

WIGSTON ACADEMY TRUST
SCHEME OF DELEGATION (VERSION 4)

1. INTRODUCTION

- 1.1 As a charity and company limited by guarantee, Wigston Multi Academy Trust (the “Company”) is governed by a Board of Directors (the “Directors”) who are responsible for, and oversee, the management and administration of the Company and the academies run by the Company.
- 1.2 The Directors are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) 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.
- 1.3 In order to discharge these responsibilities, the Directors appoint people who are more locally based to serve on a board (the ‘Local Governing Body’) which has been established to ensure the good governance of the Academy.
- 1.4 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 Local Governing Bodies and the commitments to each other to ensure the success of the academies within the Trust.
- 1.5 This Scheme of Delegation has been put in place by the Directors from April 2015 in accordance with the provisions of the Company’s Articles of Association (the ‘Articles’) and it should be read in conjunction with those Articles.

2. VISION AND ETHOS

- 2.1 The Academy Trust’s Vision is as follows:

Wigston Academy and Wigston College will provide, in partnership, a welcoming learning campus of excellence across the 11-19 age range at the heart of the local community.

Our core purpose is to secure the highest standards and outcomes, raise aspirations and achievements by securing continuous, first class education and provision for all. Our schools will provide high quality teaching and learning with a rich curriculum and wide extra-curricular opportunities. We will have high expectations of our learners who will be challenged, supported and celebrated to achieve their full potential and maximise life chances for the future.

Our schools will provide a safe, nurturing, inclusive environment with high quality care in which to enjoy learning. All our children and young people will be encouraged to be responsible, resilient and confident individuals who work hard to achieve their best. They will be well prepared for the next phase of higher education, training or career, equipped with the personal, academic and work related skills to flourish in a 21st Century global society.

Within our community all can Learn, Aspire and Achieve.

3. DIRECTORS' POWERS AND RESPONSIBILITIES

- 3.1 The Directors have overall responsibility and ultimate decision making authority for all the work of the Company, including the establishing and running of schools. 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 management processes. The Directors have the power to direct change where required.
- 3.2 The Directors have a duty to act in the fulfilment of the Company's objects.
- 3.3 Directors will have regard to the interests of the other academies for which the Company is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.
- 3.4 In recognition of the Directors' power to delegate responsibility for the running of academies in the Trust for 01/04/15 the trust has established this Scheme of Delegation.
- 3.5 The constitution, membership and proceedings of the Local Governing Body is determined by the Directors and this Scheme of Delegation expresses such matters as well acknowledges the authority delegated to the Local Governing Body in order to enable the Local Governing Body to run the Academy and fulfil the Academy's mission.

4. TERMS OF REFERENCE FOR LOCAL GOVERNING BODIES

Terms of Reference for Local Governing Bodies

Adopted by resolution of the Board on 23/03/2015

1. INTRODUCTION

- 1.1 Wigston Academies Trust (the "Trust") is governed by a Board of Directors (the "Directors") who are accountable to the Department for Education and have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and running of the academies operated by the Trust.
- 1.2 The following academies are currently operated by the Trust:

Abington Academy
Bushloe High School
Guthlaxton College

(each one the "Academy" or collectively the "Academies").
- 1.3 In order to assist with the discharge of their responsibilities, the Directors have established a Local Governing Body ("LGB") for each of the Academies. The

LGB shall be a committee established pursuant to Articles 100 to 104 (inclusive) of the Articles of Association of the Trust (the “Articles”).

1.4 The Directors may review these terms of reference at any time but shall review them at least annually.

1.5 The terms of reference may only be amended by the Board of Directors.

2. CONSTITUTION OF THE LGBs

2.1 Members of the LGB shall be known as “governors”.

2.2 The Directors have the right to appoint such persons to the LGB as they shall determine from time to time.

2.3 Subject to clause 2.2, the composition of Abington Academy and Bushloe High School LGBs shall be as follows:

2.3.1 the Head of School (as applicable) of the Academy or the Executive Headteacher;

2.3.2 2 staff governors;

2.3.3 up to 3 parent governors; and

2.3.4 up to 5 co-opted governors (community governors).

2.4 Subject to clause 2.2, the composition of the sponsored school, Guthlaxton College, shall be comprised as follows:

2.4.1 the Principal of the Academy (or the Executive Headteacher if no such person is appointed);

2.4.2 2 staff governors;

2.4.3 up to 3 parent governors; and

2.4.4 up to 5 co-opted governors (community governors).

2.5 The procedure for the appointment and the removal of governors shall be as set out in Annex 1.

3. PROCEEDINGS OF THE LGB

The proceedings for meetings of the LGB shall be as set out in Annex 2.

4. RELATIONSHIP BETWEEN THE BOARD AND LGB

4.1 The LGB shall in carrying out its role:

- 4.1.1 promote high standards and aim to ensure that students and pupils are attending a successful school which provides them with a good education and supports their well-being;
 - 4.1.2 be responsible to the Directors for its actions and follow the expectations of governors as laid down by the Directors;
 - 4.1.3 aim to establish that it is competent, accountable, independent, diverse and promotes best practice in governance;
 - 4.1.4 aim to ensure that its governors promote and uphold high standards of conduct, probity and ethics.
- 4.2 The Directors shall support the work of the LGB by;
- 4.2.1 setting a clear strategic vision to allow the LGB to set and achieve its own aims and objectives within such vision;
 - 4.2.2 ensuring that systems are put in place to allow the governors to be presented with timely and good data to allow the LGB to analyse Academy performance in order to support and challenge the Principal/Head of School and the senior leadership team of the Academy; and
 - 4.2.3 ensuring that the governors have access to high quality training.
- 4.3 Without prejudice to the Directors' other rights to remove any governor and the Directors rights to amend these terms of reference at any time, where the Directors have concerns about the performance of an LGB they may amongst other actions:
- 4.3.1 require the relevant LGB to adopt and comply with a governance action plan in such form as determined by the Directors;
 - 4.3.2 suspend or remove any or all of the matters delegated to the LGB;
 - 4.3.3 suspend or remove any or all of the governors of the relevant LGB.
- 4.4 The Directors will require a governance action where:
- 4.4.1 the Academy has not met budgetary requirements set by the Directors.
 - 4.4.2 levels of progress or overall standards do not meet the appropriate level set;
 - 4.4.3 the Academy receives an inadequate Ofsted outcome.
- 4.5 The Directors may vary the matters delegated where:
- 4.5.1 the LGB act outside its delegated powers and limitations;
 - 4.5.2 the LGB are in breach of these terms of reference.
- 4.6 The Directors may remove governors where:

- 4.6.1 the Academy is in breach of its funding arrangements;
- 4.6.2 the LGB is in material breach of these terms of reference or has persistently breached these terms of reference.
- 4.7 The circumstances listed in paragraphs 4.4, 4.5 and 4.6 are illustrative only and shall not limit the rights of the Directors to suspend or remove any or all of the matters delegated to the LGB.

