



## **Governance Scheme of Delegation**

Updated May 2022

### *Contents*

3.2 Delegated Decisions List

5.1 Audit and Risk Committee Terms of Reference

5.3 Local Governance Committees Terms of Reference

## **Delegated Decisions List**

Key to the Scheme of Delegation Table

<b>Governance</b>	Trust Board Audit Committee Local Governance Committees (LGCs)
<b>Management</b>	CEO Director of Education Director of Finance Shared Services Team Headteachers

### **Sections list:**

1. Strategic Planning
2. Finance
3. Personnel and Staffing
4. Pupil Outcomes and Curriculum
5. Pupil Attendance, Behaviour and Exclusions
6. Operational Management
7. Governance

<b>Who makes the final decision?</b>	
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ID	Responsibility	Governance		Management
<b>1.</b>	<b>Strategic Planning</b>			
1.1	Agree Trust's vision and aims			
1.2	Agree Trust Improvement Plan			
1.3	Create Trust Improvement Plan			
1.4	Create School Improvement Plans			
1.5	Approve requests for schools to join or leave the Trust			
1.6	Entering into funding agreement			
1.7	Approve the introduction or removal of Nursery / Pre-School provision			
1.8	Approve risk management arrangements			
<b>2.</b>	<b>Finance</b>			
2.1	Approve the Trust's Financial Scheme of Delegation			
2.2	Create Trust and school budget plans			
2.3	Approve annual Trust Budget			
2.4	Approve planned capital expenditure			
2.5	Approve banking arrangements and investments			
<b>3.</b>	<b>Personnel and Staffing</b>			
3.1	Approve pay and conditions and pension arrangements for all staff			
3.2	Appoint and dismiss the CEO			
3.3	Appoint staff			
3.4	Dismiss staff			
3.5	Approval of individual pay recommendations			
3.6	Approve any early retirement / settlement payments / Redundancy			
<b>4.</b>	<b>Pupil Outcomes and Curriculum</b>			
4.1	Approve the Trusts curriculum aims and development plans, including strategies for the disadvantaged			
4.2	Review, analyse, develop School Improvement Plans, with links to educational and financial planning			
4.3	Approve Religious Education / Collective worship / Sex education arrangements			
<b>5.</b>	<b>Pupil Attendance, Behaviour and Exclusions</b>			
5.1	Temporary exclusion of a pupil			
5.2	Permanent exclusion of a pupil			

<b>ID</b>	<b>Responsibility</b>	<b>Governance</b>		<b>Management</b>
5.3	Hear Appeal for permanent exclusions and fixed term exclusions greater than 15 days			
5.4	Set KPI's for pupil attendance - school			
<b>6.</b>	<b>Operational Management</b>			
6.1	Approve the times of the school day			
6.2	Set admission arrangements			
6.3	Agree any changes to PAN for each school			
<b>7.</b>	<b>Governance</b>			
7.1	Recommend any changes to Articles of Association			
7.2	Approve annual report and accounts			
7.3	Approve Governance Scheme of Delegation			
7.4	Agree governance structure for the Trust			
7.5	Approve Terms of Reference and role descriptions for Committees and LGBs			
7.6	Approve governance induction and training programme			
7.7	Approve recruitment, appointment and dismissal procedures for Trustees and Governors			
7.8	Appoint / dismiss the Trust Secretary and LGB Clerks			

# TERMS OF REFERENCE AUDIT and RISK COMMITTEE

March 2022

## CONTENTS

Number	Section	Page
1	Membership	1
2	Meetings	3
3	Delegated Decisions and Responsibilities	4
4	Additional Committee Responsibilities	5

### 1. MEMBERSHIP

#### 1.1 Size

- Minimum of three Trustees

#### 1.2 Appointments

- Chair of the Board in consultation with committee members
- Non-trustees can be members of the committee but must not constitute a majority

#### 1.3 Exclusions

- No employee of the Trust can be a member of this committee but can be invited to attend meetings

#### 1.4 Chair of committee

- To be appointed annually by the Board of Trustees but cannot be the Chair of the Board

### 2. MEETINGS

#### 2.1 Frequency

- Committee will meet at least once per term

#### 2.2 Quorum

- Minimum of two Trustees

#### 2.3 Decision making

- Any decision-making responsibilities delegated by the Board to the committee must be agreed by a majority of Trustees present and recorded as a Delegated Decision in the minutes.
- If there is an equal division of votes the Chair of the meeting has the casting vote.
- A written resolution – sent to all Trustees electronically – is as valid and effective as one passed at a meeting.

