

MIDDLESEX LEARNING PARTNERSHIP (MLP)

SCHEME OF DELEGATION AND TERMS OF REFERENCE

Introduction

[Middlesex Learning Partnership (“the Trust”) operates the Barnhill group of academies¹. It is a company limited by guarantee and is an exempt charity which means that although it has the responsibilities that are placed upon charities it is not required to be registered with the Charity Commission or file documents there. The Trust is constituted under Articles of Association which set out the purposes (“Objects”) and powers of the Trust and how these are to be exercised. The Objects cannot be changed although they can be added to with the approval of the Secretary of State and the Charity Commission. The Objects are:-

[a. to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing, by establishing, maintaining, carrying on, managing and developing schools (“the Academies”) offering a broad and balanced curriculum, and

b. to promote for the benefit of the inhabitants of Hillingdon and the surrounding area the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.²]

As a company limited by guarantee and to meet the requirements of company law the Trust has a dual governance level. It has

1. Members, the equivalent of shareholders in a commercial limited company, and
2. Trustees³ who are the directors of the company and who together comprise the Trust Board (“TB”) and who report and are accountable to the Members. The TB has overall responsibility for the operation of the academies. It delegates functions that are specific to the individual academies to committees known as Local Governing Bodies (“LGB”) and it delegates certain of its functions that relate to the Trust as a whole to other committees of the TB. The Executive Team (“ET”), made up of the current Executive Headteacher acting as Chief Executive Officer (“CEO”) and the Operations Trust Board Member acting as Chief Financial Officer (“CFO”) have delegated responsibility for the day to day operation of the Trust and each academy has a Headteacher (“HT”) or Head of School (“HoS”) who reports to the ET and has delegated responsibility for the operation of the individual academy. As the Trust grows it may be that a Chief Executive overall will be appointed as the CEO and the role of Executive Headteacher (“EH”) will be created as an additional member of the ET.

¹ Free schools are technically academies and the term “academy” in this document includes free schools if any

² To be checked against draft articles

³ The current articles of the Trust may refer to Trust Board Members or to Governors but new articles when adopted will match current DfE preference and refer to Trustees. That expression “Trustees” is used in this document

An LGB may, but need not, have Trustees as members and the power of the TB to appoint LGB members (who have full voting powers) is unrestricted. In addition, the TB may appoint additional members (“AM”) of other committees on such terms as it thinks appropriate. Such members may be permitted to vote but no vote may be taken unless a majority of those attending the meeting at which the vote is taken are Trustees. This document sets how those various responsibilities are delegated and how the various constituent parts of the Trust are required to operate. Appendix One shows the delegation process for a range of decisions that arise and Appendix Three sets out the general requirements in relation to calling and attending meetings and voting.

Members

The Members have overall nominal responsibility for the Trust but they exercise their functions through the TB. Each Member guarantees to contribute £10 if the Trust were to become insolvent and be wound up – that is the “guarantee” implied by the term “company limited by guarantee”.

The main powers and duties of the Members in broad terms are:

1. To appoint and remove Trustees
2. To maintain the Membership and to appoint Members
3. To approve any proposed changes to the Articles of Association
4. To receive the annual accounts of the Trust

Trustees

The Trustees are the directors of the trust and have a similar role to governors in a local authority-maintained school. As company directors their duties are to:-

- act within their powers;
- promote the success of the company;
- exercise independent judgment;
- exercise reasonable care, skill and diligence;
- avoid conflicts of interest;
- not to accept benefits from third parties; and
- declare any interest in proposed transactions or arrangements

Appendix Four sets out the Nolan Principles of public life and what is required of Trustees and Local Governors in relation to conflicts of interest.

Trust Board

The TB focuses on the three core functions of governance:

1. Ensuring clarity of vision, and setting ethos and strategic direction;

2. Holding the CEO to account for the educational performance of the academies and their pupils, and the performance management of staff; and
3. Overseeing the financial performance of the Trust and making sure its money is well spent.

Composition:⁴

- Up to [] Trustees appointed by the Members,
- the CEO,
- any Trustees co-opted by those Trustees who are not themselves co-opted Trustees
- Elected Parent Trustees (if any) as determined by the Members In certain circumstances

Additional Trustees may be appointed by the Secretary of State.

