



# Scheme of Delegation

## **Scheme of Delegation and Terms of Reference**

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## Introduction

This document expresses the role of The Mulberry Schools Trust Board and its scheme of delegated authorities as a set of terms of reference. The Trust Board enacts its role through Trust Board meetings and a range of committees that it has established to ensure that its responsibilities are discharged effectively and efficiently. The terms of reference subsume the legal document called the Scheme of Delegation, which is included alongside the Articles of Association of the Trust at the end.

As a charity and company limited by guarantee, The Mulberry Schools Trust (which is the Academy Trust) operates under a constitution set out in Articles of Association (see Appendix 2) and is governed by a board of directors who are also charity trustees (the “Trustees”). Article 93 of the Trust’s Articles of Association places responsibility for managing the business of The Mulberry Schools Trust on the Trustees and gives them power to exercise all the powers of the Trust. The Trustees are therefore responsible for, and oversee, the management and administration of the Mulberry Schools Trust and the schools run by it.

The Trustees have overall responsibility, ultimate decision making authority and therefore accountability for all the work of the Mulberry Schools Trust. This includes the establishment and running of the Academies. This is largely exercised through strategic planning and the setting of policy. It is managed through business planning, the monitoring of budgets, performance management, the setting of standards, the management of risk and the implementation of quality management processes. The Trustees have the power to direct change where required.

The Trustees are accountable to external government agencies including the Department for Education (“DfE”), the Education Funding Agency (“EFA”) (including any successor bodies) and Ofsted for the quality of the education that they provide and for proper financial controls. They are required to have systems in place through which they can assure themselves of quality, safety and good practice. As an exempt charity, the Mulberry Schools Trust is not registered with the Charity Commission but must nevertheless comply with charity law. The Memorandum of Understanding between the Charity Commission and the DfE can be found here:

[http://forms.charitycommission.gov.uk/media/90060/mou\\_DEF.pdf](http://forms.charitycommission.gov.uk/media/90060/mou_DEF.pdf).

The Trustees have a duty to act in pursuance of the charitable objects of The Mulberry Schools Trust. They have legal duties to The Mulberry Schools Trust

under both company and charity law. The Trustees must ensure that they act and the trust operates within the powers and rules set out in the Articles of Association. The Trustees must also ensure that The Mulberry Schools Trust complies with the EFA's *Academies Financial Handbook*, Part 3 of which sets out in more detail the delegated authorities and the financial freedoms and limits of academy trusts. The Trustees must also have regard to the DfE Governance Handbook (as updated from time to time).

The Trustees will have regard to the interests of all the schools for which the Mulberry Schools Trust is responsible in deciding and implementing any policy or exercising any authority in respect of the schools. Within this framework, (and specifically under Articles 105 – 107 of the Articles of Association) the Trustees have discretion to delegate (including the power to sub-delegate) their powers (but not their legal duties) to the extent that they think fit, to any Trustee, committee (including any local governing body (“LGB”)), the Chief Executive Officer, any Principal or any other holder of an executive office.

The Trustees have determined that they will delegate powers and functions to committees and staff in accordance with the Scheme of Delegation that is described here within the Terms of Reference and represented in the diagram below (which can also be seen in Figure Two of the trustee handbook). This Scheme of Delegation / Terms of Reference should be read in conjunction with the Articles of Association of The Mulberry Schools Trust. If there is any inconsistency between this Scheme of Delegation and the Articles of Association, the Articles of Association will prevail.

The Trustees will have full discretion to resolve any uncertainties in this Scheme of Delegation / Terms of Reference and to rule on procedures.

The Trustees shall review this Scheme of Delegation / Terms of Reference annually.

## The Trust Board Terms of Reference

The Board of The Mulberry Schools Trust is the non-executive body accountable for all aspects of the conduct and performance of the family of schools within the Trust. It is an over-arching, experienced Board of trustees who will hold accountability for standards, finance, performance, strategy and business development for all the schools in the family.