#### 2.4 Conflicts of Interest

- Conflicts of interest or loyalty, pecuniary interests and connected persons are defined and explained in the Trust's Conflicts of Interest policy. Trustees and the clerk need to be aware of this policy and apply it as required during every committee meeting.

## 2.5 Minutes of meetings

- Minutes must be taken at every committee meeting.
- In the absence of a clerk then any person attending the meeting can take the minutes with the exception of the CEO and the Trustee chairing the meeting.

## 2.6 Standing items

- Conflicts of interest
- Approve previous minutes
- Review official DfE / ESFA returns
- Internal audit / scrutiny reports
- External assurance reports

## **3. DELEGATED DECISIONS and RESPONSIBILITIES**

### 3.1 Review audit plan

### 3.2 Review draft audited accounts and recommend approval to the Board

### 3.3 Recommend appointment of external auditors to the Members

### 3.4 Report annually on performance of the external auditors

### 3.5 Review annual Resource Management return to DfE

## **4. ADDITIONAL COMMITTEE RESPONSIBILITIES**

### 4.1 Review risk management arrangements across the Trust

### 4.2 Review any area of activity as directed by the Board

### 4.3 Agree annual programme of internal scrutiny based on current risk analysis, agree provider, and monitor progress and outcomes

### 4.4 Review audit management letter

### 4.5 Review official DfE / ESFA returns

### 4.6 Monitor quality of all internal and external audit work

### 4.7 Monitor Health & Safety arrangements across the Trust

## 5. These Terms of Reference will be reviewed annually

# TERMS OF REFERENCE for LOCAL GOVERNANCE COMMITTEES (LGCs)

December 2022

## CONTENTS

Number	Section	Page
1.	Introduction	1
2.	Membership	1
3.	Meetings	3
4.	Responsibilities	4

### 1. INTRODUCTION

Local Governance Committees (LGCs) have been established by the Board of Trustees and are a key component of the governance structure of Crofty Multi-Academy Trust.

They are a committee of the Board of Trustees and they have delegated responsibilities for a single Trust school and its various 'stakeholders' – pupils, parents and staff.

Their main responsibilities are:

- Monitor the progress of every pupil and the school as a whole – but especially those pupils who are disadvantaged in any way
- Monitor the safety and wellbeing of every pupil and member of staff
- Actively engage with pupils, parents and staff to understand their views and experiences of the school / Trust
- Actively contribute to the collective governance of the Trust by attending network groups, participating in training and by reporting any issues and concerns to the Board

**These Terms of Reference can be revised by the Board at any time and will be reviewed annually as part of the Governance Scheme of Delegation.**

## **2. MEMBERSHIP**

### **2.1 Size**

Each LGC should have a minimum membership of 5 governors which must include:

- a. 1 elected Staff Governor
- b. 2 elected Parent Governors

Additional governors can include an additional staff governor, additional parent governors or community (non-parent) governors.

The number of Governors who are currently employed by the Trust must never exceed one third (rounded down) of the total Governors.

### **2.2 Election / Appointment of Governors**

#### *Staff Governors*

The LGC will invite nominations from all staff employed by the school and if there are two or more nominations will hold an election by secret ballot.

The preference is to encourage staff governor nominations from outside of SLT.

#### *Parent Governors*

Two Parent Governors must be elected. Nominees must be the parent of or have parental responsibility for a child at the school at the time the role becomes vacant.

If the LGC cannot find a parent to nominate they should seek to appoint a parent from another school in the Trust, or if this is not possible then any parent of a child of school age.

#### *Additional Parent Governors / Community Governors*

Both categories are to be appointed in line with current Trust governor appointment procedures.

Community Governors can be an employee of the Trust.

### **2.3 Term of office**

The term of office for any Governor is 4 years.