Quorum: One-third of the total number of Trustees in post or 3 if higher

Meetings: At least three each year convened on seven clear days' notice except in emergency as determined by the Chair

Responsibilities retained by the TB

- Deciding upon major strategic and legal aspects such as:
 - The general strategic approach to the growth of the Trust
 - Establishing a new academy
 - Discontinuing or merging existing ones
 - Disposal of land otherwise than for operational letting or hire purposes
 - Recommending amendments to the Articles of Association
- Adopting the strategic plan for the Trust which will include individual strategic plans for each academy
- Agreeing the strategic Trust direction annually and setting the Trust objectives
- Monitoring
 - All aspects of the curriculum and curriculum
 - student issues including behaviour and exclusions
 - all aspects of SEN

⁴ To be modified to reflect articles as adopted

- all aspects of safeguarding including British Values and the operation of the Prevent strategy
 - educational outcomes including RoL
 - all equality aspects including the Public Sector Equality Duty
 - all aspects of readiness of inspection
- Procurement requiring the publication of OJEU advertisements
 - Approving the overall budget for the Trust and its devolution to each academy
 - Approving the annual accounts of the Trust
 - Ensuring that all regulatory requirements are met
 - Recommending appointment of Members, Trustees and members of LGB and co-opting additional Trustees including conducting skills audits as required
 - Dealing with formal complaints against the TB in accordance with the Trust complaints policy⁵
 - Securing that all Trustees and members of LGB are appropriately trained
 - Approving all policies that the Trust by law is required to maintain. All policies originate from the ET. A schedule of policies is attached as Appendix Two and shows where detailed consideration of each takes place and with whom consultation takes place
 - Determining each year the scheme of delegation and terms of reference including approving the membership of all committees
 - Determining admission arrangements for each academy
 - Ensuring and monitoring compliance with Admissions Code
 - Establishing arrangements for independent appeals against refusals to admit pupils to an academy
 - Establishing arrangements for independent review panels to review permanent exclusions
 - Appointment of:
 - CEO
 - EH (if appointed)
 - CFO

⁵ Complaints in relation to individual academies will be dealt with locally. The complaints procedure should be reviewed to ensure that it matches the delegation scheme.

- HT
- HoS

Chair's Emergency Powers

The Chair, or in the absence of the Chair the Vice-Chair, may take such action as the Chair may think fit to protect the interests of the Trust, any academy within the Trust, any student or employee of the Trust or any other member of the school community in circumstances where in the opinion of the Chair it would not be reasonably possible to convene a meeting of the TB or a relevant Committee or LGB in the time necessary to protect such interests⁶

Delegated Responsibilities

Note: all decisions taken under delegated authority MUST be reported to the next available Trust Board meeting. This should be done by way of a minute of the decision or of the meeting at which the decision was taken. Operations Committee

Composition: as determined by the TB

Quorum: as determined by the TB

Meetings: as determined by the TB

Delegated responsibilities:

- Detailed consideration of the annual budget including consideration of
 - The extent to which funds are retained for central services not directly related to individual academies
 - The allocation of central funds for the purposes of each individual academy, which will be based mainly but not solely on pupil numbers
 - The allocation of funds to each individual academy to be applied at the discretion of the HT
- Monitoring the financial performance of the Trust and holding the CFO to account for this
- Monitoring the use of the pupil premium and other earmarked or dedicated funds
- Overall management of procurement processes
- All premises and facilities management aspects including PFI issues
- All marketing aspects

⁶ This is a deliberately limited power which mirrors the statutory power given to chairs of maintained school governing bodies. It is not recommended that the Chair be given wider discretionary powers. Note that any exercise of this power must, under general rules, be reported to the next Trust Board meeting

- Determination of the Trust pay policy
- Overall monitoring of pay decisions
- Managing appeals as provided under the Trust pay policy
- Detailed consideration of those policies within its remit

Human Resources Committee

Composition: as determined by the TB

Quorum: as determined by the TB

Meetings: as determined by the TB

Delegated responsibilities:

- Monitoring all Human Resource aspects [This may be delegated to a Board-level HR committee]
- Determination of staff pay and conditions [ditto]
- Performance management of CEO,
- Disciplinary, capability and grievance aspects relating to CEO, EH, CFO and HT
- Detailed consideration of those policies within its remit

Audit Committee ⁷

Composition: as determined by the Trust Board

Quorum: as determined by the Trust Board

Meetings: as determined by the Trust Board

Delegated responsibilities:

- To consider the appointment of the external auditor, the audit fee and any questions of resignation or dismissal;
- To discuss with the external auditor before the audit commences the nature and scope of the audit;
- To review the annual financial statements before submission to the TB, focusing particularly on:
 - any changes in accounting policies and practices - areas involving a significant degree of

