher of the Academy;

"Relevant Funding Agreement" means the Supplemental Funding Agreement entered into by the Trust and the Secretary of State in respect of the Academy on 1 December 2014;

"Reserved Posts" Section 58 of the Academy Standards and Framework Act 1998 (as amended) requires the appointment in VC and Foundation Academies with a designated religious character of teachers who are able to provide religious education in accordance with the requirements of the trust deed of the Academy or in accordance with the tenets of the relevant religion or denomination.

"Secretary of State" means the Secretary of State for Education and his/her successors;

- 1.2 Except as expressly provided in this Scheme, words and expressions not defined in this Scheme shall have the same meaning accorded to them in the Articles and the Relevant Funding Agreement entered into by the Trust.
- 1.3 Reference in this Scheme to clauses, paragraphs and annexes shall, unless otherwise stated, be to clauses, paragraphs and annexes of this Scheme.
- 1.4 In the event of conflict between any provision of this Scheme and the Articles, the Articles shall prevail.

2. INTRODUCTION

- 2.1 As a charity and company limited by guarantee, the Trust is governed by the Directors who are responsible for, and oversee, the management and administration of the Trust and the academies which it runs. Hardwicke Parochial Academy is one of the academies.

The Trust's Directors as at 1st September 2020 are:

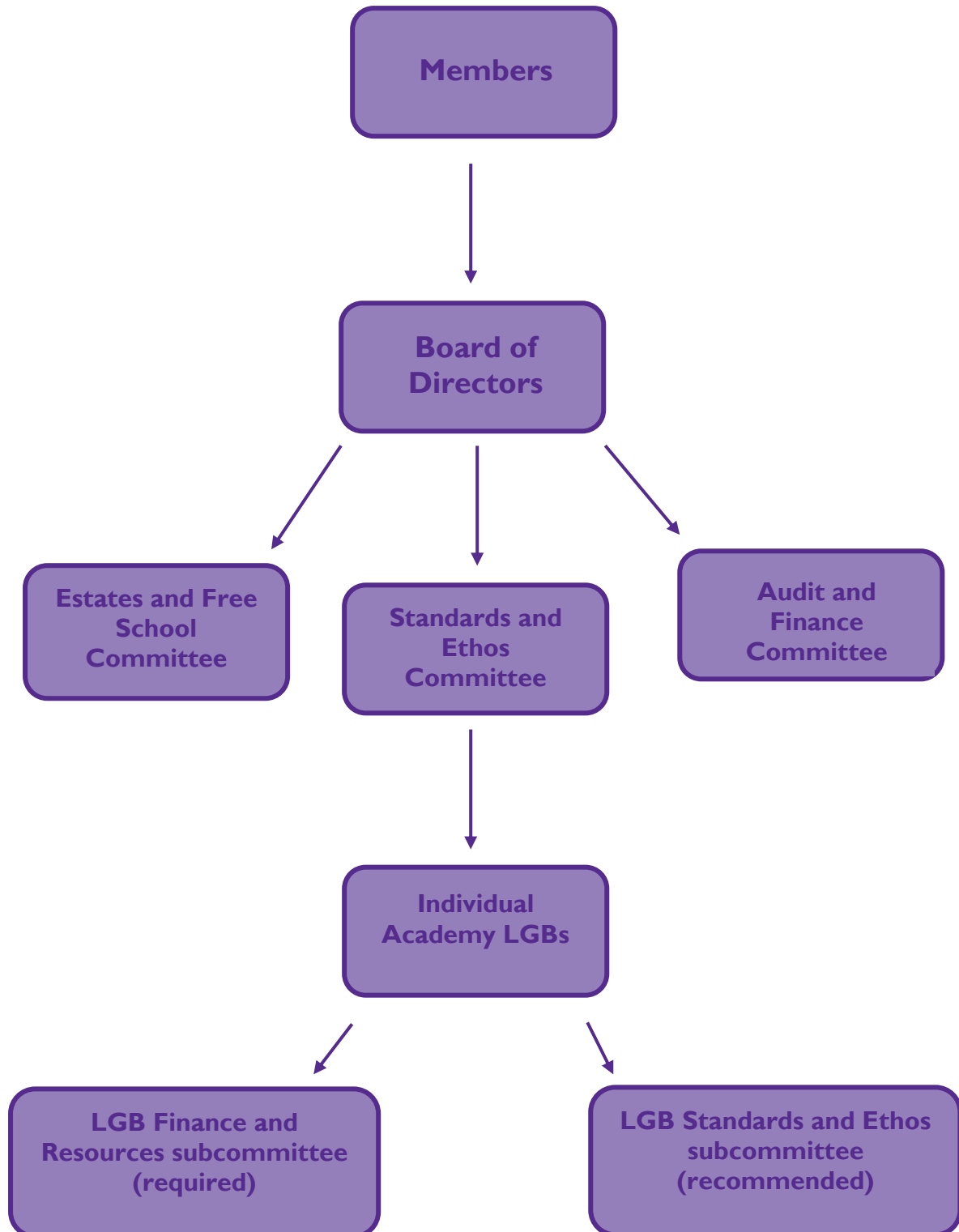
- Professor Doug Cowper (Chair)
- Charlotte Rawlings
- The Venerable Hilary Dawson
- Commander Mervyn Cowdrey
- Nicola Mosely
- The Venerable Phillip Andrew
- Rob Stokes
- Phillip Perks
- Rachel Howie (Trust CEO)

The Trust's members are responsible for establishing the ethos and values of the Trust and establishing how the Trust will be governed. Members' ongoing role, and the role of members appointed subsequently, will be to hold Directors to account in relation to the MAT's ethos and values and governance of the trust.

The Trust's Members as at 1st September 2020 are:

- The Diocesan of Gloucester Education Trust corporate
- Mrs Sue Padfield
- The Very Reverend Stephen Lake
- Mr Jon Millin
- Mrs Joanne Grills

DGAT Governance Structure



- 2.2 The Directors are accountable to external government agencies including the Charity Commission and the DfE (including any successor Boards) for the quality of the education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice. As the Academy is a Church of England Academy, designated as such, the Directors are also accountable to the Gloucester Diocesan Board of Education (the “DBE”) under the provisions of the Diocesan Board of Education Measure 1991 (amended Education Act 2006) to ensure that the Academy is conducted as a Church of England Academy.
- 2.3 In order to discharge these responsibilities, the Directors appoint people who are more locally based to serve on the LGB which has been established to ensure the good governance of the Academy. The day-to-day governance of Trust academies is delegated to this LGB. All LGBs will be responsible for ensuring that the Christian character, values and ethos of the Trust underpins all decision making. Working in partnership, the LGBs of Trust Academies will support the wider vision of the Trust to ensure the flourishing of all children.
- 2.4 This Scheme of Delegation explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Directors and the members of the LGB and the commitments to each other to ensure the success of the Academy.
- 2.5 This Scheme of Delegation has been put in place, after consultation with the LGB, by the Directors, from the Effective Date in accordance with the provisions of the Trust’s Articles of Association and it should be read in conjunction with those Articles. References in this Scheme to numbered Articles are to the relevant clause of the Articles. References in this Scheme to numbered paragraphs are to the relevant paragraphs of this Scheme or its Appendices.

3. ETHOS AND MISSION STATEMENT

- 3.1 Hardwicke Parochial Academy Academy will:

Recognising its foundation and preserving and developing its religious character in accordance with the principles of the Church of England and in partnership with the Church at Parish and Diocesan level, serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.

4. DIRECTORS’ POWERS AND RESPONSIBILITIES

- 4.1 The Directors have overall responsibility for the Academy and are the ultimate decision making authority for all the work of the Trust, including the establishing and running of Academies and in particular the Academy as a Church of England Academy. This is largely exercised through strategic planning and the setting of policy. It is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality assurance processes. The Directors reserve the right to direct change where required, as set out in Section 7 of this document.
- 4.2 The Directors have a duty to act in the fulfilment of the Trust’s Objects. The Directors also have a duty to the DBE to uphold the Objects of the Trust and to have regard to the advice of the DBE generally.
- 4.3 The Directors will have regard to the interests of the other academies for which the Trust

is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.