5. DELEGATED POWERS

General principles

- 5.1 In the exercise of its delegated powers and functions, the governors of the LGB shall:
 - 5.1.1 ensure that the Academy is conducted in accordance with the objects of the Trust, the terms of any trust governing the use of the land which is used for the purposes of the Academy, any agreement entered into with the Secretary of State for the funding of the Academy and these terms of reference;
 - 5.1.2 promptly implement and comply with any policies or procedures communicated to the LGB by the Directors from time to time;
 - 5.1.3 review its own policies and practices on a regular basis, in view of any advice or recommendations made by the Directors;
 - 5.1.4 work closely with the Directors and act with integrity, objectivity and honesty in the best interests of the Trust and the Academy;
 - 5.1.5 be open about decisions and be prepared to justify those decisions;
 - 5.1.6 keep confidential all information of a confidential nature obtained by them relating to the Academy and the Trust; and
 - 5.1.7 adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the Academy and are delegated to them.
- 5.2 Each governor shall be required to take part in regular self-review and is accountable for meeting his own training and development needs. It is a governor's responsibility to consider if, and raise any concerns where, he feels that appropriate training and development is not being provided.
- 5.3 Governors shall be expected to report to the Trust against KPIs which have been set for the Academy and provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Directors may require from time to time.

- 5.4 The powers retained by the Trust and delegated from the Directors to the LGBs shall be as follows:
- 5.4.1 In respect of the Abington Academy and Bushloe High School (non sponsored schools) LGB, The Scheme of Delegation sets out the powers retained by the Trust, the powers delegated to the Executive Headteacher, LGBs and the Headteachers of Abington Academy and Bushloe High School.
 - 5.4.2 In respect of Guthlaxton College (sponsored school) LGB The Scheme of Delegation for Sponsored Academies sets out the powers retained by the Trust, the powers delegated to the Executive Headteacher, Guthlaxton College LGB and the Principal of Guthlaxton College.
- 5.5 For the avoidance of doubt, where a power is not expressly delegated to the Executive Headteacher, any LGB or Principal/Headteacher it will be deemed to have been retained by the Trust regardless of whether it is specified in the Scheme of Delegation and the Scheme of Delegation for Sponsored Academies.
- 5.6 The Scheme of Delegation and the Scheme of Delegation for Sponsored Academies may be reviewed by the Directors at any time but shall be reviewed at least annually. Directors reserve the right to remove or alter any delegation at any time, whilst having due regard to, but not being bound by, the views of the LGB.
- 5.7 Notwithstanding the application of any provision of these terms of reference, if the Chair of the LGB or the Vice Chair, is of the opinion that a matter of urgency exists and a delay in exercising the function would likely be seriously detrimental to the interests of the Academy, any pupil or their parent or a person who works at the Academy, then they may exercise any function of the LGB which can be delegated to an individual or any function relating to the exclusion of pupils after consultation with the Executive Headteacher. Any such action to be reported to the Board as a matter of urgency.

LOCAL GOVERNING BODIES

Annex 1 – Appointment and Removal of Governors

1. Staff governors

- 1.1 The Directors shall invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the Academy and, where there are any contested posts, shall hold an election by a secret ballot.
- 1.2 All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Directors. The Directors may delegate the running of the election to the LGB.

2. Parent governors

- 2.1 Parent governors of the LGB shall be elected by parents of registered pupils at the Academy. He or she must be a parent of, or have parental responsibility for, a pupil at the Academy at the time when he or she is elected.
- 2.2 The Directors shall make all necessary arrangements for, and determine all other matters relating to, an election of the parent governors. The Directors may delegate the running of the election to the LGB.
- 2.3 Where a vacancy for a parent governor is required to be filled by election, the Directors shall take such steps as are reasonably practical to ensure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.
- 2.4 Any election of persons who are to be the parent governors which is contested shall be held by secret ballot. The arrangements made for the election of the parent governors shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if he prefers, by having his ballot paper returned to the Academy by a registered pupil at the Academy.
- 2.5 Where the number of parents standing for election is less than the number of vacancies, the Directors may appoint a person who is the parent of a registered pupil at the Academy or, where it is not reasonably practical to do so, a person who is the parent of a registered pupil of another Academy run by the Trust.

3. Co-opted governors

- 3.1 Co-opted governors of the LGB shall be appointed by the Directors. He or she must be:
 - a) a person who lives or works in the community served by the Academy; or

b) a person who, in the opinion of the Directors, has the necessary skills set and is committed to the government and success of the Academy.

3.2 The Directors may not appoint an employee of the Trust as a co-opted governor.

4. **Term of office**

4.1 The term of office for any governor shall be 4 years, save for the Executive Headteacher, Principal and Headteacher of the Academy (as applicable) who shall remain a governor until he or she ceases to work at the Academy.

4.2 Subject to remaining eligible to be a particular type of governor, any person may be re-appointed or re-elected to the LGB.

5. **Resignation and removal**

5.1 A person serving on the LGB shall cease to hold office if:

- a) he resigns his office by giving notice in writing to the clerk of the LGB;
- b) the Principal/Head of School or a staff governor ceases to work at the Academy;
- c) the Directors terminate the appointment of a governor whose presence or conduct is deemed by the Directors, at their sole discretion, not to be in the best interests of the Trust or the Academy.

5.2 For the avoidance of doubt, a parent governor shall not automatically cease to hold office solely by reason of their child ceasing to be a pupil at the Academy.

6. **Disqualification of governors of the LGB**

6.1 A person shall be disqualified from serving on the LGB if he would not be able to serve as a Director in accordance with Articles 68-80 of the Articles.

7. **Appointment and removal of Chair and Vice Chair**

7.1 The Chair and Vice Chair of the LGB shall be appointed by the Directors following recommendations from the LGB and may be removed from office by the Directors at any time.

7.2 The term of office of the Chair and Vice Chair shall be 1 year. Subject to remaining eligible to be a governor, any governor may be re-appointed as Chair or Vice Chair of the LGB.