⁷ There is a requirement that the audit functions specified in the Academies Financial Handbook be carried out either by a separate audit committee or by a committee that does not have responsibility for financial aspects. Given the wide remit of the Operations Committee it is sensible to have a discrete Audit Committee even this is not a formal requirement.

judgement - significant adjustments resulting from the audit - the going concern assumption - compliance with accounting standards - compliance with legal requirements - the clarity of disclosures - the consistency of accounting policies from year to year;

- To discuss problems and reservations arising from the audit and any matters the external auditor may wish to discuss (in the absence of the management where necessary);
- To act as the body to whom the head of internal audit reports on the internal audit function and to discuss any issue that the head of internal audit may wish to raise (in the absence of the management where necessary);
- To review the internal audit function, consider the major findings of internal audit investigations and the management's response, and ensure co-ordination between the internal and external auditors;
- To keep under review the effectiveness of internal control systems, and in particular review the external auditor's management letter and the management's response;
- To develop and keep under review risk management and measurement strategies across the Academy Trust together with the procedures for monitoring the adequacy and effectiveness of those processes;
- To review the action and implementation of risk management policy across the Academy Trust;
- To consider the Academy Trust's risk profile relative to current and future Academy Trust strategy and identifying any such trends, concentrations or exposures and any requirement for policy change;
- To receive and review risk management and relevant regulatory information and reports
- To consider material breaches of the agreed risk limits, review the actions taken in response and to prevent a repeat occurrence;
- To consider the effect on the rights of the Academy Trust of the findings of the internal audits or the external audits;
- To review, on a regular basis, its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness. In discharging these duties, the aims of the Committee are to:
 - facilitate good communication between the Academy Trust and its external auditor;
 - increase the credibility and objectivity of financial reporting;
 - strengthen the independence of the audit function and
 - improve the quality of the accounting and auditing functions.

CEO

- Provide strategic and operational leadership of the Trust
- Responsible for the internal organisation management and control of each of the academies and specifically:
 - Development of Trust-wide strategies and strategies for individual academies for Trust Board approval
 - Determining and implementing curriculum provision and assessment
 - Staff appointments not reserved to the TB – which may be delegated to HT or HoS in relation to staff employed to work only at a designated academy
 - Performance management (including progression) of all staff, including EH, CFO, HT and HoS, whose performance management is not reserved to the HR Committee
 - Disciplinary, capability and grievance aspects relating to all staff below HT or HoS level
 - Securing compliance with the Master Funding Agreement and each Supplemental Funding Agreement
 - Ensuring the proper discharge of all statutory functions including in relation to admission appeals and reviews of permanent exclusion
- Reporting termly to the Trust Board
- [Other specific responsibilities including spending and contracting authorities]

EH⁸

- [Specific responsibilities including spending and contracting authorities once appointed]

CFO

- Provide financial leadership of the Trust
- Secure financial probity and value for money including compliance with the Academies Financial Handbook
- Prepare and maintain the Trust's Financial Manual
- Prepare budget for the Trust, including allocation of funds for centrally-maintained services, determining envelope of funding allocated to individual academies and determining sums to be delegated to each LGB for local spending, for Trust Board approval
- Monitoring the management of budget shares by HT
- Managing the budget share of individual academies where this is not delegated to an HT

⁸ This heading can be omitted but including it serves as a reminder in the event that an Executive Headteacher, acting under the CEO, is appointed

- Reporting termly to Operations Committee
- [Other specific responsibilities including spending and contracting authorities]

HT

- Internal organization management and control of the academy
- Management of the budget share allocated to the academy by the TB
- Staff appointments as delegated by the CEO

HoS

- Internal organization management and control of the academy
- Staff appointments as delegated by the CEO

LGB for each academy

Note – it is intended initially that there will be a single LGB to cover both primary academies and a separate LGB for the secondary academy

Composition: as determined by the Trust Board but so as to include at least 2 elected parent local governors.