- 4.4 The Articles of Association provide for the appointment by the Directors of committees, to whom the Directors may delegate certain of the functions of the Directors. From the 1st November 2020 the day-to-day local governance of Hardwicke Parochial Academy will be delegated to a LGB as outlined in Appendix 3. Whilst the Directors have the power to direct change where required, it is an expectation that the Directors and LGB will work in partnership to secure outstanding educational outcomes for all pupils.
- 4.5 The constitution, membership and proceedings of the LGB is determined by the Directors, and this scheme of delegation expresses such matters as well as setting out the authority delegated to the LGB in order to enable the LGB to run the Academy and fulfil the Academy's mission.
- 4.6 Anyone appointed to a Trust governing Board gives an undertaking to uphold the Trust's objectives and to work in support of the vision, values and ethos of the organisation. The Directors and board members will ensure that their work is conducted in accordance with the Christian ethos and values of the Trust, the terms governing the use of the land and any agreement entered into with the Secretary of State for the funding of the Trust.
- 4.7 The LGB shall comply with the obligations set out in the Scheme of Delegation checklist, found at the back of this document in Appendix 3, which deals with the day to day operation of the LGB.
- 4.8 The Directors and all Local Governors have a duty to act as a corporate Board and not as individuals. The Directors and all Local Governors will act with integrity, objectivity and honesty. All decisions will be made in the best interests of the Trust, its academies and the children they serve.
- 4.9 The vision of the Trust is to provide children of all faiths and none, with excellent educational provision which transforms lives within a caring and supportive Christian character. As a result, a clear set of shared values underpin governance arrangements, at all levels. Directors and Local Governors are expected to model behaviours which are true to the vision and values of the organisation. Our vision is to be:
 - Authentically Christian
 - Boldly passionate about excellence in learning
 - Relentlessly driven in our aspiration for everyone

The Trust's vision is underpinned by five core principles, which underpin all we do and all the decisions we take. These core principles are:

- We aspire to be the best we can be in an ever-changing environment - providing opportunities for all to flourish.
 - Within our DGAT family we cherish everyone as individuals; appreciating and celebrating diversity.
 - We act with integrity; we are open to challenge and we are reflective about our practice.
 - We treat everyone with dignity and respect.
 - Through collaboration, in a nurturing community, we grow, learn and achieve.
- 4.10 All governing Boards will adopt and comply with all Trust-wide policies. Delegated policies will be reviewed by the appropriate board in line with the Trust's schedule of review

(Appendix 3). The schedule of review will be amended following any recommendations of the Directors and/or the DfE and/or the DBE.

- 4.11 All governing Boards will provide such data and information regarding the running of the academies, to the Trust as required, acting at all times in accordance with General Data Protection Regulation (GDPR).
- 4.12 The LGB shall, given reasonable notice, submit to any inspections by the Directors and any inspections pursuant to section 48 of the Education Act 2005 (the SIAMS inspection Statutory Inspection of Anglican and Methodist Academies) and any additional inspections or any person appointed by the DBE for the purpose of ensuring that the Academy is being conducted in accordance with the practices and teachings of the Church of England.

5. CONSTITUTION OF THE LOCAL GOVERNING BOARD

The Local Governing Board

- 5.1 The number of people who shall sit on the LGB shall be not less than five but will not be subjected to a maximum. In determining the initial composition of the LGB, the Directors will consult the governing Board of the predecessor Academy and be mindful of the Academy context. Any further amendments to the LGB will be determined by the Directors after consultation with the LGB.
- 5.2 The LGB shall, in the first instance, have the following members (“the LGB members”):
 - 5.2.1 Seven Foundation governors, one of whom will be the Officiating Minister of the Parish of St Nicholas Church, or their licensed delegate. One foundation governor shall be appointed by the owner of Hardwicke Court (who may appoint themselves). If the owner fails to appoint an eligible person within three months of the occurrence of a vacancy, the appointment shall be made by the Directors on nomination from the PCC.
 - 5.2.2 Two Parent governors
 - 5.2.3 The Headteacher/Principal of the School, ex officio
 - 5.2.4 One elected Staff governor
 - 5.2.5 Two governors co-opted by the LGB

Making a total of – 13

All governors are required All Local Governors are required to have an enhanced DBS check.

In addition to the maximum number, one Director shall be entitled to attend any meetings of the LGB. The Director shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGB. The presence of a Director will constitute one vote in any such matters.

- 5.3 The membership of the LGB may include persons who do not serve as Local Governors. These will be known as **associates**. Associates must always be in the minority and are appointed in an advisory role and for the skills and expertise they contribute to the LGB. Associates do not have voting rights and do not contribute to the quorum. The term of office and specific role of associates should be clearly identified in the minutes of the

meeting. Appointments, in the first instance, should not exceed two years but this may be extended by a vote of the LGB after the two years have elapsed. Associates are subject to the same disqualification regulations as all Local Governors.

Appointment to the Local Governing Board

- 5.4 In appointing Local Governors to the LGB, the Directors will have regard for the skills and experience needed on the board and the need to adequately prepare for succession planning. All members of the LGB will be accountable for upholding the Christian Foundation, character and values of the Academy.
- 5.5 The Foundation Local Governor(s) shall be appointed by the DBE after discussion with the PCC, who will nominate individuals for consideration. One of these will be the officiating minister of the parish (ex-officio). Where the ex-officio is unable or unwilling to take up the position, a substitution may be proposed to the Trust by the officiating minister. The Trust will seek the approval of the appropriate Archdeacon to appoint.
- 4.1.1 6 If the LGB includes a Trust appointed Local Governor, this person will be appointed directly by the Directors.
- 5.7 The Headteacher/Principal shall be treated for all purposes as being an *ex officio* Local Governor.
- 5.8 The parent Local Governor(s) will be elected by parents of registered pupils at the Academy. The Returning Officer will make all necessary arrangements for the election of the parent Local Governor(s) in line with the Trust's protocol. If no parent expresses an interest to join the LGB a person who has parental responsibility for a child of compulsory Academy age, with preference to parents in neighbouring Trust Academies. If the number of parents standing for election is less than the number of vacancies, then no election is required. Any remaining parent vacancies will then be appointed to by the Directors.
- 5.9 A staff member will be elected by a staff election. All staff members currently employed at the Academy will be eligible to vote. If no staff member expresses an interest to join the LGB a person who is employed within another Trust Academy may be appointed by the Directors.

Co-opted Local Governors of the Local Governing Board

- 5.10 Co-opted Local Governors may be appointed by the LGB. A person who is employed at the Academy cannot be appointed as a co-opted Local Governor if this results in the number of staff on the LGB exceeding one third of the total number of Local Governors (including the Headteacher/Principal).

Term of office of Local Governors

- 5.11 The term of office for any Local Governor shall be up to 4 years, save that this time limit shall not apply to the Headteacher/Principal or incumbent (who shall serve *ex officio*). Subject to remaining eligible to be a particular type of Local Governor on the LGB, any person may be re-appointed or re-elected (including being co-opted again) to the LGB. Usually Local Governors will serve no more than three terms of office.