7.3 The Chair and Vice Chair may at any time resign his office by giving notice in writing to the Directors. The Chair or Vice Chair shall cease to hold office if:

- a) he ceases to serve on the LGB;

- b) he is employed by the Trust whether or not at the Academy; or
- c) in the case of the Vice Chair, he is appointed to fill a vacancy in the office of the Chair.

7.4 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. Where the Vice Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice Chair, the governors of the LGB shall elect one of their number to act as chair for the purposes of that meeting.

8. **Committees**

8.1 Subject to the prior agreement of the Directors, the LGB may establish subcommittees who may include individuals who are not members of the LGB, provided that such individuals are in a minority.

8.2 The LGB may delegate to a subcommittee or any person serving on the LGB, subcommittee, the Head of School or any other holder of an executive office, such of their powers or functions as they consider desirable. Any such delegation may be made subject to any conditions either the Directors or the LGB may impose and may be revoked or altered. The person or sub-committee 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.

LOCAL GOVERNING BODIES

Annex 2 – Proceedings of the LGB

1. Meetings

- 1.1 The LGB shall meet at least once in every term and shall hold such other meetings as may be necessary.
- 1.2 Meetings of the LGB shall be convened by the clerk to the LGB, who shall send the governors written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting. Where there are matters demanding urgent consideration, the Chair or, in his absence, the Vice-Chair, may waive the need for seven days' notice of the meeting and substitute such notice as he thinks fit.
- 1.3 Any governor shall be able to participate in meetings of the governors by telephone or video conference provided that he has given reasonable notice to the clerk of the LGB and that the governors have access to the appropriate equipment.
- 1.4 The convening of a meeting and the proceedings conducted there at shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof or any defect in the election, appointment or nomination of any person serving on the LGB.

2. Quorum

The quorum for a meeting of the LGB, and any vote on any matter at such a meeting, shall be any three of the governors of the LGB, or, where greater, any one third (rounded up to a whole number) of the total number of governors of the LGB at the date of the meeting, which must include at least one governor appointed by the Trust.

3. Voting

- 3.1 Every matter to be decided at a meeting of the LGB shall be determined by a majority of the votes of the governors present and entitled to vote on the matter. Every governor shall have one vote. Where there is an equal division of votes, the Chair of the meeting shall have the casting vote. A governor may not vote by proxy.
- 3.2 Any governor who is also an employee of the Trust shall withdraw from that part of any meeting of the LGB at which his remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- 3.3 A resolution in writing, signed by all the governors shall be valid and effective as if it had been passed at a meeting of the governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the governors.

4. **Conflicts of Interest**

- 4.1 Any governor who has or may have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest (as defined below)) which conflicts or may conflict with his duties as a governor of the LGB 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 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).
- 4.2 A governor of the LGB has a Personal Financial Interest if he, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the governor or any person living with the governor as his or her partner, 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.

5. **Minutes of meetings**

- 5.1 At every meeting of the LGB the minutes of the last meeting shall be taken as the first agenda item after any apologies and, if agreed to be accurate, shall be signed as a true record.
- 5.2 The clerk to the LGB shall ensure that a copy of the agenda for every meeting of the governors, the draft minutes of every such meeting (if they have been approved by the Chair of the meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the Company Secretary of the Trust.
- 5.3 The clerk to the LGB shall ensure that all agendas and minutes of meetings are circulated as appropriate, to include all Directors and Members of the Trust.

Last approval: 23/03/15

Trust Policies: To be confirmed and agreed

BOARD OF DIRECTORS
TERMS OF REFERENCE (supplementary to Articles of Association)

1.0 GENERAL

- 1.1 Wigston Academy Trust is registered with Companies House and the Board of Directors of the Trust (the 'Board') is the Trust Governing body.
- 1.2 The Board is responsible for the direction and management of the business of the Trust (and any subsidiaries) in the fulfilment of its mission and strategic objectives and in compliance with the Trust Articles, any applicable legislation or regulation and the Trust policies, principles and values.

2. MEMBERSHIP

- 2.1 The Board will consist of not more than 9 individuals ('Directors').
- 2.2 The Board may, from time to time, have any co-opted Trustee appointed but this number will not be greater than 2.
- 2.3 The Trustees shall at the start of each school year elect a chairman and a vice-chairman from among their number who are appointed in their own right not by their position. A Trustee who is employed by the Academy Trust shall not be eligible for election as chairman or vice-chairman.

Subject to Article 84, the chairman or vice-chairman shall hold office as such until his successor has been elected in accordance with Article 85.

The chairman or vice-chairman may at any time resign his office by giving notice in writing to the Clerk. The chairman or vice-chairman shall cease to hold office if:

- a. he ceases to be a Trustee;
- b. he is employed by the Academy Trust;
- c. he is removed from office in accordance with these Articles; or
- d. in the case of the vice-chairman, he is elected in accordance with these Articles to fill a vacancy in the office of chairman.

Where by reason of any of the matters referred to in Article 84, a vacancy arises in the office of chairman or vice-chairman, the Trustees shall at their next meeting elect one of their number to fill that vacancy.

Where the chairman is absent from any meeting or there is at the time a vacancy in the office of the chairman, the vice-chairman shall act as the chair for the purposes of the meeting.

The Trustees may remove the chairman or vice-chairman from office in accordance with these Articles.

A resolution to remove the chairman or vice-chairman from office which is passed at a meeting of the Trustees shall not have effect unless:

- a. it is confirmed by a resolution passed at a second meeting of the Trustees held not less than fourteen days after the first meeting; and
- b. the matter of the chairman's or vice-chairman's removal from office is specified as an item of business on the agenda for each of those meetings.

Before the Trustees resolve at the relevant meeting on whether to confirm the resolution to remove the chairman or vice-chairman from office, the Trustee or Trustees proposing his removal shall at that meeting state their reasons for doing so and the chairman or vice-chairman shall be given an opportunity to make a statement in response.

- 2.4 The Board may request the presence, at any of its meetings, of any Employees of the Trust as it may decide.

3. TERM OF OFFICE

The term of office for any Trustee shall be four years, save that this time limit shall not apply to any post which is held ex officio. Subject to remaining eligible to be a particular type of Trustee, any Trustee may be re-appointed or re-elected at a General Meeting.

4. RESIGNATION AND REMOVAL

A Trustee shall cease to hold office if he resigns his office by notice to the Academy Trust (but only if at least three Trustees will remain in office when the notice of resignation is to take effect).

A Trustee shall cease to hold office if he is removed by the person or persons who appointed or elected him, or otherwise by ordinary resolution of the Members in accordance with the Companies Act 2006.