It exercises its responsibilities by employing a CEO and executive team who are responsible for all aspects of the day-to-day management for the Trust and for advising the Board on the overall vision and strategy of the Trust. In addition, the Board retains closer oversight of different aspects of the work of the Trust by appointing a range of committees to take responsibility for specific areas of the work of the Board. The standing committees are:

- A Finance Committee to advise the Trust Board on the financial health of the organisation, to monitor financial performance and the delivery of central services and to recommend to the Board internal and external audit, adoption of the annual statutory accounts and to maintain an oversight of the Trust's risk management. It has strategic oversight of HR policies and staffing matters. The committee oversees and scrutinises health and safety matters for the Trust, assuring the Board of effective measures in all schools. It also receives reports on the estate and assets of schools in the Trust, including ICT and recommends capital development and expenditure on upkeep to the Board.
- A Standards Committee, to monitor, scrutinise and challenge academic standards and quality of educational provision across Trust schools and to support the Local Governing Bodies in performing this function effectively for each of their Schools. This Committee is also responsible for Inclusion, SEN and safeguarding. This committee is also the responsible committee for staff performance management (appraisal) and related pay. These responsibilities are exercised through the pay committee. It also looks at Trust communications, extended learning opportunities and work to sustain effective, parent, university and employer relations as well as partnerships with the Arts, health and other key sectors for The Mulberry Schools Trust.

In addition, there are four further committees, convened as required. The Pay Committee is required to meet once a year to receive recommendations for pay for the Principals and CEO as well as to receive reports on decisions made within LGBs about appraisal, performance and pay progression for other staff within each school.

The Audit Committee is only required once the Trust's income reaches £50 million.

The Appointments Committee will be required when vacancies arise on the Trust Board or the Local Governing Bodies or when the Chairs of the Finance and Standards Committees need to be appointed.

The Pupil Discipline Committee will be required when pupils from schools within the Trust are excluded for more than 15 days or are permanently excluded.

These additional committees will be appointed by the Trust Board and will report directly to it.

The Trust Board oversees and quality assures the work that takes place within its schools through Local Governing Bodies, which take responsibility for individual schools (and in future years small school groups). At present, the Board has established:

- Three Local Governing Bodies (LGBs) – one for Mulberry School for Girls, one for Mulberry Academy Shoreditch and one for Mulberry UTC. These LGBs retain oversight of the performance of each individual school with a specific emphasis on the elements of the performance of the school evaluated by Ofsted, currently: achievement, quality of teaching, behaviour and safety, and leadership and management.

Amongst other things relating to the purpose described above, activities of the Board will include:

- Holding Local Governing Bodies and their senior teams to account for their financial stewardship as set out in the terms of reference of the Finance Committee and specifically including scrutinising and challenging expenditure, budgeting and value for money decisions as well as their upkeep of school premises and assets and their effective management of health and safety. The Board must ensure that requirements such as auditing the accounts and reporting them, ensuring high quality financial returns are made to the EFA, managing risk and auditing financial practice etc. are effectively carried out in Trust schools. The Finance Committee will report regularly to the Board on relevant practice across all schools in the Trust.
- Holding Local Governing Bodies and their senior teams to account for the quality of education provided in their school(s) by scrutinising and challenging all aspects of their work with pupils and families, as set out in the terms of reference of the Standards Committee. The Board must ensure that requirements such as safeguarding children, ensuring high quality provision for pupils with SEND

(special educational needs and disability) and those entitled to the Pupil Premium and statutory curriculum provision etc. are effectively carried out in Trust schools. The Standards Committee will report to the Board on relevant practice across all schools in the Trust.

In addition, the Trust Board will take responsibility for developing a financially viable three year strategy for development. There will be an annual Trust Board Strategic Away Day held in the February for all the Trustees where the plan will be set, monitored and evaluated.

The Trust Board will also take responsibility for the appointment of senior staff to its schools and executive team, specifically:

- The CEO of The Mulberry Schools Trust
- The Principals of each school
- The Vice Principals of each school
- The Executive Team's most senior officers

To make these appointments, a senior-staff appointments committee will be convened as necessary.

### **Membership of the Board**

- Up to ten nominated Trustees of which three will be Company Members
- The CEO of the Trust

### **Meetings**

The Trust Board shall meet four times in in each year – twice in the autumn term and once in the spring and summer term. There will be an early meeting at the beginning of the academic year to receive a report on performance in the summer examinations and to set the budget for the coming financial year based upon the advice received from the Finance committee. Each of the three main meetings will receive a report from the CEO, Director of Finance and Resources, Principals of the Trust schools and each of the committees that has held a meeting since the previous main board meeting.

### **Record of Meetings**

The Chair of the Trust Board, the CEO and the Clerk to the Board shall ensure that an agreed written record is kept of each of their meetings.

### **Decision Making**

A quorum at each meeting shall be the greater of three or one third of Trustees (rounded up) holding office.