Resignation, removal and disqualification of Local Governors

5.12 A Local Governor's term of office will be terminated if:

- Any event or circumstance occurs which would disqualify the Local Governor from the office of Director under the Articles where they hold such office
- The Local Governor has, without the consent of the LGB, failed to attend LGB meetings for a continuous period of six months, beginning with the date of the first such meeting they failed to attend and the Chair and the Vice Chair agree that the term of office should be terminated
- The Local Governor resigns from office by notice to the Trust
- The Local Governor is removed by the person or persons who appointed them.
- The Local Governor is a Staff Local Governor who has ceased to be employed by the Trust
- The Local Governor is the Headteacher/Principal and has ceased to be employed by the Trust; or
- The Local Governor is removed by the Directors in circumstances where they consider (acting reasonably) that it is in the best interests of the Trust to remove the Local Governor or in the event that the Local Governor has breached the Local Governing Board Code of Conduct.

6. POWERS DELEGATED TO LOCAL GOVERNING BOARDS

6.1 The LGB carries out its functions in relation to its respective Academy on behalf of the Directors and in accordance with policies determined by the Directors. The act of delegation from the Directors to the LGBs is a delegation of powers and duties, and not a delegation or shedding of responsibilities.

The LGB shall have the roles set out in this Scheme of Delegation (including the checklist at Appendix 2 and Paragraph 8) and any other role that the Directors agree shall be carried out by the LGB and that is communicated in writing to the Chair of the LGB.

Local Governors are expected to:

- Prepare for and make an active contribution at meetings of the LGB
- Champion the Academy in the local community
- Familiarise themselves with the Academy's policies
- Visit the Academy both during Academy hours (with prior arrangement with the Head teacher) and for evening events to get to know the Academy and to be visible to the Academy community; and
- Attend training sessions for Local Governors, where possible.

Chairs of LGBs are expected to attend the Trust's Chair of Local Governors' forum or in their absence, send a representative from the LGB.

Any LGB meeting at which a quorum is present may exercise all the powers so delegated.

Ethos and Values

6.2 Whilst the LGB shall be responsible for ensuring that the Academy is conducted in accordance with its ethos and values referred to in section 3, any change to the Academy's

ethos and mission statement must be approved by the Directors who shall not make any alteration to the religious character of the Academy or the conduct of the Academy as a Church of England Academy without the consent of the DBE.

- 6.3 At all times, the Directors and the LGB shall ensure that the Academy is conducted in accordance with the Objects of the Trust, the terms of the trust governing the use of the land which is used for the purposes of the Academy and any agreement entered into with the Secretary of State for the funding of the Academy.

Finance

- 6.4 In acknowledgement of the receipt by the Directors of funds in relation to the Academy, provided by the Secretary of State, donated to the Trust and generated from the activities of the Trust, the Directors delegate to the LGB the responsibility to manage and expend all monies received on account of the Academy for the purposes of the Academy less an amount to be determined by the Directors. All centrally held funds will only be used to further the Objects of the Trust and to provide quality education and services to academies. The Trust will only hold such amounts that are defined as reasonable by the ESFA, DfE or any successor agencies.
- 6.5 In line with the Academies Financial Handbook and the Trust's Finance Policy, the LGB shall have the power to enter into contracts on behalf of the Trust provided that the contract relates to the Academy, does not exceed a value specified by the Directors from time to time. All leasing contracts must be authorised at central Trust level.
- 6.6 The accounts of the Trust shall be the responsibility of the Directors. The Central Team shall provide such information about the finances of the Academy as often and in such format as the Directors shall reasonably require. In the summer term, or earlier if requested by the ESFA the LGB will submit the proposed Academy budget for the next academic year to the Directors for consideration.
- 6.7 The LGB shall ensure that proper procedures are put in place for the safeguarding of funds and that the requirements of the Academies Financial Handbook are observed at all times as well as any requirements and recommendations of the Directors and the Secretary of State.
- 6.8 The LGB must discuss with the CEO any need for significant unplanned expenditure and this will be considered and agreed by the Directors (and others as the Directors shall require).
- 6.9 The LGB shall follow the requirements of the Academies Financial Handbook and any associated Trust policies, and shall develop appropriate risk management strategies and shall at all times adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the Academy.
- 6.10 Subject to any contrary direction by the Directors, the LGB shall at all times have in place a competent Finance/Resources Committee as provided for in Appendix I.
- 6.11 Both the Directors and the LGB acknowledge that neither the DBE or the Directors of any associated Trusts have any financial responsibility for the Trust or the Academy in any situation, save where the DBE or any associated Trust has entered into any financial obligation with the Trust, the Academy, the DfE or the ESFA.

Premises

- 6.12 Subject to the provisions of any Supplemental Agreement between the Trust, the Site Trustees and the DfE, the maintenance of the buildings and facilities used in respect of the Academy is the responsibility of the LGB, who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Directors (and/or the Site Trustees or others) as owners of such buildings and facilities.
- 6.13 The LGB shall in conjunction with the Directors develop an estate management strategy that will identify the suitability of building and facilities in light of long-term curriculum needs and the condition survey data. To meet the LGB's responsibility to ensure the buildings and facilities are maintained they will agree in the Autumn term a Planned Maintenance Programme with the Directors and confirm that all plant has been serviced by registered contractors. The LGB will have a responsibility to maintain and repair the building so that it is compliant with statutory regulations. The LGB must ensure that the Academy is fully compliant with all Health and Safety requirements as outlined in the Trust Health and Safety Policy and must ensure this is effectively monitored within the LGB structure. Any significant material changes to the Academy building or grounds must be approved by the Directors.
- 6.14 The responsibility for any disposals or acquisitions of land to be used by the Academy will be that of the Directors and/or the Site Trustees and requires the permission of the ESFA. Any capital works undertaken at the Academy must be done in consultation with the Trust central team with the consent of the Directors.
- 6.15 Insuring the land and buildings used by the Academy will be the responsibility of the Directors who shall either recover the cost from the budget delegated to the LGB or, if the Academy is a member of the Risk Protection Arrangements (RPA), will be deducted at source. The Directors shall, at all times, ensure adequate, competitive insurance (or equivalent) for the Academy and provide proof of the same if reasonably requested by the LGB.

Human Resources

Headteacher/Principal

- 6.16 The Directors shall, in consultation with the Central Team and LGB, appoint the Headteacher/Principal and Deputy Headteacher in accordance with the Articles. The Directors shall ensure that the Headteacher/Principal is committed to supporting and promoting the objects of the Academy which include conducting the objects of the Trust in accordance with the principles, practices and tenets of the Church of England.
- 6.17 The Directors and the LGB may delegate such powers and functions as they consider are required to the Headteacher/Principal for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Directors and the LGB and for the direction of the teaching and curriculum at the Academy).

Other Staff

- 6.18 The Headteacher/Principal, with the involvement of the LGB where appropriate, shall be responsible for the appointment and management of all other staff to be employed at the Academy provided that the Headteacher/Principal and LGB shall:

6.18.1 Comply with all policies dealing with staff issued by the Directors from time to time including an agreed number of relevant staff and their pay scales;

6.18.2 Take account of any pay terms set by the Directors;

6.18.3 Adopt the relevant standard contracts or terms and conditions for the employment of staff issued by the Directors;

6.18.4 Manage any claims and disputes with staff members having regard to any advice and recommendations given by the Directors.

6.18.5 Ensure, if appropriate, a proportion of the staff are designated as 'Reserved Teachers'.

6.18.6 Ensure that the performance management of all Academy staff has been carried out and will ensure that the Academy puts in place procedures for the proper professional and personal development of staff. The Performance Management of the Headteacher/Principal will be completed by the Head of Academy Improvement, CEO or another suitably qualified professional appointed by the Directors. Two members of the LGB will be appointed to be part of the Performance Management process.

6.19 Recognising existing contractual obligations, the Directors will consult with the LGB regarding any redeployment of staff. Redeployment for the purposes of strengthening collaborative working will not be sanctioned if this is to the detriment of the Academy.

6.20 The LGB will maintain oversight over safer recruitment processes.

Curriculum and Standards

6.21 In recognition of the Directors' obligation to the Secretary of State to provide a broad and balanced curriculum, the LGB will be responsible for ensuring a broad and balanced curriculum offer which meets the needs of learners. The LGB will review the curriculum annually and will have regard to any core entitlement determined by the Directors.