Where a Trustee resigns his office or is removed from office, the Trustee or, where he is removed from office, those removing him, shall give written notice thereof to the Clerk.

5. SUSPENSION

The board of Trustees may by special resolution passed at a meeting of the Trustees suspend a Trustee for all or any meetings of the Academy Trust, or of a committee, for a fixed period of up to 6 months where the Trustee has acted in a way that is inconsistent with the professional ethos of the board of Trustees (which shall include a failure to undertake training appropriate to their role, whether or not directed to do so by the board of Trustees) and has brought or is likely to bring the Academy Trust, any of its Academies or the office of the Trustee into disrepute.

A resolution to suspend a Trustee from office does not have effect unless the matter is specified as an item of business on the agenda for the meeting.

Before a vote is taken on a resolution to suspend a Trustee, the Trustee proposing the resolution must at the meeting state the reasons for doing so. In addition the Trustee who is the subject of the resolution must be given the opportunity to make a statement in response before withdrawing from the meeting.

Nothing in Articles 67A-C may be read as affecting the right of a Trustee who has been suspended to receive notices of, and agendas and reports or other papers for, meetings of the board of Trustees during the period of their suspension.

A Trustee may not be disqualified from continuing to hold office for failure to attend any meeting of the board of Trustees under Article 70 while suspended under Article 67A.

6. DISQUALIFICATION

No person shall be qualified to be a Trustee unless he is aged 18 or over at the date of his election or appointment. No current pupil or current student of any of the Academies shall be a Trustee.

A Trustee shall cease to hold office if he becomes incapable by reason of illness or injury of managing or administering his own affairs.

A Trustee shall cease to hold office if he is absent without the permission of the Trustees from all their meetings held within a period of six months and the Trustees resolve that his office be vacated.

A person shall be disqualified from holding or continuing to hold office as a Trustee if

- a. he has been declared bankrupt and/or his estate has been seized from his possession for the benefit of his creditors and the declaration or seizure has not been discharged, annulled or reduced; or
- b. he is the subject of a bankruptcy restrictions order or an interim order.

A person shall be disqualified from holding or continuing to hold office as a Trustee at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

A Trustee shall cease to hold office if he ceases to be a Trustee by virtue of any provision in the Companies Act 2006, is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision) or is otherwise found to be unsuitable by the Secretary of State under the provisions of the Relevant Funding Agreements.

A person shall be disqualified from holding or continuing to hold office as a Trustee if he has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.

A person shall be disqualified from holding or continuing to hold office as a Trustee where he has, at any time, been convicted of any criminal offence, excluding any that

have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.

After the first Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Trustee if he has not provided to the chairman of the Trustees a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the chairman or the Chief Executive Officer confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.

Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Trustee; and he is, or is proposed, to become such a Trustee, he shall upon becoming so disqualified give written notice of that fact to the Clerk.

Articles 68 to 74, Articles 77 to 79 and Articles 97 to 98 also apply to any member of any committee or delegate of the Trustees, including a Local Governing Body, who is not a Trustee.

7. CONFLICTS OF INTERESTS

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).

For the purpose of Article 97, a Trustee has a **Personal Financial Interest** in the employment or remuneration of, or the provision of any other benefit to, that Trustee as permitted by and as defined by Articles 6.5-6.8A.

Changes in Circumstances and other interests:

- 7.1 The Board will adhere to the Trust's Conflict of Interest Policy, the Trust Rules and relevant legislation. When there is an agenda item which poses a conflict of interest for any Board member that member should withdraw from the meeting.
- 7.2 All declarations of conflicts of interest shall be recorded at the beginning of a meeting and in the minutes of the meeting. They shall also be recorded in the register of interests of Directors and senior staff.
- 7.3 All Directors are required to notify the Company Secretary of all other bodies in which they have a significant interest or of which they are an employee, director,

partner, trustee or for which they perform a similar role.

7.4 All Directors are required to notify the Company Secretary of any changes in circumstances which may affect their Approved Person status under the Appropriate Regulator's regulatory regime or their ability to perform their role as a Director of the Trust.

8.0 MEETINGS

8.1 The Board may make, vary or revoke regulations for the conduct of business at its meetings.

8.2 The Chair of the Trust (or in their absence, the Deputy Chair) will chair each meeting. In the case, of the absence of the Chair and the Deputy Chair, the members present will elect one of their number to chair the meeting.

8.3 The Board will normally meet up to three times per year (or as many as it may otherwise determine) on fixed dates each year ('Regular Meetings'). Wherever possible the dates of Regular Meetings for each year will be fixed in advance.

8.4 The date of any Regular Meeting will not be changed without all Directors being given at least one week's notice of the revised dates. Unless otherwise determined by the Chairman, Regular Meetings will normally commence at 6.00 pm.

8.5 A quorum will consist of five Directors. Directors may be present in person or through any other means of communication but to count towards a quorum, Directors must be able, fully, to hear and participate in the Board's proceedings.

8.6 The content of the Agenda for each Regular Meeting shall be drafted by the clerk, in a form agreed from time to time with the Chair, and as discussed by the Executive Headteacher.

8.7 The Agenda and papers for each Regular Meeting will be submitted under the authority of the Chair or Executive Headteacher only and will be circulated to Directors at least one week prior to the Regular Meeting. Papers not complying with these requirements will not be tabled at a Regular Meeting except with the prior approval of the Chair.

8.8 The Chair of the meeting may vote on any questions, and if there are an equal number of votes, he shall have a casting vote.

8.9 The Clerk or his or her nominee will act as Secretary to the Board. The Company Secretary is responsible for producing minutes of the Board meetings. The minutes will be passed to the Chair of the Board and circulated to all Board members and appropriate attendees within two weeks.

9 BOARD POWERS RESPONSIBILITIES AND DUTIES

Without prejudice to its power to exercise all those powers of the Trust that are not, by legislation, regulation or by the Rules, required to be exercised by the Trust at a

High Court Meeting or Special High Court Meeting, the Board has the responsibility for the discharge of all of the matters reserved to it in the Matters Reserved attached to these Terms of Reference, as amended by the Board from time to time.

10. AUTHORITY

10.1 The Board is authorised to seek any information it requires from any employee of the company in order to perform its duties.

10.2 The Executive Headteacher is authorised to obtain, at the Trust's reasonable expense, outside legal or other professional advice on any matters within its terms of reference in accordance with any procedures agreed by the Board.