Quorum: as determined by the Trust Board

Meetings: as determined by the Trust Board

Delegated responsibilities:

- Reporting to the Trust Board on the overall performance of the academy
- Monitoring the annual spend of that part of the Trust budget delegated to be managed by the academy
- Monitoring of educational outcomes in the academy including all aspects of the curriculum and curriculum delivery and RoL
- Dealing with formal complaints against the academy in accordance with the Trust complaints policy
- Monitoring student issues including behaviour and exclusions
- Monitoring all aspects of readiness of inspection
- Monitoring all aspects of safeguarding, including British Values and the operation of the Prevent strategy SEN, equality including the Public Sector Equality Duty and student welfare

- Dealing with the regulatory requirements of admissions and exclusions through designated committees of the LGB
- Liaising with the Trust Board, CEO and CFO on all aspects of policy setting as they may respectively require
- Arranging election of elected members of the LGB in accordance with the Articles of Association

Admissions Sub-Committee of the LGB

Composition: All LGB members and such others as may be appointed by the Trust Board

Quorum: 2 for decisions on individual admission applications, 3 for all other meetings

Meetings: As required on seven days' notice other than meetings to determine individual admission applications which may be convened without notice

Outline of responsibilities:

- To advise the Trust Board on any aspects of admissions and the admission arrangements for the academy that may be relevant including reporting on admission patterns and matters of concern
- To respond when required by the Trust Board to any proposal to amend the admission arrangements
- To manage any local consultation required in relation to any proposed amendment to the admission arrangements or otherwise to secure compliance with the Admissions Code
- To consider and decide upon each application for a place at the academy including reviewing and confirming the ranking of applications as advised by the local authority at the points of normal entry to the academy, i.e. at Year R and/or Year 7

Pupil Exclusions Sub-Committee of the LGB

Composition: All LGB members other than employees of the Trust and such others as may be appointed by the Trust Board

Quorum: 3

Meetings: In accordance with statutory requirements

Outline of responsibilities:

- To consider all parental representations in relation to any pupil exclusion
- To meet to review all fixed period exclusions individually or in aggregate in excess of five days and all permanent exclusions whether or not parents make representations or exercise the right to attend

Appendix One

Part One

TABLE OF DELEGATION

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Glossary

LGB	Local Governing Body
Ops	Operations
HR	Human resources
P & S	Pay
Ad	Admissions Sub-committee of LGB
CEO	Executive Head Teacher
HoS	Headteacher/Head of School
Aud	Audit

Navigation

			Trust Board	LG B	Ops	H R	P&S	A d	EH T	Ho S	Oth er	comments
A :												
NAVIGATION												
A.1 High Level Vision												
	A.1. a	Defining MAT Vision	x									Consultation with stakeholders,esp. LGBs
	A.1. b	Defining Vision for each Academy	x									This lies with Trust Board Members as the individual Academy vision must be consistent with MAT Vision
A. 2 Medium Term targets												
	A.2. a	Proposing 3 Year Targets							x			
	A.2. b	signing off 3 year targets	x									
	A.2. c	monitoring 3 year targets	x									
A.3 Annual targets for each academy												
	A.3. a	Proposing Annual targets								x		
	A.3. b	signing off Annual Targets		x								Reported to MAT
	A.3. c	Monitoring Annual targets		x								
A.4 Annual School Improvement Plan (SIP)												

			Trust Board	LG B	Op s	H R	P& S	A d	EH T	Ho S	Oth er	comments
	A.4. a	Drawing up annual SIP								x		
	A.4. b	signing off annual SIP		x								
	A.4. c	Monitoring progress on SIP		x								Elements delegated to RA (if applicable)
A.5 Annual School Self Evaluation (SEF)												
	A.5. a	Ensuring SEF is in place								x		
	A.5. b	signing off SEF		x								Elements delegated to RA (if applicable)
A.6 Annual Governance section in SEF& SIP												
	A.6. a	completing the section	x	x								Completed by each body
	A.6. b	drawing up relevant SIP section	x	x								Completed by each body

Governance

			Members	Trust Board	LG B	Ops	HR	P&S	Ad	EHT	HoS	Other	Comments
B : GOVERNANCE													
B.1 Appointment of Trust Board Members													
	B.1.a	Appointment and removal of Trust Board Members	x									Members	Legal requirement
	B.1.b	Chair of Trust Board Members		x									
	B.1.c	Chair of LGB			x								
	B.1.d	Vice Chair of LGB			x								
	B.1.e	MAT Clerk		x									
	B.1.f	Members of LGB			x								
	B.1.g	Committee Representatives			x								
B.2 Removal of Trust Board Members													
	B.2.a	Directors											Legal requirement
	B.2.b	Chair of Directors	x										
	B.2.c	Chair of LGB	x										
	B.2.d	Vice Chair of LGB		x									
	B.2.e	MAT Clerk	x										
	B.2.f	Members of LGB		x									
	B.2.g	Committee Representatives		x									
B.3 Risk Management													
	B.3.a	Drawing up Risk										Ops D	