6.22 The Directors are ultimately responsible for the standards achieved by the Academy and the pupils attending the Academy. The LGB will monitor the progress of pupils three times a year, in line with the Trust's set timeline. The LGB will monitor the strategic aims and targets set in the Academy development plan and will monitor the areas of improvement identified.

6.23 Subject to the provisions of any statutory admissions code, the LGB shall be responsible for the review from time to time of the Academy's admissions policy, in line with the statutory Schools Admissions Code or if local circumstances change. The Directors shall, in consultation with the LGB be ultimately responsible for the approval of the admissions policy and no change will be made to the admissions criteria without the consent of the Directors and the DBE.

6.24 Any decision to expand or decrease the size of the Academy shall be that of the Directors, after due consultation with the LGB and following the statutory guidance and procedure for making such amendments as laid down in the Academy Admissions Code. Such a decision will not be taken in isolation, and the LGB and Directors will ensure that a risk assessment is completed before a final decision is made about increasing or reducing numbers on roll. The LGB and Directors will then apply to the Regional Schools' Commissioner for any such amendment.

Extended Academies and Business Activities

- 6.25 Whilst the undertaking of any activities which would be described as part of the Academy's "extended Academies agenda" or any activities designed to generate business income, would be the responsibility of the LGB, this shall only be undertaken in a manner consistent with any policy set by the Directors and having regard to the viability of such activities, the impact on the Academy's activities and any financial implications, such as the threat of taxation in light of the Trust's charitable objects and any threat to funding provided by the Secretary of State.

Regulatory Matters

- 6.26 The responsibility for the satisfaction and observance of all regulatory and legal matters shall be the Directors but the LGB shall do all such things as the Directors may, acting reasonably, specify as being necessary to ensure that the Trust is meeting its legal obligations.

7. REVIEW AND TERMINATION OF SCHEME OF DELEGATION

- 7.1 This Scheme of Delegation shall operate from the Effective Date or any subsequent amended date in respect of the named Academy and will be reviewed bi-annually as a minimum, in consultation with the LGB. (See Appendix 2)
- 7.2 The LGB must comply with any advice or recommendations made by the Directors in the event that intervention is either threatened or is carried out by the Secretary of State.
- 7.3 Where there is evidenced cause for concern about the performance of the Academy the Directors, acting reasonably, reserve the unfettered right to review or temporarily remove any power or responsibility delegated to the LGB under this Scheme of Delegation informing the LGB of their intention to do so immediately in writing. Such concerns may include, but shall not be limited to:
- i. Action which undermines the work of the Trust
 - ii. Significant concerns about the educational outcomes for pupils
 - iii. Insufficient progress being made against educational targets.
 - iv. Performance which is no longer good in an Ofsted Inspection
 - v. Performance which is no longer good in a SIAMS inspection
 - vi. Ongoing safeguarding or health and safety issues
 - vii. Actions by the LGB which contravene the legal obligations of the Trust or undermine the effective operation of the Trust
 - viii. Concerns regarding financial irregularity (for example, but not limited to, fraud)
 - ix. Significant budgetary concerns
 - x. Failure to comply with Trust policies
- 7.4 In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Directors will have regard to and give due consideration of any views of the LGB.

7.5 If the Scheme of Delegation is rescinded, then the LGB may be removed. In these circumstances, the Directors will put in place an Interim Governing Board (IGB) which will address the areas of concern and govern the Academy. The longevity of the IGB will be determined by the Directors and may be subject to discussion with the Regional Schools' Commissioner.

8. TERMS OF REFERENCE FOR LOCAL GOVERNING BOARDS

8.1 The LGB (and its subcommittees, as appropriate) will:

- Work with the Directors and the Central Team to ensure Academy effectiveness within the Academy and support the development of outstanding provision across the Trust.
- Ensure compliance with the Scheme of Delegation, any standing orders, constitutional documents and Trust-wide policies, including, but not limited to, financial, estates, health and safety, HR and contract management / procurement.
- Ensure compliance with all Trust-wide policies.
- Develop an annual policy review schedule to determine the policies the LGB will review and monitor.
- Challenge evidence for the Academy's self-evaluation and hold the leadership team to account for the Academy's development plan priorities (including those identified by Ofsted).
- Monitor and evaluate the effectiveness and impact of all safeguarding practices, including appointing a safeguarding Local Governor.
- In partnership with the CEO, the LGB will participate in the process for the appointment of a Headteacher/Principal.
- Monitor the leadership structures and staffing requirements within the Academy.
- Monitor the appointment of teaching staff, TAs and support staff, within the agreed budget, ensuring the appropriate appointment of reserved teachers (for former VC Academies), as necessary.
- Appoint a Clerk.
- Establish Academy sessions and term dates in consultation with the Directors and Central Team. (*Academies with a Christian foundation*) Hold senior leadership to account for securing the unique Christian vision for the Academy which is in keeping with the vision, values and ethos of the Trust, Diocese and Church of England.
- (*Academies with a Christian foundation*) Hold the senior leadership team to account for the distinctive Christian character and values of the Academy, ensuring they permeate all elements of the Academy's practice and are robustly monitored against the SIAMS framework.
- (*for former community Academies*) Hold senior leadership to account for securing the unique vision for the Academy which is in keeping with the wider vision, values and ethos of the Trust.
- (*for former community Academies*) Hold the senior leadership team to account for the distinctive character and values of the Academy, ensuring they permeate all elements of the Academy's practice and are robustly monitored.
- Monitor and review pupils' targets and hold the senior leadership team accountable for the progress and attainment of all pupils, including those in receipt of pupil premium or who have an Education, Health and Care Plan (or a statement of special educational needs which has not yet been replaced with a Plan).
- Monitor the impact of teaching and learning, ensuring that the Academy's continued professional development (CPD) programme and performance management processes are closely aligned to achieving outstanding outcomes for children.
- Monitor the curriculum offer and Home-Academy Agreement to ensure they meet the needs of pupils and raise standards.

- Hold the Academy to account for exemplary, inclusive and supportive pastoral care, including monitoring diversity and ensuring the Prevent agenda is upheld.
- Ensure publication of the SEN Information Report and monitor outcomes for pupils with SEND.
- Amend the admission's policy, as appropriate (after consultation with the Trust) and ensure compliance with the statutory Academy Admissions Code in all matters.
- Develop effective community partnerships with parents, the church, local businesses and the wider community to champion the work of the Academy and secure the commitment of the community to the vision and direction of the Academy.
- Monitor and evaluate the impact of the Academy's punctuality, attendance and behaviour policies, including monitoring exclusions and complaints.
- Monitor income, expenditure specifically related to pupil premium, PE and sports grant, CPD, teaching and learning and SEND.
- Annually review emergency planning and business continuity documentation.
- Review and monitor compliance with all statutory requirements (including Health and Safety, Human Resources, Finance and GDPR) and review accessibility plans
- Ensure suitable risk assessments relating to educational provision (inc. trips and visits) and Academy finance are prepared, and appropriate actions taken.
- Recommend Academy budgets to Directors, ensuring priorities are appropriately financed.
- Make recommendation for any significant variations in budgets to Directors and seek approval for any significant variations from the Directors.
- Monitor income, expenditure, cash flow and the Academy balance sheet.
- Monitor monthly chart of accounts.
- Monitor the implementation of the pay policy for the Academy.
- Ensure effective financial controls and safeguards are in place.
- Ensure the completion of the fixed asset register.
- Monitor the provision of Free Academy Meals to eligible pupils.
- Monitor the management of risk (for finance and business functions) and ensure a risk register is kept up to date.
- Monitor staff attendance.
- Approve routine maintenance priorities and make recommendations to the Trust with regard to capital development.
- Monitor progress against the targets set in the Academy development plan, as appropriate
- Publish relevant information, as appropriate.
- Authorise Local Governors' allowances, within budget and in line with the Local Governor and Trustees Expenses Policy.
- Ensure the Academy website is compliant.
- Ensure the required information for local governance published on Get information about schools is up-to-date and compliant.