11. DELEGATION

The conduct of the day-to-day business of the Trust will be delegated to the Executive Headteacher, subject at all times to the Rules, applicable legislation and regulation, Matters Reserved by the Board, delegation by the Board to the LGBs, the Principles and Practices of Finance Management ('PPFM') and Policies and Procedures. The Chair may call on Directors to resolve certain issues from time to time based on the issue and director skill set.

The Trustees may delegate any of their powers or functions (including the power to sub-delegate) to any Trustee, committee (including any Local Governing Body), the Chief Executive Officer or any other holder of an executive office. Any such delegation shall be made in writing and subject to any conditions the Trustees may impose, and may be revoked or altered.

A Trustee, committee (including any Local Governing Body), The Chief Executive Officer or any other holder of an executive office to whom a power or function of the Trustees is delegated under Article 105 may further sub-delegate those powers or functions (or any of them) to a further person. Where any power or function of the Trustees is sub-delegated by any person to whom it has been delegated, that person must inform the Trustees as soon as reasonably practicable which powers and functions have been further delegated and to whom, and any such sub-delegation shall be made subject to any conditions the Trustees may impose, and may be revoked or altered.

Where any power or function of the Trustee has been exercised by any committee (including any Local Governing Body), any Trustee, the Chief Executive Officer any other holder of an executive office, or a person to whom a power or function has been sub-delegated under Article 105A, that person or committee shall report to the Trustees in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Trustees immediately following the taking of the action or the making of the decision.

12. COMMITTEES AND WORKING GROUPS

12.1 The Board may establish Sub-Committees of Directors to which it can delegate any part of its responsibilities. It shall approve the appointments to Sub-Committees

(including the appointment of the Sub-Committee Chairman). Such Sub-Committees shall have clear Terms of Reference and these must be agreed by the Board. Any revisions to such Terms of Reference must be approved by the Board.

- 12.2 The Chair has the right to attend every Committee meeting, except the Audit Committee, on an ex-officio basis.
- 12.3 The Directors may attend LGB meetings on an ex-officio basis.
- 12.4 The Board may establish Working Groups for any purpose to investigate and report back on any particular matter. These Working Groups will be advisory in nature only and such groups will normally include both staff and Directors. Although formal Terms of Reference are not required, it is important to have a clear Statement of Purpose and to have agreement with the Working Group on the roles of the Chair and secretary, where appropriate.
- 12.5 The Monitoring – the Board will:
- a) Periodically review these Terms of Reference and make any necessary amendments.
 - b) Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an on-going basis for all members.

The Scheme of Delegation

In this section the phrases used have the following meanings:

Consult:

The individual/group that should be consulted as part of the process of completing a particular task.

Deliver:

The individual/group that has responsibility for undertaking the particular task delegated to them and reporting on its delivery at suitable intervals. In the case of the Executive Headteacher this will be at Trust level. In the case of the Principal/Headteacher this will be at Academy level.

Determine:

The individual/group that has primary responsibility for ensuring the particular task is completed and determining how the Trust and/or Academies (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.

Develop:

The individual/group that has responsibility for developing proposals relating to a task for discussion and approval by the appropriate decision-making individual/group.

Recommend:

The individual/group that should make recommendations as to how a particular task should be completed. In the case of (i) the Executive Headteacher will be making recommendations to the Board and/or LGB (as appropriate), (ii) the LGB they will be making recommendations in relation to their Academy to the Board, Executive Headteacher and/or Principal/Headteacher (as appropriate) and (iii) the Principal/Headteacher they will be making recommendations in relation to their Academy to the Executive Headteacher and/or LGB (as appropriate).

Report:

The individual/group that has responsibility for reporting on the delivery of tasks. In the case of (i) the Executive Headteacher they will be reporting to the Board and/or LGB (as appropriate), (ii) the LGB they will be reporting in relation to their Academy to the Board and/or Executive Headteacher (as appropriate) and (iii) the Principal/Headteacher they will be reporting to their Academy, to the Executive Headteacher and/or LGB (as appropriate).

Review:

The individual/group that has responsibility for reviewing whether a particular task is being carried out satisfactorily and where appropriate requiring action to be taken to ensure task is delivered appropriately. In the case of (i) the Board they will be reviewing the Executive Headteacher and/or LGB (as appropriate), (ii) the Executive Headteacher they will be reviewing the Principal/Headteacher and (iii) the LGB they will be reviewing the Principal/Headteacher and leadership team.

Comply:

The individual/group will follow agreed policies and procedures.

SCHEME OF DELEGATION

STRATEGY & LEADERSHIP	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Set vision and strategic objectives of the Trust & Academies. Determination of the corporate planning and strategy for member academies and the Trust	Review	Determine – for the Trust & Academies	Develop – in the case of the Academies in consultation with LGBs & Headteacher/Principal	Consult	Consult – in the case of their Academy
Deliver strategic objectives of the Trust & Academies		Review	Deliver	Review	Deliver
Scrutiny – review & challenge progress of the Trust against its strategic objectives & Key Performance Indicators (KPI's)	Review	Review – progress of the Trust & Academies	Report Review – reports from the LGBs/Principal/ Headteacher Set KPIS with Headteacher/Prinicpal	Review – progress of the Academy Report – progress to the Executive Headteacher & Board	Report – progress of the Academy to the LGB Set KPIs with Executive Headteacher
Compliance: Funding Agreement – comply with all obligations including the Academies Financial Handbook and Articles		Determine	Deliver	Comply	Comply
Compliance: Regulatory – with all statutory regulations affecting the Trust (including all charity law, company law, employment law and health and safety regulations)		Determine	Deliver Report – to Board	Review	Deliver Report – to LGB & Executive Headteacher
Compliance: Financial Oversight – ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds	Review	<u>Determine</u> – policies to ensure compliance. Review	Deliver Report – to Board	Review	Deliver Report – to LGB & Executive Headteacher

STRATEGY & LEADERSHIP	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Compliance – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions		<u>Determine</u> – policies to ensure compliance		Deliver	
Appointments of Directors and Governors – ensuring processes in place for appointment of directors (including ensuring that the Directors and Governors have the skills to run the Trust and the Academies)	Review	<u>Determine</u> – policies and criteria for the selection of Directors and Governors. Review – the Board’s own performance. Review – performance of the LGBs including power to withdraw delegated powers from the LGB.	Report – to the Board on the performance of the LGBs. Review – annually the size, structure and composition and skills of LGBs. Recommend – if appropriate changes to the size and composition of the LGBs.	Review – procedures for the election of staff and parent governors of the LGB. Review – own performance.	
Appointment of the Responsible Officer/Accounting Officer/Audit Committee/Company Secretary	Review	Deliver – appoint Responsible Officer/Accounting Officer, the Audit Committee and Company Secretary	Deliver – the Responsible Officer/Accounting Officer role		
Appointment of Clerk – Board and LGBs		Deliver – appoint the clerk to the Members, Board & LGBs		Consult – in connection with the appointment of the LGB clerk	