- When the term of office for Staff Governors and elected Parent Governors comes to an end then a new election must take place.
- The LGC can choose to re-appoint Community Governors.
- Parent Governors who were appointed may also be re-appointed – *providing* there are two elected Parent Governors within the current membership.
- A Parent Governor can continue their term of office if their child ceases to be a pupil at the school.

### **2.4 Resignation and removal**

A Governor serving on the LGC will cease to hold office if:

- a) they resign their office by giving notice in writing to the Governance Professional of the LGC
- b) a Staff Governor ceases to work at the school
- c) the Board terminates the appointment of a Governor whose presence or conduct is deemed by the Trustees, at their sole discretion, not to be in the best interests of the Trust or the school.
- d) the LGC decides that the governor is not able to make the required contribution to the effective local governance of the school (*for example – limited attendance at meetings over a*

*period covering several terms and with no reasons offered*). Any such decision should be voted on at a quorate LGC meeting and the Trust Secretary informed in advance.

## **2.5 Disqualification of Governors of the LGC**

A Governor is disqualified from serving on the LGC if they would not be able to serve as a Trustee in accordance with the Trust's Articles 68-80.

## **2.6 Appointment and removal of Chair and Vice Chair**

The Chair and Vice Chair of the LGC are elected by the LGC in line with current Trust governor appointment procedures. Employees of the Trust are not eligible to be elected as Chair.

- The term of office of the Chair and Vice Chair is two years (*elections should ideally be held during the summer term of the second year in office*).
- The Chair and Vice Chair may resign from office at any time by giving notice in writing to the Trust Secretary.
- The Chair or Vice Chair will cease to hold office if:
  - they are no longer a Governor
  - become an employee of the Trust
  - in the case of the Vice Chair, they are appointed to become Chair
- The Trustees may remove the Chair or Vice Chair from office at any time.
- When the Chair is absent from any meeting or the office is vacant the Vice Chair will act as the chair for the meeting or until a new Chair is appointed.

## **2.7 Exclusions**

- a. No Shared Services team members can be a Governor of any Trust LGC.
- b. The Headteacher.

# **3. MEETINGS**

## **3.1 Frequency**

LGCs should meet every half term.

## **3.2 Quorum**

The quorum for a meeting is any three Governors or, where greater, one third of the total number of Governors in post.

Non-employees of the Trust must represent the majority of Governors present and the Chair or Vice Chair must also be present.

A non-quorate meeting can be held for the purposes of sharing information or discussing governance matters but no formal decision / vote can be taken.

## **3.3 Voting**

Should the LGC be required to vote on a decision then If there is an equal division of votes the Chair of the meeting has the casting vote.



### **3.4 Conflicts of Interest**

Conflicts of interest or loyalty, pecuniary interests and related parties are defined and explained in the Trust's Conflicts of Interest policy. The Governance Professional and Governors need to be aware of this policy and apply it as required during every LGC meeting.

### **3.5 Minutes of meetings**

Minutes must be taken at every LGC meeting using the Trust template. In the absence of a Governance Professional then any person attending the meeting can take the minutes with the exception of the Headteacher and the Governor chairing the meeting.

## **4. RESPONSIBILITIES**

*This list is based on the current Governance Scheme of Delegation (October 2022) and is subject to regular review and updating by the Board.*

### **4A – Priority Monitoring areas**

- 4.1 Safeguarding
- 4.2 Attendance and exclusions
- 4.3 Curriculum and pupil outcomes
- 4.4 Provision for SEND / PP
- 4.5 Staff development / welfare
- 4.6 Parental engagement

### **4B – Additional responsibilities**

- 4.7 Contribute to Headteacher performance management
- 4.8 Monitor parental complaints
- 4.9 Contribute members to panels (*eg. exclusions, complaints*)
- 4.10 Agree permanent exclusion of pupil
- 4.11 Monitor compliancy of school website
- 4.12 Monitor Health & Safety compliance KPIs

### **4C – Trust Governance responsibilities**

- 4.13 Report to the Board
- 4.14 Actively contribute to collective governance of the Trust
- 4.15 Participate in training and development
- 4.16 Self-evaluate effectiveness (*eg skills audits*)
- 4.17 Recruit and remove governors
- 4.18 Elect Chair / Vice Chair
- 4.19 Maintain and publish statutory governance information