The Scheme of Delegation checklist at Appendix 2 provides a detailed summary of the specific responsibilities of the LGB. Appendix 1 lists the minimum terms of reference for a Finance and Resources Committee, this can be extended, as appropriate.

9. CHAIR AND VICE-CHAIR OF THE LOCAL GOVERNING BOARD

- 9.1 The Directors will appoint the Chair of all LGBs at the last Trust Board meeting of the academic year.
- 9.2 The LGB will make a recommendation to the Directors for the appointment of the Chair but the final approval rests with the Directors. All appointments will be reviewed annually.

- 9.3 The following are disqualified from holding the office of Chair: the Headteacher/Principal, Staff Local Governors, staff members or pupils.
- 9.4 Unless the Directors otherwise direct, Local Governors will, at their first meeting in the academic year, elect a Vice-Chair from among their number and a Chair of the Finance and Resources committee.
- 9.5 Any election of the Vice-Chair and/or the Chair of the Finance and Resources sub-committee which is contested will be decided by secret ballot.
- 9.6 The Chair, Vice-Chair or Chair of the Finance and Resources sub-committee may at any time resign by giving notice in writing and, in the case of the chair, in writing to the Directors. Where a vacancy arises for any reason in the office of Vice-Chair or Chair of the Finance and Resources committee, Local Governors will at their next meeting elect to fill the vacancy.
- 9.7 If the LGB has concerns regarding the Chair of Local Governors they may make written representation to the Directors.

REMOVAL OF THE CHAIR AND/OR VICE-CHAIR

- 9.8 The Chair may be removed by the Directors as set out in the process within the Local Governors' Code of Conduct. Such reasons may include but are not limited to:
- Bringing the Trust or Academy into disrepute; failure to lead the LGB effectively
 - Ineffective communication
 - Breakdown of trust and confidence
 - A failure to follow the direction of the Directors
- 9.9 The LGB has the right to remove the Vice-Chair. A resolution to remove the Vice-Chair from office which is passed at a meeting of the LGB will not have effect unless it is confirmed by a resolution passed at a second meeting held by the LGB not less than fourteen days after the first meeting. The matter of the resolution to remove the Vice-Chair from office must be specified as an item of business on the agenda for each of those meetings.
- 9.10 Before a resolution is passed at the second meeting, the person or persons proposing the resolution shall at that meeting state their reasons for doing so and the Vice-Chair shall be given an opportunity to make a statement in response.
- 9.11 Following a resolution from the LGB to remove the Vice-Chair, the Clerk must write to the Directors to inform them of this.
- 9.12 Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice-Chair shall act as the Chair for the purposes of the meeting.
- 9.13 Where in the circumstances referred to in paragraph
- 9.12 the Vice-Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the Local Governors shall elect one of their number to act as a Chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Trust (whether or not at the Academy) nor a Director.

10. CONFLICTS OF INTEREST

- 10.1 Any Local Governor who has or may have any direct or indirect duty or personal interest (including but not limited to any personal financial interest) which conflicts or may conflict with his/her duties as a Local Governor shall disclose that fact to the LGB as soon as he becomes aware of it. A person must absent himself from any discussions of the LGB in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 10.2 For the purpose of paragraph 10.1, a person has a personal financial interest if s/he is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the Academy.
- 10.3 In any conflict between any provision of this Scheme of Delegation and the Articles, **the Articles shall prevail.**
- 10.4 Any disagreement between the members of the LGB and the Headteacher/Principal or any subcommittee of the LGB shall be referred to the Directors for their determination.
- 10.5 The LGB shall maintain a register of business interests of its Local Governors.

11. CLERKING AND THE MINUTES OF MEETINGS

- 11.1 Each LGB will appoint a Clerk.

Any Local Governor or associate is disqualified from holding office as Clerk.

- 11.2 All meetings will be minuted by the Clerk. All minutes will include a list of attendees, apologies (both those accepted and those that have not) and unauthorised absences (ie no apologies given) and details of any appointments and resignations. Minutes will also include details of all resolutions and a summary of discussions, to include a list of clear action points, as appropriate.
- 11.3 All questions, challenges and responses should be clearly minuted by the Clerk and evidenced in the minutes.
- 11.4 The minutes of all meetings will be maintained by the Clerk to Local Governors and will be signed (subject to the approval of the Local Governors) at the next subsequent meeting by the person acting as Chair.
- 11.5 The Clerk will ensure that copies of minutes of all meetings will be provided to the Governance Lead as soon as reasonably practicable after the meeting.
- 11.6 The Clerk will ensure that a copy of the agenda for every meeting of the governing Board; 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 at the Academy to persons wishing to inspect them.

12. FURTHER DELEGATION

- 12.1 Provided such power or function has been delegated to the LGB, the LGB may further delegate to any person serving on the LGB, committee, the Headteacher/Principal or any other holder of an executive office, 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 either the Directors or the LGB may impose and may be revoked or altered. Any such delegation must be recorded in the minutes.

- 12.2 Where any power or function of the Directors or the LGB is exercised by the Finance and Resources Committee or any other subcommittee, any Director or Local Governor, the Headteacher/Principal or any other holder of an executive office, that person or subcommittee shall report to the LGB in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the LGB immediately following the taking of the action or the making of the decision.
- 12.3 It is recommended that the LGB establish a Standards and Ethos Sub-Committee to fulfil its delegated responsibilities. An example Terms of Reference for a Standards and Ethos Sub-committee is provided at Appendix 2.
- 12.4 The LGB must establish a Finance and Resources Sub-committee (see Appendix I for the minimum Terms of Reference for the Finance and Resources sub-committee), and may establish other committees to undertake Academy business. The constitution, membership and proceedings of any sub-committee shall be determined by the LGB, but have regard for the business of the Trust and any direction given by the Directors and be recorded in writing.
- 12.5 The membership of any sub-committee may include persons who do not serve on the governing Board, known as Associates. Associates may be appointed subject to the majority of members being members of the governing Board. Associates will not have voting rights and will not contribute for the quorum but may attend full governing Board meetings.

13. MEETINGS OF THE LOCAL GOVERNING BOARD

- 13.1 Subject to this Scheme of Delegation, the LGB may regulate its proceedings as the members of the LGB think fit.
- 13.2 The LGB shall meet between three and six times in every academic year and the Finance and Resources Committee will meet at least three times each year.
- 13.3 Meetings (including sub-committees) of the LGB will be convened by the Clerk. In exercising their functions, the Clerk will comply with any directions given by the Directors or the Chair of the LGB. Instruction from the Directors takes precedent over instruction from the Chair of the LGB.
- 13.4 Any three members of the LGB may, by notice in writing given to the Clerk, requisition a meeting of the LGB; and it will be the duty of the Clerk to convene such a meeting as soon as is reasonably practicable. No decisions can be taken at such a meeting unless it is quorate.
- 13.5 Each Local Governor will be given notice of a meeting in writing at least seven clear days before the date of a meeting, together with a copy of the agenda for the meeting, with all associated papers. **Documents should only be tabled at meetings in exceptional circumstances.** Papers circulated before the meeting should not include the following:
 - A named teacher or other person employed, or proposed to be employed, at the Academy
 - A named pupil at, or candidate for admission to, the Academy
 - Any matter which, by reason of its nature, the LGB is satisfied should remain confidential

- 13.6 Where the Directors, the Chair or, in their absence the Vice-Chair, determines there is a matter of considerable urgent attention, it will be sufficient if the written notice of a meeting, and the copy of the agenda is given within such shorter period as the Chair directs.
- 13.7 The convening and execution of a meeting will not be invalidated by reason of any individual not having received written notice of the meeting.
- 13.8 The LGB is permitted to hold a meeting remotely in the event it is not safe to meet face-to-face. All remote meetings of the LGB must be held in line with the Trust's Trustee and Local Governing Board Remote Meeting Policy.
- 13.9 A Local Governor will be able to participate in meetings by telephone or video conference provided that they have given notice of their intention to do so detailing contact information at least 48 hours before the meeting; and the board has access to the appropriate equipment. If, after all reasonable efforts, it does not prove possible for the person to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.