STRATEGY & LEADERSHIP	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Policies – review and approval of Trust wide Policies (including admissions, charging and remissions policies, health & safety and safeguarding, etc)		Determine	Review and Develop – presenting policies to the Board for approval. Report – material non-compliance to the Board	Review – all policies approved by the Board and Academy specific policies. Deliver	Deliver – presenting Academy specific policies for approval by the LGB Report – non compliance to the LGB and the Executive Headteacher
Prepare terms of reference for Members, Directors, LGB's and Committees		Deliver Determine Review	Develop		
Training programme for directors and governors		Deliver Develop		Deliver	

EDUCATION AND CURRICULUM	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Academy Improvement Plan – for each Academy in line with strategic aims of the Trust		Determine – the Trust Improvement Plan and in consultation with the appropriate LGB the improvement plans for member Academies	Deliver – drafting and agreeing the Trust Improvement Plan	Develop and recommend – Academy Improvement Plan to the Board	Work with the CEO/EHT in producing the Academy Improvement Plan Review – the Academy Improvement Plan
Key Performance Indicators – setting and reviewing performance of the Trust & the Academies		Determine – Trust wide KPIs. Review – performance against KPIs of each academy. Receive reports from the LGBs. Annual target setting for the Trust. Determination of the educational targets of each member academy.	Consult – with the LGBs and propose KPIs to the Board Receive reports – from the LGBs and report performance of the LGBs against KPIs Oversight of performance, standards and outcomes on a Trust and member academy basis	Determine – targets for performance of the Academy to the Executive Headteacher. Review – performance of the Academy and report to the Executive Headteacher Deliver – holding leadership to account for delivery against KPIs Put in place support and intervention strategies for the Academy	Deliver – performance of the Academy against KPIs Report – performance of the Academy to LGB

EDUCATION AND CURRICULUM	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Quality of Teaching – ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes		Review – the work of the Executive Headteacher	Deliver – supporting the Academies and intervene where appropriate	Determine– at the Academy	Review – management of staff to ensure teaching and learning objectives are met Report – strengths and concerns in the quality of teaching to LGB
Curriculum – setting the curriculum for the Academies and reviewing its effectiveness		Review – curriculum and standards. Review – effectiveness of the curriculum across Trust.	Recommend	Determine Deliver Setting and reviewing the curriculum standards to be achieved by the Academy	Deliver Recommend
Pupil Premium – reviewing and challenging the value for money / ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap		Review	Report – to Board effectiveness of use of the Pupil Premium across Trust	Determine & Review – how Pupil Premium is spent at the Academy	Deliver Report – on effectiveness of use of the Pupil Premium
Set admissions policy		Determine	Develop		
Admission decisions		Review	Review	Deliver	Consult Deliver
Collective worship arrangements for schools, without religious character				Determine	Deliver

EDUCATION AND CURRICULUM	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Student issues (including attendance, exclusions, punctuality, disciplinary, safeguarding and Child Protection matters for each Academy)		Review	Review delivery	Deliver Receiving reports from the Principal/ Headteacher Report any material issues to the Board and the Executive Headteacher	Deliver – ensuring student issues are dealt with in accordance with Trust and Academy Policies Report – to the LGB on any material issues
Academy Hours – setting the opening and closing times for the Academies		Determine – in consultation with LGBs	Review	Consult – with the Board	Comply
Term Dates and length of school day		Determine – in consultation with LGBs	Review	Consult – with the Board	Comply
School lunch – ensure provided to appropriate nutritional standards				Determine	Deliver
Provision of free school meals to those meeting criteria				Determine	Deliver

FINANCIAL	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER / PRINCIPAL
Funding Model – establishing a funding model across the Trust and develop an individual funding model for the Academies so as to secure the Trust’s financial health in the short and long term		Determine	Recommend a funding model to the Board for approval Review	Consult – with the Board. Review – compliance with the overall financial plan for the Academy.	Deliver
Trust Annual Budget – formulating and setting the Trust wide budget	Review	Determine	Deliver – on preparation of Trust budget and present to the Board for approval. Review – submission of Trust budget to the EFA.		
Academy Annual Budgets – formulating and determining the proportion of the overall budget to be delegated to each Academy (including uses of contingency funds/balances)		Determine	Deliver – on preparation of Academy budgets in consultation and present to the Board for approval. Review – submission of Academy budgets to the EFA. Where there are financial concerns with an individual Academy, that Academy’s budget will be set by the Trust.	Consult – with Executive Headteacher in respect of the Academy’s requirements. Comply	Deliver Comply
Expenditure and ensuring delivery of Annual Budgets		Review	Report – to the board any material issues with delivery against the Annual Budget by the Academies. Receive reports – on matters of concern in connection with compliance with the Annual Budgets. Where	Review. Report – to the Executive Headteacher issues with expenditure or compliance with the Annual Budgets by the	Report – to the LGB any need for any matters of concern in respect of the Academy’s annual budget.

			there are concerns over the budget or any individual Academy, additional monitoring will take place at Trust level.	Academy.	
Reporting: financial reporting	Review	Determine	Deliver	Review	Deliver

FINANCIAL	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Delegated Budgets and Finances – in the form of a scheme of delegation of financial authority to the Academies		Determine	Deliver – on recommending financial limits to the Board. Review – effectiveness of limits	Review Deliver Comply – adherence to limits	Comply – adherence to limits
Financial Policies – establishing of policies and procedures to ensure compliance with the Trust’s financial and reporting requirements to EFA, and value for money/Best Value. Also Statutory financial requirement.		<u>Determine</u>	Review – compliance with policies Report – any issues or non-compliance to the Board	Review delivery – compliance with policies Report – any issues or non-compliance to the CEO/EHT	Deliver – compliance with finance policies
Approving annual accounts	Review Annual General Meeting	Approve	Deliver – arrange for auditing and filing of annual report and accounts	Comply – by keeping proper records in respect of the Academy and providing such information to assist the Trust in preparation of the Annual Accounts	Deliver
Corporate Risk Register		Review delivery Determine	Deliver – management of corporate risk register	Review – Academy risk register	Deliver – management of Academy risk register
Investments – agreeing the investment policy in line with the Academies Financial Handbook and any internal policies and controls		Determine and review delivery	Deliver		