Any decision of the Full Board must be by decision of a majority of the members present.

### **Code of Conduct**

Trustees will be expected to comply with and conduct themselves in accordance with the Mulberry Trustees' Code of Conduct (to be found in Appendix 9]). Trustees must also comply with the Scheme of Delegation of the Trust.

Breach of the Code or the Scheme could lead to suspension of a Trustee under Articles 67A – E of the Trust's Articles of Association. The Board has the power to suspend a Trustee where the Trustee has acted in a way that is inconsistent with the professional ethos of the Board of Trustees (which can include failure to undertake training appropriate to the role) and has brought or is likely to bring the Trust, any of its schools or the office of the Trustee, into disrepute.

### **Resignation and Removal**

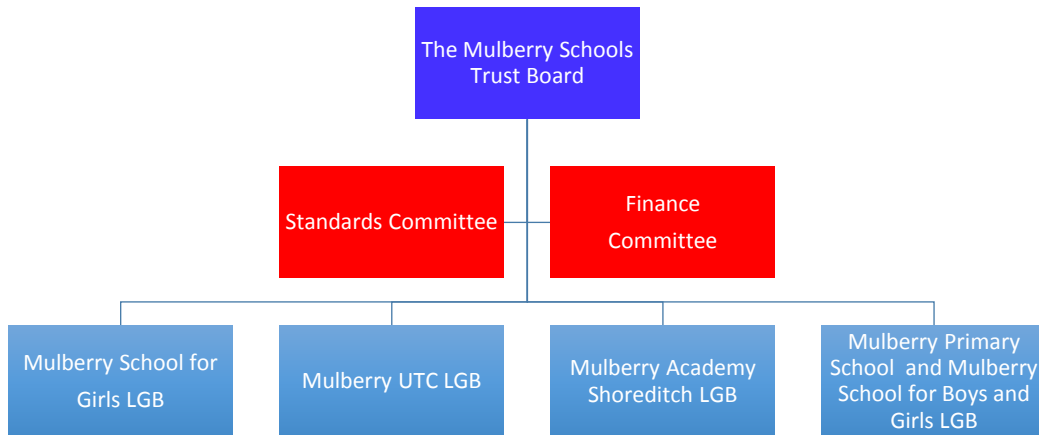
A Trustee shall cease to hold office if:

- s/he resigns as Trustee by notice in writing (which can be by email) to the Clerk but only if at least three Trustees will remain in office; or
- s/he is removed by resolution of the members in accordance with the Companies Act 2006 procedure.



## Disqualification of Trustees

*The rules on disqualification of trustees are set out in Articles 68 – 79 of the Trust's Articles of Association and are not reproduced but can be found in Appendix 2.*



## (C) Committees of the Board

### 1. The Standards Committee Terms of Reference

#### **Purpose of the Committee**

The purpose of this committee is to monitor overall academic standards across the Trust schools and to support the Local Governing Bodies in performing this function effectively for each school. The committee will oversee the curriculum policies of the Trust, standards of education in the schools and the setting of statutory and local targets, to ensure that the Mulberry Schools Trust delivers a high quality education for pupils in keeping with the Trust's aims and legal requirements. The committee is responsible for ensuring implementation of the Trust's Performance Management Policy and staff appraisal. Recommendations on annual performance related pay increases will be presented to the Pay Committee for agreement. Amongst other things relating to the purpose described above, activities of the committee will include:

#### **Responsibility for Standards of Performance**

- Advising the Board on the effectiveness of schools' performance against the Trust's agreed KPIs (Key Performance Indicators) and recommending new KPIs annually.
- Advising the Board on the quality of school SEFs (Self-Evaluation Forms) and recommending any actions.
- Reviewing annually the evaluations of schools in the Trust of their SIPs (School Improvement Plans) against the Trust's three year Strategic Plan and reporting on schools' progress to the Board.
- Ensuring schools' readiness for inspection, reviewing Ofsted inspection reports for schools within the family and recommending action plans to the Board.
- Advising on and recommending to the Board Trust policies for raising standards across the schools as well as the annual self-evaluation cycle for all schools in the family and reviewing termly reports from each school on pupils' progress.
- Keeping strategic oversight of policy change in education and ensuring that Trust policies and practices across the family of schools keep pace with change.
- Reviewing staff appraisal and performance management policy and processes and reporting to the Board annually on quality of provision for staff development across the Trust.

