Governance Scheme of Delegation

July 2023

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Delegated Decisions List

Key to the Scheme of Delegation Table

Governance	Trust Board Finance, Audit and Risk Committee (FAR) School Improvement and Governance Committee (SIG) Local Governance Committees (LGCs)
Management	CEO Director of Education (DoE) Chief Finance and Operations Officer (CFOO) 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

Who makes the final decision?	

ID	Responsibility	Governance		Management
1	**Strategic Planning**			
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 and Strategies			
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			
2	**Finance**			
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			
2.6	Approve internal audit programme			
3	**Personnel and Staffing**			
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 / redundancies			
4	**Pupil Outcomes and Curriculum**			
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			
5	**Pupil Attendance, Behaviour and Exclusions**			
5.1	Temporary exclusion of a pupil			
5.2	Permanent exclusion of a pupil			

ID	Responsibility	Governance		Management
5.3	Hear Appeal for permanent exclusions and fixed term exclusions greater than 15 days			
5.4	Set KPI's for pupil attendance - school			
6	**Operational Management**			
6.1	Approve the times of the school day			
6.2	Set admission arrangements			
6.3	Agree any changes to PAN for each school			
7	**Governance**			
7.1	Approve any changes to the 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 LGCs			
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 LGC Governance Professionals			

5.1 FINANCE, AUDIT and RISK COMMITTEE (FAR) TERMS OF REFERENCE

July 2023

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Purpose of the Committee

To advise the Trust on all matters relating to financial management, audit procedures, compliance and risk management and to make delegated decisions when required.

1. MEMBERSHIP

1.1 Size

- Minimum of four 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

- A Trustee 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 six times per year
- Additional meetings may be arranged to make urgent decisions

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.
- Urgent decisions can be taken by the Chair of the committee in consultation with the Chair of the Board. Available information to be shared with committee via email and final decision reported at the next committee meeting.
- If there is an equal division of votes the Chair of the meeting has the casting vote.
- A written resolution – sent to committee members 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 governance professional 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 governance professional 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
- Budget monitoring
- Internal audit / scrutiny reports
- External assurance reports
- Investment update
- Tendering approval
- Policy reviews

3. DELEGATED DECISIONS and RESPONSIBILITIES

Finance

3.1 Recommend draft budget to Board
3.2 Investment strategy and deposits
3.3 Approve capital expenditure to agreed levels of expenditure
3.4 Award contracts following formal procurement
3.5 Approve whole Trust pay awards
3.6 Approve Redundancy settlements
3.7 Review annual Resource Management return to DfE

Audit

3.8 Review draft audited accounts and recommend approval to the Board
3.9 Review audit plan
3.10 Report annually on performance of the external auditors
3.11 Recommend appointment of external auditors to the Members

4. ADDITIONAL COMMITTEE RESPONSIBILITIES

Finance

4.1 Budget monitoring
4.2 Financial processes and systems
4.3 Monitor capital programme and estates
4.4 Monitor staffing structure and benchmark staffing costs

Audit

4.5 Review audit management letter
4.6 Monitor quality of all internal and external audit work
4.7 Agree annual programme of internal scrutiny based on current risk analysis, agree provider, and monitor progress and outcomes

Risk / Compliance

4.8 Review risk management arrangements across the Trust
4.9 Reviewing / updating risk register *(under discussion)*
4.10 Monitor Health & Safety arrangements across the Trust
4.11 Monitor compliance of agreed areas of operations (*see section 5*)
4.12 Review official DfE / ESFA returns

General

4.13 Review any area of activity as directed by the Board

5. POLICY & COMPLIANCE RESPONSIBILITIES

Policy list – TBC

Compliance:

- GDPR / Data Protection
- Complaints procedures

6. REPORTING REQUIREMENTS

- Minutes and selected papers sent to next full Board meeting
- Committee Chair reports verbally to next full Board meeting on key points
- Delegated Decisions are clearly identified in committee minutes
- Urgent decision outcomes and associated paperwork shared with committee via email

These Terms of Reference will be reviewed annually.

5.2 SCHOOL IMPROVEMENT and GOVERNANCE COMMITTEE (SIG) TERMS OF REFERENCE

July 2023

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Purpose of the Committee

To advise the trust on matters relating to the Trust's:

- Curriculum and quality of teaching and learning
- Pupil's behaviour, welfare and outcomes
- School improvement strategies, plans and processes
- Stakeholder engagement and the effectiveness of local governance

1. MEMBERSHIP

1.1 Size

- Minimum of four 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

- None

1.4 Chair of committee

- A Trustee 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 six times per year

2.2 Quorum

- Minimum of two Trustees

2.3 Decision making

- If there is an equal division of votes the Chair of the meeting has the casting vote.
- A written resolution – sent to all committee members 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 governance professional 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 governance professional then any person attending the meeting can take the minutes with the exception of the CEO, DoE and the Trustee chairing the meeting.

2.6 Standing items

- Conflicts of interest
- Approve previous minutes
- Director of Education's report
- External reports

3. DELEGATED DECISIONS

None.

4. COMMITTEE RESPONSIBILITIES

To monitor and advise the Trust on the following:

Trust Schools

4.1 Quality of Education (including curriculum intent, implementation and impact).
4.2 Behaviour and Attitudes (including attendance).
4.3 Personal Development (including the effectiveness of transition arrangements).
4.4 Early Years Provision
4.5 Pupil outcomes (with an emphasis on those identified as disadvantaged and/or SEND).
4.6 Leadership and Performance Management
4.7 Recruitment and Retention
4.8 Staff Welfare
4.9 Fulfill role of SEN Lead Trustee

School Improvement Team

4.10 Trust strategies and plans to improve pupil outcomes (with an emphasis on those identified as disadvantaged and/or SEND).
4.11 Trust strategies and plans for talent management (including CPD, recruitment, deployment and the development of leadership).
4.12 Trust compliance with relevant legislation and statutory guidance (including attendance, behaviour, Pupil Premium and SEND).
4.13 Outcomes of internal and external reviews with updates on progress against recommendations (including the School Improvement Risk & Mitigation Framework).

Governance

4.14 Effectiveness of local governance organisation, procedures and performance in meeting delegated responsibilities.

4.15 Local governors have access to information, support and training to meet their delegated responsibilities.

4.16 Stakeholder engagement activity (including recommendations for further action).

4.17 Feedback from and with LGCs

General

4.18 Any area of activity as directed by the Board.

5. POLICY RESPONSIBILITIES

Policy list – TBC

6. REPORTING REQUIREMENTS

- Minutes and selected papers sent to next full Board meeting
- Committee Chair reports verbally to next full Board meeting on key points

These Terms of Reference will be reviewed annually.

5.4 LOCAL GOVERNANCE COMMITTEES (LGCs) TERMS OF REFERENCE

December 2022

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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.

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.

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 (July 2023) 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