HR AND OPERATIONS	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Appointing the CEO/Executive Headteacher	Review	Appoint			
Appointing the Headteachers at each Academy		Appoint – in consultation with the Executive Headteacher/LGBs	Recommend – sit on appointment panel along with representatives of the relevant LGB/Board	Recommend – representatives to sit on the appointment panel with the Executive Headteacher	
Appointing of cross Trust Staff (in line with recruitment policy)		Review	Appoint and report to the Board	Recommend	Recommend to EHT
Appointing Academy Staff		Review	Appoint in consultation with LGBs and Headteacher/Principal	Appoint in consultation and agreement with the EHT and Headteacher/Principal	Recommend and appoint
Establishing Trust wide HR Policies (including recruitment, pay, performance management, discipline, capability, grievance and absence policies) in accordance with all appropriate regulations		<u>Determine</u> Review	Develop	Review	Comply

HR AND OPERATIONS	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Setting Appraisal Performance Management Policy together with pay reviews (in line with the Trust's pay policy and all statutory regulations)		Determine – in respect of Executive Headteacher. Receive reports – in respect of appraisal arrangements and outcomes. Review – any appeals in respect of the Headteachers and cross academy staff.	Determine, deliver and assure – in respect of Headteacher/Principal and cross Trust staff and any appeals from Academy staff. Review and Report (annually) to the Board on appraisal arrangements and outcomes. In consultation with LGBs.	Assure – in respect of performance management of Headteacher/Principal in consultation with EHT. Review – any appeals respect of all other staff	Review and Deliver – in respect of all other staff. Report – annually to the Executive Headteacher on appraisal arrangements and outcomes
Setting Terms and Conditions of Employment and Staff Handbook		<u>Determine</u> (consider any proposals by LGBs to make amendments)	Recommend	Consult – report to Board on any suggested changes to the Academy's terms and conditions	Comply
Put in place procedures for the professional development of all staff		Review		Determine	Deliver
Dismissing CEO/EHT, Principals, senior cross Trust staff (in accordance with the Trust disciplinary and capability policies)	Review – in respect of EHT	Determine – in respect of Executive Headteacher and Headteachers/Principal.	Review – in respect of Headteachers, cross academy staff and senior leadership teams of the Academies. Report – any dismissals to the Board	Review and Recommend – in respect of the Headteacher of the Academy	

HR AND OPERATIONS	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Dismissing all other staff (in accordance with the Trust disciplinary and capability policies)			Determine Report – to the Board	Review (in consultation with the Executive Headteacher and Academy Headteacher). Report – to the Executive Headteacher	Review Deliver
Reviewing discipline and grievance policy		Review delivery Determine	Recommend	Review – in line with Trust policy	Recommend
Setting trust wide procurement policies (for suppliers including auditors, HR and payroll providers and solicitors) in accordance with the Funding Agreement, Academies Financial Handbook and the Trust’s procurement policy		Determine	Deliver	Comply	Comply
Setting academy specific procurement policies – in accordance with the Funding Agreement, Academies Financial Handbook and the Trust’s procurement policy		Determine	Review	Deliver – in accordance with Trust policy	Recommend

HR AND OPERATIONS	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Determining and allocating central services provided to the Academies by the Trust		Determine	Deliver – on recommending the allocation of services to the Board	Consult	Consult Review
Overseeing the effectiveness of services provided centrally by the Trust		Review	Deliver and report to Board	Report – to the Board	Recommend
Asset and Premises Maintenance Strategy – determining use of Academies’ premises and ensuring premises are adequately maintained Establish an estates management strategy and capital investment programme		Determine – Trust wide policy	Recommend	Recommend and Deliver – academy plan in accordance with Trust policy. Review delivery of academy plan in respect of repairs and maintenance and health and safety (ensure safety of use of academy facilities)	Deliver – in accordance with Academy policy
Acquiring and disposing of Trust land	Review	Determine and Deliver	Recommend		
Changing use of Assets		Deliver and Determine	Recommend	Recommend to the Board of any changes to fixed assets used by the Academy	
Arranging insurance for the Trust		Determine	Deliver		

HR AND OPERATIONS	MEMBERS	DIRECTORS	CEO/EXECUTIVE HEADTEACHER	LGB	HEADTEACHER/ PRINCIPAL
Media and PR – overseeing public relations activities to project the activities of the Trust and the Academies to the wider community		Review	Deliver – Trust wide activities	Comply	Comply
Academy Prospectus and website		Review	Review	Review	Deliver
Trust Prospectus and website	Review	Review	Deliver		

Scheme of Delegation for Sponsored Academies in the Trust

1. Budgets and Finance

The Trust shall appoint the Responsible Officer/Accounting Officer.

1.1 Procurement of Essential Services

1.1.2 Central Essential Services

The Trust shall determine, having regard to but not being bound by the views and recommendations of the LGB, the scope of mandatory core services to be procured and delivered by the Academy on behalf of its academies and shall deliver those services ensuring that they represent good value for money.

1.1.3 Non-Central Essential Services

The Trust shall also determine those essential services which must be procured by each Academy. The LGB shall ensure that such services are procured ensuring that they represent value for money.

1.2 Budget and Budget Plan

1.2.1 The Trust shall determine the proportion of the overall Academy budget to be retained for Central Services and shall inform the LGB of the balance (“the Budget”).

1.2.2 The LGB shall develop the individual Academy plan for spending the budget (“the Budget Plan”) in accordance with the Academies Financial Handbook and School Improvement Plan and shall present the proposed Budget Plan to the Trust for approval.

The Trust shall approve the Budget Plan provided that:

- it is consistent with the Academies Financial Handbook;
- it is consistent with the Ethos of the Trust and the Academy;
- it is consistent with all policies published by the Trust and the School Improvement Plan; and,
- it represents what the Trust considers to be the most appropriate allocation of resources consistent with the Improvement Plan for the Academy.

1.3 Financial Monitoring

The LGB shall:

- monitor monthly expenditure of the Academy against the approved Budget Plan;

- approve any virements between Budget Plan headings (provided that these are within the overall Budget);
- enter into contracts within the financial limits published by the Trust from time to time, Wigston Academies Trust, Financial Scheme of Delegation and Wigston Academies Trust Financial Procedure and within the Budget Plan;
- observe the policy on charging and remissions published by the Trust from time to time (Wigston Academies Trust Charging and Remissions Policy);
- not agreed to any expenditure outside of the approved Budget Plan without the approval of the Trust;
- report on the financial position of the Academy to the Trust within two weeks of each LGB meeting in the format required by the Trust.