			Members	Trust Board	LG B	Ops	HR	P&S	Ad	EHT	HoS	Other	Comments
		register											
	B.3.b	Monitoring Risk register		x									
	B.3.c	Drawing up Business CP										Ops D	
	B.3.d	Monitoring Business CP				x							
	B.3.e	Monitoring insurance policies				x							
B.4 Scheme of Delegation (SD) incl. committee structure													
	B.4.a	Drawing up SD								x			
	B.4.b	Consultation										MDF	Mat development Forum
	B.4.c	Sign off		x									
	B.4.d	Monitoring										Co Sec	
B.5 Governor Training													
	B.5.a	analysing need								X		*	Designated Governor
	B.5.b	promoting systematic approach			x							*	Designated Governor
	B.5.c	organisation										Clerk	
B.6 Policies Management Plan													
	B.6.a	drawing up policy management plan (PMP)								x		Clerk	
	B.6.b	signing off PMP		x									Lead by designated Trust Board Member

			Members	Trust Board	LG B	Ops	HR	P&S	Ad	EHT	HoS	Other	Comments
	B.6.b	administering policy management plan										Clerk	
B.7 Policies													
	B.7.a	development of policies										*	Relevant staff / Govs as specified in the PMP
	B.7.b	agreeing policies			x	x	x	x	x				As per PMP
	B.7.c	sign off on policies		x	x								As per PMP
B.8 Compliances													
	B.8.a	EFA		x									Supported by Company Secretary
	B.8.b	Company and Charity law		x									Supported by Company Secretary
	B.8.c	Register of Business/Pecuniary interest										Clerk	

Standards

			Trust Board	LG B	Ops	H R	P& S	A d	EH T	HoS	Other	comments
C : STANDARDS												
C.1 Achievement												
External Results	C.1. a	Report external results								x		
	C.1. b	Reports received by	x	x								To varying degrees of detail
	C.1 c	Update Trust Dashboard									X	Director of MIS
C.2 Achievement												
In year progress data	C.2. a	Report on in year progress data									Dep Head	
	C.2. b	Reports received by		x								
	C.2 c	Update Trust Dashboard									X	Director of MIS
C.3 Achievement												
Strategies for Improvement	C.3. a	Responsibility for developing & implementing strategies								x		
	C.3. b	Monitor impact of strategies		x			X					
C.4 Teaching												
	C.4. a	Report on quality of Teaching									i/c T & L	
	C.4. b	Report received by		x								
	C.4.c	Ensure plans are in place to secure improvement								x		

			Trust Board	LG B	Op s	H R	P& S	A d	EH T	HoS	Other	comments
	C.4.d	Monitor impact of plans		x					X			
C.5 Behaviour & safety												
	C.5.a	Report on student attendance									i/c Att	
	C.5.b	Report received by		x								
	C.5.c	Ensure plans are in place to secure improvement								x		
	C.5.d	monitor impact of plans		x								
	C.5.e	report on student exclusions									i/c Ecxl	
	C.5.f	report received by		x								
	C.5.g	Ensure plans are in place to secure improvement								x		
	C.5.h	monitor impact of plans		x								
	C.5.i	E - safety strategies in place		x								
	C.5.j	E - safety strategies monitored		x								
	C.5.k	Safeguarding strategies in place		x								
	C.5.l	Safeguarding strategies monitored		x								
	C.f.m	Conduct statutory review of exclusions		x								
	C.f.n	Establish independent review process for permanent exclusions	x									
C.6 Curriculum												

			Trust Board	LG B	Ops	H R	P&S	A d	EH T	HoS	Other	comments
	C.6. a	Devise curriculum								x	x	HoS or Deputy
	C.6. b	Approve curriculum		x								
C.7 Pupil Premium												
	C.7. a	Report on Pupil Premium spend and impact								x		Likely to be delegated to other Senior Role
	C.7. b	Monitor above		x								
C.8 SEND statutory requirements												
	C.8. a	Put appropriate measures in place								x	x	SENCo plays key role
	C.8. b	Ensure that they are in place and appropriate		x								