14. DECISION MAKING

- 14.1 Subject to the Scheme of Delegation, and the LGB being quorate, decisions made at a meeting will be determined by a majority of the votes of the persons present and entitled to vote.
- 14.2 Where there is an equal division of votes, the Chair of the meeting will have a casting vote in addition to any other vote they may have.
- 14.3 A resolution in writing, signed by all the persons entitled to receive notice of a meeting will be valid and effective as if it had been passed at a meeting of the LGB. Such a resolution may consist of several documents in the same form, each signed by one or more of the Local Governors and may include an electronic communication by or on behalf of the LGB indicating agreement to the form of resolution providing that the Local Governor has previously notified the Clerk in writing of the email address or addresses which the Local Governor will use.
- 14.4 A resolution to rescind or vary a resolution carried at a previous meeting of the LGB will not be proposed unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for the meeting.
- 14.5 The LGB may act notwithstanding any vacancies on its Board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies.
- 14.6 The proceedings of the LGB shall not be invalidated by:
 - Any vacancy on the LGB
 - Any defect in the election, appointment or nomination of any person serving on the LGB
- 14.7 The quorum for a meeting of the LGB, and any vote on any matter thereat, shall be five Local Governors or 60% of the total membership, excluding vacancies.

15. COMMUNICATION

- 15.1 Any notice to be given to or by any person pursuant to the Scheme of Delegation may be given to Local Governors either personally or by sending it by post in a prepaid envelope addressed to the member at their registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the LGB by the Local Governor.
- 15.2 Any Local Governor present at any meeting of the LGB will be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 15.3 Proof that an envelope containing a notice was properly addressed, prepaid and posted will be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators will be conclusive evidence that the notice was given.

16. INDEMNITY

- 16.1 Subject to the provisions of the Companies Act 2006 every Local Governor or other officer or auditor of the Trust acting in relation to the Academy shall be indemnified out of the assets of the Trust against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he/she is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

17. REMOVAL FROM A MULTI-ACADEMY TRUST

- 17.1 The views of the local governing body are sought through the Headteachers' Forum and the Chair of Governors' forum. In addition, the CEO may attend a Local Governing Body meeting. These views are relayed to the Trust Board to aid them in their decision making. Should an individual governing body identifies that the Trust is not meeting its obligations to the school, it may make representation directly to the Trust through the Chair of the Trust Board. Ultimately a petition may be made to the Regional Schools Commissioner. The legal position is that a school cannot itself choose to leave a MAT as it has no separate legal entity status. This decision can only be taken by the Regional Schools Commissioner.

APPENDIX I

Terms of reference for the Local Governing Board Finance and Resources Sub-Committee

Purpose

The role of the committee is to maintain strong oversight and compliance with the Trust's financial procedures and monitor the efficient use of resources within the Academy.

Membership and quorum

The Local Governing Board Finance and Resources Committee will be appointed by the Local Governing Board (LGB). The minimum number of Local Governors appointed to the committee should be three so that there are enough members to hold a majority when voting on matters.

The Clerk to the governing board should also act as the Clerk for the committee.

The committee shall appoint a Chair from the committee membership.

Membership will be decided based on the LGB's skills audit – the Local Governors with the required skills and knowledge will be appointed to the committee.

Only full members of the committee who have been approved by the LGB will have the right to vote on any matters. The committee may decide to appoint non-voting members, as approved by the LGB, who are able to provide advice on matters relating to financial planning or monitoring.

Associate members may be members of the finance committee, but will not have any voting rights – appointments and terms of office should be recorded in the minutes of a LGB meeting.

The quorum of the committee will be one half of the number of members within the committee, rounded up to the nearest full number. For example, if the committee consists of five members, a minimum of three members must attend the meeting to meet the quorum.

One Director shall be entitled to attend any meetings of the LGB. The Director shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGB. The presence of a Director will constitute one vote in any such matters.

Term of office

The committee will be appointed annually by the LGB and shall hold office from either the date of their appointment until their resignation, or their omission from membership of the committee on subsequent consideration by the LGB – whichever occurs first.

The Chair of the committee will be appointed annually. A Local Governor is permitted to stand as Chair of the committee at the end of their term of office.

Meetings

The committee will meet as often as is necessary to fulfil its responsibilities, including in relation to timescales outlined in the Trust's financial policies and procedures, but at least once per term.

The Chair of the committee or any three committee members may, by giving notice in writing to the Clerk, call unscheduled meetings as long as appropriate notice of at least seven working days is given to the other members of the committee. A shorter notice period may be given where the Chair of the committee decides a particular financial issue needs addressing immediately.

The frequency and dates for committee meetings will be considered before the first Autumn term of the academic year.

The Clerk to the committee (who acts as the Clerk to the governing board) will circulate an agenda, copies of minutes of the previous meeting and any papers to be considered no fewer than seven working days prior to the meeting.

Members will withdraw from the full meeting if there is an identified or potential conflict of interest, or there is a motion to question their ability to remain impartial.

The Clerk will take minutes of the meeting. These will be approved by the Chair of the committee as accurate representations of the meeting, before they are handed to committee members for final approval at the next committee meeting. Following approval, the Clerk will distribute the minutes to the LGB.

Confidential minutes will only be shared with Local Governors who were present at the meeting where the confidential item was discussed.

The committee may invite non-members to meetings to assist or advise on a particular matter. These additional attendees will not be entitled to vote on any matters.

Every matter to be decided upon will be determined by a majority vote. Where there is an equal division of votes, the Chair will have the deciding vote. Each member of the committee who is present at the meeting will be entitled to one vote.

A register of attendance shall be kept for each meeting and will be published on the academy's website on an annual basis.

Committee responsibilities

In consultation with the Headteacher/Principal, to draft the first formal budget plan of the financial year.

- To establish and maintain an up to date financial plan.
- To ensure compliance with the Trust Finance Policy on all matters.
- To ensure that priorities in the Academy's development plan is appropriately financed.
- To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the LGB and, where appropriate, Directors, in line with the requirements of the Finance Policy.
- To ensure that the Academy operates within the financial regulations and guidance from DFE and within the Scheme of Delegation for the Trust.
- To monitor expenditure of all voluntary funds kept on behalf of the LGB.
- To ensure, as far as is practical, that funding for Health and Safety issues are appropriately prioritised.
- To ensure sufficient funds are available for pay increments as recommended by the Headteacher/Principal for all (other) staff.
- In the light of the Headteacher/Principal's Performance Management Panel's recommendations, to ensure sufficient funds are available to cover any recommendations for an incremental allowance.

- To consider finance and resource recommendations from other committees which will have an impact on the Academy budget.
- To make decisions in respect of service agreements, as delegated by the Directors.
- To review local policies as assigned by the LGB, ensuring compliance with any Trust policies/guidance.
- To report back to the LGB.
- To assure best value and impeccable systems of financial management.

APPENDIX 2

Terms of reference for the Local Governing Board Standards and Ethos Committee

Purpose

The role of the committee is to maintain strong oversight of the standards and the Christian ethos within the academy.

Membership and quorum

The Local Governing Board Standards and Ethos Committee will be appointed by the Local Governing Board (LGB). The minimum number of Local Governors appointed to the committee should be three so that there are enough members to hold a majority when voting on matters.

The Clerk to the governing board should also act as the Clerk for the committee.