2. **Staffing**

2.1 **Appointments**

The Trust shall appoint the Headteacher/Principal and the Deputy Headteacher/Principal(s) of the Academy having regard to representations of the LGB who shall be invited to appoint two of their members to sit on any appointment panel.

The LGB shall appoint other staff to the Academy in consultation and agreement with the Executive Headteacher and Headteacher/Principal (in accordance with the HR policies published by the Trust).

2.2 **Performance Review; Pay Discretions and other HR matters**

The performance review of the Headteacher/Principal shall be conducted by the Executive Headteacher, Chair of the LGB, a Director of the Trust and an External Advisor and in accordance with the Trust's Performance review Policy.

2.3 **Performance review – other staff**

The LGB shall ensure that the performance review of all other staff is conducted in accordance with the Trust's Performance Review Policy.

2.4 **Pay Discretions**

The LGB may, in line with the Trust Pay Policy and the Budget Plan, and with any written recommendations from the Performance Review procedure, recommend discretionary pay awards or discretions for the Headteacher/Principal and to staff to the Trust who will consider, but not be bound by, such recommendation.

2.5 **Disciplinary and Capability Procedures**

The LGB shall undertake any capability or disciplinary procedure in accordance with the Trust's policies.

2.6 **Determining Dismissal Payments**

In the event that a staff member is dismissed no payment in respect of that dismissal shall be made without the consent of the Trust Directors.

2.7 **Considering Requests for Early Retirement or Flexible Working**

The LGB shall consider any requests for Early Retirement or Flexible Working but will seek agreement in that respect from the EHT and Trust Directors.

3. **Standards, Curriculum and Target Setting**

The LGB shall determine the curriculum of the Academy in line with the Trust's Curriculum Policy and shall set targets for each pupil of the Academy.

The LGB shall refer proposed targets to the Trust for approval.

4. **Admissions, Structure and Opening Times**

Admissions

The LGB shall ensure that the Admissions policy for the Academy is consistent with the Admissions Policy of the Trust and that it is published on the Academy website.

Decisions on admissions shall be made by the Directors of the Trust in line with the Admissions Policies and procedures mentioned above.

Appeals shall be considered by the Trust taking into account, but not being bound by, any representations from the LGB.

5. **Structure**

The LGB shall refer to the Trust any proposal to alter:

- Opening Times;
- Extended School Provision;
- Setting Term times and Inset Days;

prior to implementation of, or consultation on such change, and shall not make or consult upon any such change without the prior consent of the Trust.

The Trust will consider such consent having regard to but not being bound by representations from the LGB.

6. **Safeguarding**

The LGB shall ensure that the academy has a Designated Officer. The LGB shall also ensure that the names and contact details of the Designated Officer are sent to the Trust so that contact details may be published on the MAT website.

The LGB shall appoint a member with specific responsibility for safeguarding and make contact details for that member available on the Academy website. The LGB shall also inform the Trust of the name and contact details of that responsible LGB member for publication on the Trust's website.

7. **Premises and Insurance**

The Trust shall effect an insurance policy for buildings, public liability, business interruption and officer's liability in accordance with the Articles.

The LGB shall develop and implement a strategy for the maintenance and development of the school site and buildings in agreement with the Trust.

8. **Health and Safety**

The LGB shall ensure that the Academy implements and complies with the Health and Safety policy published by the Trust.

Delegated Duty	Value	Delegated Authority – Approval Required From	Comment
Ordering goods and services and authorising invoices (including advertising of tenders and award of contracts)	Up to £6,500	Budget Holder (e.g. Head of Department) & Finance/Business Manager	Item must be within approved budget levels. Use of authorised supplier required. Minimum of two quotations or price lists.
	£6,500 - £25,000	As above plus Principal/Headteacher/Co-Headteacher/Chief Operating Officer/Director of Finance Plus Chief Executive Officer or Director of Finance	Item must be within approved budget levels. Minimum of three written quotations required.
	£25,000 - £100,000	As above plus Executive Headteacher	Items must be within approved budget levels. Orders over £25,000 require formal tendering arrangements.
	£100,000 – EU Threshold	Executive Headteacher, Academy Principal/Headteacher/Co-Headteacher, Budget Holder and Chief Operating Officer WAT Directors (2 signatures)	Item must be within approved budget levels. Orders over £25,000 require formal tendering arrangements.
	Greater than EU Threshold	WAT Board (2 signatures) and Executive Headteacher and Chief Operating Officer EU Procurement Directives apply (supplies and services <u>or</u> works) and open, restricted or negotiated processes are followed	Item must be within approved budget levels.
	Authority to accept other than lowest quotation or tender	Approval required in accordance with the delegated authority set out above	
Maintaining Asset register of all high or value attractive movable items of equipment.	£250	IT and Estates Manager to oversee maintenance of register. Register to be test checked by Chief Operating Officer/Finance Director for accuracy	Report to Directors any discrepancies and significant disposal of assets.

Delegated Duty	Value	Delegated Authority – Approval Required From	Comment
Authorising monthly salary payments		Academy Principal/Headteacher/Co-Headteacher/Director of Finance (or designated Academy finance representative)	
Delegated Duty	Value	Delegated Authority – Approval Required From	Comment
Signature of Cheques, BACS payment authorisations and other bank transfers	Up to £15,000	Any two signatures in line with the Bank Mandate	
	Any amounts over £15,000	Two signatures in accordance with the Bank Mandate	One signature must be a Director
Delegated Duty	Value	Delegated Authority – Approval Required From	Comment
Signatories for grant claims and DfE returns	Unlimited	Director of Finance and one of the following: <ul style="list-style-type: none"> • Trust Chairman • Executive Headteacher • Director of Finance • Chief Operating Officer • Academy Principal/Headteacher/Co-Headteacher 	Two signatories or as required by the DfE/EFA
Delegated Duty	Value	Delegated Authority – Approval Required From	Comment
Virement of budget provision between budget heads (i.e. no impact on overall budget)	Up to £1,000	Business Manager	Virement within a department at discretion of Finance/Business Manager, Chief Operating Officer in consultation with budget holder. All virement to be reported to LGB/Directors
	£1,000 to £6,000	LGB	
	Over £6,000	Directors	
Sales Invoices		Schools Business Manager or delegated Admin Assistant	All sales invoices must be processed through the FMS
Banking		School Business Manager or delegated Admin Assistant	Cash and cheques should be banked at least weekly