Finance

			Trust Board	LGB	Ops	HR	P&S	Ad	EHT	HoS	Other	comments
D : FINANCE												
D.1 Budget												
	D.1.a	determine the proportion of the overall MAT budget to be allocated to individual Academies	x									
	D.1.b	develop the individual Academy budget		x					x	x	Ops D / FM	team approach
	D.1.c	Agree the budget		x								
	D.1.d	sign off the budget	x									
	D.1.e	monitor the budgets –overview and individual schools			x				X			Role of Accounting officer
	D.1.f	decide financial decision level & limits	x									Authorities are set out in the Trust Financial Manual in Part Two
	D.1.g	determine investment policy	x									
D.2 Audit												
	D.2.a	appoint External Auditors	x									
	D.2.b	Sign off accounts	x									
	D.2.c	monitoring the implementation of agreed recommendations			x							
D.5 Internal Audit												
	D.3.a	appoint Internal auditors	x									

PM and Pay

			Trust Board	LGB	Ops	H R	P&S	Ad	EHT	HoS	Other	comments
E : PM & PAY												
E.1 Pay Policies												
	E.1.a	develop							x			needs to dovetail with PM policies
	E.1.b	agree					x					
	E.1.c	sign off	x									
	E.1.d	monitor					x					
E.2 PM Reviewer												
	E.2.a	Tier 1 (EHT)	X								PM Panel	3 reps : MAT / BCH / BPA
	E.2.b	Tier 2 (Assoc HT, SDHT, OpsD)									PM Panel	2 Reps : EHT + Trust Board Member
	E.2.c	Tier 3 (DHTs, AHTs)									Line managers	
	E.2.d	Teachers									Line managers	
	E.2.d	Support Staff									Line managers	
E.3 Salary Progression												
	E.3.a	Tier 1 recommendation									PM Panel	3 reps : MAT / BCH / BPA
	E.3.b	Tier 1 decision	x									
	E.3.c	Tier 2									PM	2 Reps :

		recommendation									Panels	EHT + Trust Board Member
	E.3.d	Tier 2 decision	x						x			
	E.3.e	Tier 3 recommendation								x		
	E.3.f	Tier 3 decision				x			x			
	E.3.g	Teacher recommendations									Line managers	
	E.3.h	Teacher decision				x						
	E.3.i	support Staff recommendations									Line managers	
	E.3.j	support staff decisions								x		

Human Resources

			Trust Board	LGB	Ops	HR	P&S	Ad	EHT	HoS	Other	comments
F : HR												
F.1 HR Policies												
	F.1. a	development of HR policies				X						
	F.1. b	agree HR policies				x						
	F.1. c	sign off	x									
	F.1. d	monitoring of HR policies				x						
F.2 Appointments												
	F.2. a	EHT	x									
	F.2. b	HoS	x	x					X			Joint
	F.2. c	SLT		x								
	F.2. d	Middle Leaders								x		
	F.2. e	Teachers								x		
	F.2.f	Ops director	x						X			
	F.2. g	Support Staff								x		
F.3 Positions of Responsibility												

	F.3. a	Introducing TLRs 2 / TLR 3 / bursaries								x		
	F.3. b	Introducing TLRs 1				x						
	F.3. c	Changes to Senior Team structure		x								Roles may be changed by the Head within the agreed structure without reference to LGB
	F.3. d	scrutiny of staffing structure					x					
F.4 Suspension												
	F.4. a	EHT	x									
	F.4. b	HoS							x			
	F.4. c	Other Staff								x		EHT / Head dependent on the Academy
	F.4. d	Ending EHT	x									
	F.4. e	Ending Head							x			
	F.4.f	Ending other staff								x		EHT / Head

													dependent on the Academy
F.5 Dismissal													
	F.5. a	EHT	x										
	F.5. b	HoS	x										
	F.5. c	Senior Staff			x								
	F.5. d	other staff			x								
F.6 Exit payments													
	F.6. a	recommend early retirements								x			
	F.6. b	agree early retirement					x						
	F.6. c	recommend settlement agreements								x			
	F.6. d	agree settlement agreements					x						
F.7 Contract Adjustments													
	F.7. a	Senior Staff					x						
	F.7. b	Teachers									x		
	F.7.	Support Staff									x		

	c											
F.8 Staff development												
	F.8. a	put systematic strategy in place cross MAT							x		HR mngr	
	F.8. b	put plans in place in each academy								x	HR mngr	
	F.8. c	agree and monitor above				x						
F.9 Succession Planning												
	F.9. a	succession planning for EHT / HoS / DHT				x						
	F.9. b	succession planning at other levels							x	x	HR mngr	Team approach
	F.9. c	monitoring of above				x						