The committee shall appoint a Chair from the committee membership.

Membership will be decided based on the LGB's skills audit – the Local Governors with the required skills and knowledge will be appointed to the committee.

Only full members of the committee who have been approved by the LGB will have the right to vote on any matters. The committee may decide to appoint non-voting members, as approved by the LGB, who are able to provide advice on matters relating to financial planning or monitoring.

Associate members may be members of the Standards and Ethos Committee, but will not have any voting rights – appointments and terms of office should be recorded in the minutes of a LGB meeting.

The quorum of the committee will be one half of the number of members within the committee, rounded up to the nearest full number. For example, if the committee consists of five members, a minimum of three members must attend the meeting to meet the quorum.

One Director shall be entitled to attend any meetings of the LGB. The Director shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGB. The presence of a Director will constitute one vote in any such matters.

Term of office

The committee will be appointed annually by the LGB and shall hold office from either the date of their appointment until their resignation, or their omission from membership of the committee on subsequent consideration by the LGB – whichever occurs first.

The Chair of the committee will be appointed annually. A Local Governor is permitted to stand as Chair of the committee at the end of their term of office.

Meetings

The committee will meet as often as is necessary to fulfil its responsibilities, but at least once per term.

The Chair of the committee or any three committee members may, by giving notice in writing to the Clerk, call unscheduled meetings as long as appropriate notice of at least seven working days is given to the other members of the committee. A shorter notice period may be given where the Chair of the committee decides a particular financial issue needs addressing immediately.

The frequency and dates for committee meetings will be considered before the first Autumn term of the academic year.

The Clerk to the committee (who acts as the Clerk to the governing board) will circulate an agenda, copies of minutes of the previous meeting and any papers to be considered no fewer than seven working days prior to the meeting.

Members will withdraw from the full meeting if there is an identified or potential conflict of interest, or there is a motion to question their ability to remain impartial.

The Clerk will take minutes of the meeting. These will be approved by the Chair of the committee as accurate representations of the meeting, before they are handed to committee members for final approval at the next committee meeting. Following approval, the Clerk will distribute the minutes to the LGB.

Confidential minutes will only be shared with Local Governors who were present at the meeting where the confidential item was discussed.

The committee may invite non-members to meetings to assist or advise on a particular matter. These additional attendees will not be entitled to vote on any matters.

Every matter to be decided upon will be determined by a majority vote. Where there is an equal division of votes, the Chair will have the deciding vote. Each member of the committee who is present at the meeting will be entitled to one vote.

A register of attendance shall be kept for each meeting and will be published on the academy's website on an annual basis.

Committee responsibilities

- Ensuring the Christian ethos of the Trust is reflected within the Academy's vision and values.
- Monitoring the Christian distinctiveness of the Academy.
- Monitoring the provision of collective worship.
- Monitoring the SIAMS outcomes and the associated improvement plans of the Academy.
- Ensuring pupils' spiritual, moral, social and cultural development is nurtured throughout the Academy.
- Monitoring and promoting the links between the Academy and the local parish.
- Monitoring the Academy's response to the Diocesan LIFE vision.
- Monitoring the standards and progress of pupils attending the Academy.
- Using attainment and achievement data to evaluate the impact of teaching and learning on the levels of attainment.
- Monitoring the progress of pupils in the Academy.
- Analysing performance trends that might be present within the Academy and compare these with national trends.
- Having knowledge of the educational needs of pupils within the academy and monitoring pupil performance data of specific groups of pupils, e.g. pupils with special educational needs and disabilities.
- Understanding the targets that have been set within the Academy and challenging

- underperformance within the Academy against these targets.
- Ensuring that the Academy's curriculum is balanced, broadly based and effective.
 - Monitoring the provision of religious education within the Academy.
 - Ensuring that there are effective procedures in place within the Academy regarding pupil support, attendance and discipline.
 - Remaining informed on the attendance rates within the Academy and ensuring that there are procedures in place to fulfil statutory requirements, especially regarding children missing from education.
 - Monitoring the level of exclusions within the Academy, ensuring appropriate action has been taken to ensure exclusion is used as a last resort and pupils at risk of exclusion are appropriately supported.
 - Monitoring safeguarding procedures within the Academy.
 - Ensuring that the highest possible standards are set, achieved and maintained within the Academy.
 - Identifying areas of concern regarding performance and standards within the Academy and implementing action plans with the consultation of the board where necessary.
 - Reviewing any of the Academy's policies which relate to standards and ethos.

APPENDIX 3

DELEGATION CHECK LIST

It should be remembered that although decisions may be delegated, the LGB together with the Trust as a whole remains responsible for any decision made under delegation

Function	Tasks	Members	Decision Level				Comments
			Directors	Central Team	LGB	HT/Principal	
Governance	To draw up governing documents and any amendments thereafter (inc. Articles of Association)	X					
	To – as a minimum – bi-annually review the Delegated Scheme of Authority for each Academy and amend terms of reference for the Trust Board or LGB		X				In consultation with LGBs
	To ensure compliance with the Scheme of Delegation				X		
	To appoint (and remove) the Chair of the LGB		X				
	To appoint the Trust Company Secretary		X				
	To agree Trust-wide key performance indicators and strategic priorities for the Trust		X				
	To appoint the Clerk to the LGB				X		
	To hold a full LGB meeting between 3 and 6 times in an academic year				X		
	To maintain a register of interest for Members and Trustees	X	X				Company Secretary
	To maintain a register of interest for Local Governors				X		Clerk to Local Governors
	To action legal claims			X			

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
	To dispose of or acquire land		X				
	To be accountable for the monitoring of an Academy Development Plan.				X		
	To set Academy targets for the coming year.			X			
	To appoint and remove members of the LGB (apart from ex-officio, co-opted and parent elected members)		X				
	To be accountable for the effectiveness and implementation of all statutory DGAT policies, including the Complaints Policy.					X	
	To monitor the implementation of all Trust-wide policies and additional policies as set out in the annual policy review schedule.				X		
	To provide to the Trust, when requested, copies of any policies and procedures and a schedule for their review, as requested by the Directors				X		
	To determine, on an annual basis, those policies which will be developed by the Trust and are mandatory for all Trust Academies		X				
	To ensure that any required policy addendums are implemented in the event of extra-ordinary events or circumstances.		X	X	X	X	
	To regulate the LGB procedures (where not set out in law) and in line with the Academy's business continuity plan.		X	X	X		
	To determine the development needs of Local Governors and implement an appropriate training and development programme.		X	X	X		
	To consider requests from other schools to join the Trust		X				
To consider whether or not to exercise further delegation of functions to committees or					X	LGB can delegate further that which is	

		Decision Level					
Function	Tasks	Members	Directors	Central Team	LGB	HT/Principal	Comments
	individuals, e.g. link Local Governors						delegated to it from the Trust
Academy Effectiveness	To develop a performance management policy		X				
	To implement the performance management policy Headteacher/Principal Other staff			X	X	X	DCEO or CEO to lead Performance Management with the LGB representatives
	To review and challenge the performance of groups of pupils including SEND, pupil premium, EAL		X	X	X		
	To notify the Trust, parents and other stakeholders of Ofsted inspections and outcomes					X	
	To be accountable for the Academy offering a broad and balanced curriculum, in line with the requirements of the Funding Agreement		X	X	X		
	To make recommendations to the LGB regarding curriculum developments and to implement a curriculum which is broad and balanced and is designed to promote educational excellence for pupils					X	
	To be accountable for standards of teaching and pupil progress across the Academy					X	
	To be responsible for standards of teaching and pupil progress and to take remedial action where necessary					X	
	To monitor the quality of teaching and learning and ensure appropriate levels of support, challenge and intervention.			X			
	To implement and monitor a Relationships, Health and Sex Education Policy, having due regard for Church of England and Trust guidance			X	X	X	