Operations

			Trust Board	LGB	Ops	HR	P&S	Ad	EHT	HoS	Other	comments
G :	OPERATIONS											
G.1 Health and safety												
	G.1. a	Health and Safety Management									Ops D	
	G.1. b	Health and Safety Accountability	x									can be delegated to LGBs
	G.1. c	Health and Safety Monitoring			x							
G.2 Data Protection												
	G.2. a	Data Protection Management									Ops D	
	G.2. b	Data Protection Accountability	x									
	G.2. c	Data Protection Monitoring			x							
G.3 The Estate												
	G.3. a	Individual Academy - spend up to £10k								x	Ops D	Developed in consultation with ops
	G.3. b	Individual Academy - spend £10k - £25k							x			
	G.3. c	Individual Academy - spend £25k - £50k		x								Robust mechanisms for reporting and monitoring to be put in place

	G.3. d	Individual Academy - spend over £50k	x									
	G.3. e	"Whole Site" development	x									
G.4 Admissions *												
	G.4. a	Setting of Admissions principles	x									
	G.4. b	Development of Admissions Policy								x		
	G.4. c	agree policy						x				
	G.4. e	Make individual admission decisions						x				
	G.4.f	Establish Admission Appeal Arrangements	x									
G.5 Complaints												
	G.5. a	development of policy							x			
	G.5. b	agree policy	x									
	G.5. c	administer policy								x		i.e. within each school
	G.5. d	monitor policy and actions that arise		x								report to MAT Board

**Part Two
The Trust Financial Handbook**

Appendix Two

Policies maintained by the Academy Trust requiring Trust review and adoption

Note: all required policies are initiated by the CEO. All policies are to be reviewed every three years unless shown otherwise or a change of legislation, DfE requirements or policy requires a sooner review. The Trust Board will set a review timetable to secure a rolling cycle of review. Each policy will have a designated post-holder who has primary responsibility to ensure that policies are maintained and reviewed appropriately

Those policies that are required under statute or are referenced in statutory guidance are marked (S)

CURRICULUM AND PUPIL-RELATED POLICIES

Admissions arrangements (S)

Review frequency: Arrangements to be determined annually. Any changes must be consulted on and where no changes are made, consultation is required at least every seven years

Attendance policy and plan

Charging and remissions (S)

Child welfare and safeguarding policy and procedures (S)

Review frequency: Annually

Pupil Premium (S)

Religious Education

School trips

School behaviour including exclusions (S)

Sex education (S)

Special educational needs (S)

Review frequency: The SEN Information Report should be updated annually and any changes to the information occurring during the year should be updated as soon as possible

Supporting pupils with medical conditions (S)

Teaching and Learning

STAFFING POLICIES

Allegations of abuse against staff (S)

Capability of staff

Restructuring and redundancy (S)

Staff discipline, conduct and grievance (S)

Staff appraisal

Staff pay and remuneration including job roles, salary and grading

Review frequency: Annually

Whistle-blowing (S)

Data protection

Review frequency: At least every two years (Registration is annual)

FINANCE AND RELATED POLICIES

Accessibility plan (S)

Asset Management (S)

Health and safety (S)

GOVERNANCE POLICIES

Complaints (S)

Data Protection (S)

Equality information and objectives (public sector equality duty) statement for publication (S)

Review frequency: Every four years and publish information annually (see below)

Freedom of Information (S)

Governors' allowances scheme

Register of business interests

Review frequency: Ongoing requirement to keep updated

Scheme of Delegation and Terms of Reference (S)

Review frequency: Annually

School information published on a website (S)

Review frequency: Live – must be updated as soon as possible after a change and at least annually

APPENDIX THREE

Provisions relating to meetings and voting

NB. The Articles contain very detailed provisions regarding the calling of meetings, how they are conducted and voting. What follows is a brief summary and reference should be made to the Articles if particular questions arise.

Calling meetings

Meetings of Members and of Trustees are convened by the Clerk.

Meetings of Members

Members must hold an Annual General Meeting each year. The Trustees decide when and where the meeting is to take place and the Trustees may also call a General Meeting if required. This would normally be to decide on the appointment or removal of Trustees or the amendment of the Articles. The Trustees must call a General Meeting if the Members require them to do so.

14 clear days' notice must be given, i.e. for a meeting to be held on a Thursday notice must be given on or before the Wednesday two weeks before. However, shorter notice can be given if agreed to by a majority of Members having at least 90% of the right to attend and vote. That means that unless there are 10 Members, a meeting can only be called on short notice if all agree.

The notice of the meeting must state time and place of the meeting and should indicate in general terms what business is to be discussed. It should also state to right to appoint a proxy.

There must be a quorum present – normally specified in the Articles as two people entitled to attend and vote. Although all Trustees are entitled to attend and speak at any Members' meeting they are not entitled to vote and therefore those Trustees who are not also Members do not count in the quorum.

The Members present appoint the chair of the meeting. There is no formal position of Chair of the Members.

Meetings of Trustees

The Trustees must meet at least three times in each school year.

The Chair (or vice-Chair in the absence of the Chair) and any three Trustees may require the Clerk to convene a meeting at any time and the Clerk must convene it as soon as reasonably practicable.

Seven [**Check the Articles as in some cases the notice required is 14 days**] clear days' notice, together with the agenda, must be given i.e. for a meeting to be held on a Thursday notice must be given on or before the Wednesday one week before, but the Chair (or vice-Chair in the absence of the Chair) can direct shorter notice on the grounds of urgency.

There must be a quorum present which is normally whichever is the greater of three Trustees or one-third (rounded up) of the total number of Trustees holding office at the time – i.e. don't count vacant positions. The quorum required for a vote to remove a Trustee or to remove the chair is two-thirds of those present and entitled to vote. Note that there are special procedures set out in the Articles that have to be followed to remove the chair or vice-chair from office.

What is a Meeting?

Under the Articles, the definition of a meeting covers not just the situation when all are present but also a video conference, an internet video facility or similar electronic method allowing simultaneous visual and audio participation and telephone conferencing. In other words, a meeting can be convened with people taking part remotely. That covers meetings of the Members (which usually will only rarely be needed) and the more regular meetings of the Trust Board. Members may also "attend" Members' meetings by giving another person a proxy vote but Trustees and LGB members cannot do this.

The condition for being entitled to attend remotely is that the person concerned has given notice of the intention to do so by giving appropriate contact details at least 48 hours before the meeting. Of course, this also depends on having the necessary equipment! Note that this is a right that an individual Trustee has. The other Trustees can agree not to insist on the 48 hours' notice.

There is also a provision under which a resolution of the Trustees that all Trustees agree with can be passed by getting each Trustee to sign a copy of the resolution and without having to hold a physical meeting – you can have several copies as long as, in total, every Trustee has signed.

Note that there is no provision for making decisions by email or by separate telephone conversations.

Generally

So far as LGBs are concerned, the Trust Board can specify the procedures to be adopted. Normal good practice indicates that LGBs should follow the same rules. Again as a matter of good practice all meetings of Members, Trustees, LGBs and their respective committees should be clerked. This is especially important in relation to exclusion reviews.

All meetings should be minuted. Minutes should be concise and impersonal. They should record the topics discussed, the main points raised, the conclusions reached and, briefly if appropriate, the reasons for decisions. Where questions and answers need to be minuted as evidence of challenge, it is better practice that the questioner is not identified but the respondent should be.

Reporting back should be by way of tabled minutes. All decisions taken under delegated authority (which **does not** extend to internal organisation management or control of the AT or any constituent academy) must be reported also to the next Trust Board meeting. Minutes of those decisions should, therefore, be reported to the Clerk who will ensure that they are tabled for the AT.

APPENDIX FOUR

Conflicts of Interest and The Nolan Principles

Conflicts of Interest

Trustees and all who have delegated responsibility are required to ensure that no conflict of interest arises. They are required to disclose and declare any business interests. The current Articles provide:-

“Any [Trustee] who has or can 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 duties as a [Trustee] shall disclose that fact to the [Trustees] as soon as he becomes aware of it. A [Trustee] must absent himself from any discussions of the [Trustees] in which it is possible that a conflict will arise between his duty to act solely in the interests of the Academy Trust and any duty or personal interest (including but not limited to any Personal Financial Interest).”

A “Personal Financial Interest” is defined in Articles 6.5 to 6.9 and is widely drafted to include companies in which the Trustee has an interest as well as interests of family members and those with whom the Trustee has business or other close relationships

The Nolan Principles

All Trustees and those with delegated responsibility are required to observe the Nolan Principles which are:-

1. Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

2. Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

3. Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

4. Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

5. Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

6. Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

7. Leadership

Holders of public office should promote and support these principles by leadership and example.