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
	To implement and monitor a Behaviour Policy				X	X	
	To ensure excellent behaviour for learning, make recommendations to the LGB and implement all related policies consistently across the Academy					X	
	To discharge duties in respect of pupils with special needs by appointing a "responsible person" and ensuring needs are met					X	
	To appoint a Local Governor responsible for SEN and inclusion				X		
	To liaise with the local authority in respect of students who have (or might have) SEN and to make provision for SEN pupils with or without a statement or Education, Health and Care Plan					X	
	To ensure compliance with the Equality Act 2010 requirements within the Academy				X		
	To adopt and review Home-Academy agreements				X		
	To monitor exclusions		X		X		
	To convene a panel to consider any permanent exclusion of a pupil or any number of fixed-term exclusions which exceed a total of 15 days per term.				X		
	To monitor the use of Pupil Premium and the impact on learning and standards				X		
	To appoint a Local Governor responsible for Pupil Premium				X		
	To approve off-site visits for pupils of more than 24 hrs.				X		

			Decision Level				
Function	Tasks	Members	Directors	Central Team	LGB	HT/Principal	Comments
	To monitor and report on the attendance of pupils					X	
	To ensure that the policy and procedure for Looked after Children (LAC) are consistent with statutory guidance					X	
Safeguarding	To ensure compliance with all safeguarding practice, ensuring a suitably trained member of staff is responsible for safeguarding					X	
	To monitor compliance with all safeguarding practice including the appointment of a safeguarding Local Governor				X		
	To monitor safer recruitment processes and practice				X		
	To ensure diversity is respected, including the upholding of the Prevent agenda prohibiting political indoctrination and ensuring the balanced treatment of political issues				X	X	
	To ensure that the Trust safeguarding policy is implemented			X		X	
	To monitor the implementation of the Trust's safeguarding policy			X	X		
	To maintain the single central record					X	
Christian Character	To be accountable for the impact of the Christian character of the Academy on pupils (as monitored by Section 48 inspections Statutory Inspection of Anglican and Methodist Schools (SIAMS))				X		
	To be accountable for ensuring the provision of collective worship and the provision of RE in line with Academy's basic curriculum				X		
	To develop and implement an individual Academy vision				X	X	
	To ensure that all pupils take part in a high quality daily act of collective worship					X	

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
	To ensure the Christian values and character of the Academy is embedded in all practice, including through the provision of high quality RE teaching and learning					X	
	To monitor the Christian character and RE provision in the Academy, including the provision of high quality RE teaching and learning.			X	X		
	To notify the Trust, parents and other stakeholders of Ofsted and SIAMS inspections and outcomes					X	
Finance	To appoint external auditors for the Trust	X					
	To appoint internal auditors for the Trust		X				
	To prepare annual accounts			X			Head of Finance
	To develop Finance Policy and Pay Policy for all Trust Academies and approve financial schemes of delegation and all relevant Terms of Reference		X				
	To appoint an Accounting Officer		X				
	To determine salaries of staff and pay awards within the Academy in line with the Trust's pay policy		X		X		LGB in consultation with Central
	To determine the proportion of the overall Academy budget to be delegated to individual Academies		X				
	To appoint someone to assume the function of a Responsible Officer		X				This is usually a Director
	To ensure proper financial controls are in place			X			Head of Finance
	To establish an LGB Finance and Resources Committee (required)				X		
	To develop and propose the individual Academy budget				X		
	To approve the budget each financial year		X				Directors to approve proposed

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
							budget
	To ensure Academy expenditure is in keeping with the budget.			X	X		
	To open and oversee the operation of the Academy's bank account and ensure financial management systems and accounting records are administered in accordance with the finance policy.			X			Head of Finance
	To monitor monthly expenditure			X	X	X	
	To approve any variance between budget headings and/or likely budget overspends				X		
	To authorise miscellaneous financial expenditure outside of the agreed budget in line with the Finance Policy			X			
	To enter into contracts up to the limits of delegation and within an agreed budget and in line with the Trust's Finance Policy				X		
	To make payments within agreed financial limits			X			
	To ensure provision of free school meals to those pupils meeting the criteria				X		
	To set up and approve Local Governor expenses				X		
Central Services	To determine the scope of mandatory core services to be delivered by the Trust on behalf of its academies		X				
	To adopt a Trust-wide procurement policy To set the delegated levels of authority for such Contracts		X				
	To approve contracts which constitute related party transactions			X			
	To enter into contracts up to the limits of Delegation, within an agreed budget and in accordance with the Finance Policy			X	X		
	To identify additional services to be procured on behalf of the Academy (Traded Services)				X		
	To ensure centrally procured services provide			X			

			Decision Level				
Function	Tasks	Members	Directors	Central Team	LGB	HT/Principal	Comments
	value for money						
Human Resources	To define any overarching leadership structures across academies			X			
	To determine leadership structures and staffing within the Academy		X		X		Directors consult with LGB
	To undertake the process to appoint the Headteacher/Principal and Deputy Headteacher			X	X		CEO sits as part of the selection panel with power of veto
	To appoint other senior staff (selection panel)				X	X	LGB to support the Headteacher with recruitment as appropriate and requested.
	To appoint all other staff				X	X	
	To appoint staff working across multiple academies			X			
	To ensure compliance with terms and conditions of employment and staff handbooks			X		X	
	To oversee effective engagement with unions and professional associations			X			In conjunction with HR provider
	To determine DGAT 'family' training and development in line with distinctive ethos, aims and vision of the Trust			X			
	To be accountable for ensuring the training and development of individual Academy staff					X	
	To dismiss the Headteacher/Principal		X	X			
To dismiss other staff			X	X	X	Representative of the Trust will be involved in decision making	

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
							panel
	To suspend the Headteacher/Principal		X	X	X		Joint decision making
	To suspend other Staff				X	X	CEO should be informed
	To end suspension (Headteacher/Principal)		X	X			
	To end suspension (other Staff)				X	X	
	To determine dismissal payments/early retirement		X	X			As per the Trust Financial Procedures Policy
	To monitor and report on the attendance of staff					X	
Admissions	To consult before setting an admissions policy				X		The LGB will be responsible for consulting on changes and request the Directors written approval.
	To be accountable for application decisions				X		
	To make arrangements for determining admissions and hearing admission appeals				X	X	
	To participate in the local admissions forum and ensure participation in the fair access protocol					X	
	To appeal against LA directions to admit pupil(s)				X		
	To approve any changes to the Pupil Admission Number		X				
Premises and Insurance	To procure buildings insurance and personal liability			X			
	To develop a Academy buildings strategy or master		X				

Function	Tasks	Decision Level					Comments
		Members	Directors	Central Team	LGB	HT/Principal	
	plan						
	To maintain buildings, including developing a properly funded maintenance plan				X		
	To provide a Health and Safety policy		X				
	To ensure that health and safety regulations are followed				X	X	
	To review security of Academy premises and equipment				X	X	
	To draw up, agree and monitor an Accessibility Plan for the Academy				X	X	LGB to monitor
	To provide the Lettings Policy		X				
	To ensure suitable risk assessments are prepared and appropriate actions taken.				X	X	
	To monitor the accident book and agree appropriate actions				X	X	
Administration	To set the times of Academy sessions and the dates of Academy terms and holidays and notify the Trust				X		
	To ensure that Academy is open for 380 sessions for pupils in an academic year				X	X	
	To ensure the publication of Academy information, ensuring that all electronic communication, including web pages, are up to date with statutory guidance					X	
	To monitor the website for compliance				X		Trust will periodically monitor this for compliance
	To ensure Get information about schools is up-to-date and compliant		X		X		
	To maintain accurate and secure pupil records					X	
	To maintain accurate and secure staff records					X	

			Decision Level				
Function	Tasks	Members	Directors	Central Team	LGB	HT/Principal	Comments
	To comply with all data protection legislation and good practice		X		X	X	