## **Quality of Provision**

- Reviewing, approving and recommending to the Board policy and practice across the Trust relating to learning and teaching and pedagogy.
- Monitoring and reviewing annually the quality of teaching and classroom experience of pupils across all schools in the Trust.
- Establishing and reviewing curriculum provision in all schools belonging to the Trust, recommending to the Board changes where necessary.
- Receiving reports from schools in the Trust on Inclusion, exclusions, use of Pupil Premium and Catch-up funding, attendance, pupils' pastoral care and safeguarding, ensuring that children are safe and that matters relating to Prevent as well as Internet safety are effectively monitored and managed. Making any necessary recommendations to the Board for change.
- Receiving reports from schools in the Trust on provision for pupils with SEN (Special Educational Needs) and disability, reporting to the Board on effectiveness and recommending any actions necessary.
- Receiving reports from schools in the Trust on the quality of sex and relationships education, PSHEE, PE, spiritual, moral social and cultural development and religious education. Making any necessary recommendations to the Board for change.
- Reviewing and reporting to the Board on the quality of post-16 education, making recommendations for development to be considered in the Board's strategic planning for the family of schools.
- Receiving reports annually from schools across the Trust on careers education, work-related learning and destinations for pupils, making recommendations for effective provision.

## **Wider Learning and Partnerships**

- Preparing and reviewing policy documents of the Trust relating to the development of pupils' confidence, aspiration and achievement as well as policies on pupil voice and leadership and extended learning opportunities for pupils.
- Reviewing and agreeing key Trust material relating to communications and marketing, specifically (but not exclusively): Trust and school prospectuses, the Trust website and schools' linked websites, the Trust VLE, the Trust's twitter and Facebook pages together with any linked school social networking, branding and corporate stationery and signage.

- Reviewing and reporting to the Board the work of schools across the Trust relating to parents / carers and effective engagement with families in support of pupils' progress.
- Receiving reports from the Extended Learning team of the Trust on their work relating to all out of hours learning, enrichment, global learning and MUN, outdoor education, pupil voice, women's education and men's education programmes. Making recommendations to the Board for development and ensuring that uptake is effectively monitored across the schools of the Trust through use of The Mulberry Pledge.
- Reviewing and reporting to the Board the work of the Mulberry Arts College and its partnership work.
- Reviewing and reporting to the Board the work of The Mulberry Schools Trust's Teaching School, including ITT, leadership training and 'school to school support' work.
- Reviewing and reporting to the Board the work of the Trust and its schools to develop and sustain employer and university relationships.

#### **Membership**

There shall be between three and seven members of whom the majority shall be Trustees. The membership will be agreed on an annual basis at the first meeting of the Trustees in the school year. The Chief Executive Officer shall be an ex-officio additional member. The Chair (who may not be a person employed by the Academy Trust) shall be appointed by the Board. The Chair's term of office shall be three years.

#### **Meetings**

This committee will meet at least once a term, usually in advance of a main Trust Board meeting, with additional meetings as required. The Clerk shall be appointed by the Board and shall attend and service Committee meetings, including circulating the agenda and papers before each meeting, and preparing the minutes.

#### *Declarations of interest*

Members of the Committee, whether they are Trustees or not, must declare personal and pecuniary interests, loyalties and duties, in the same circumstances as apply to the Board.

#### *Quorum and voting*

It is generally expected and encouraged that decision making by the Committee should be by consensus. However, it is recognised that there will be occasions where a formal

vote is necessary. Members of the Committee shall have one vote each. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of LPA in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

The quorum for each Committee shall be three non-conflicted members of whom all must be Trustees. Voting shall be by majority decision unless the Trustees impose a higher threshold for any matter or on any Committee. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

- i. Meetings will be chaired by the chair of the Committee. In the absence of the chair, the Committee will elect a temporary replacement from among the Governors present at the Committee meeting.
- ii. In the absence of the clerk the Committee will elect a replacement for the meeting.
- iii. The Committee will meet as often as is necessary to fulfil its responsibilities and at least once each term.
- iv. The clerk to the Committee will circulate an agenda for each meeting and papers ideally a week before the sub-committee meeting.
- v. Attendance at each Committee meeting, issues discussed and recommendations for decisions will be recorded. The written record of each meeting will be submitted to the next meeting of the Committee.
- vi. The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Board of Trustees.
- vii. The Committee is authorised to invite attendance at its meetings from persons to assist or advise on a particular matter or range of issues.
- viii. In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the Committee, the Chair of the Board of Trustees, in consultation with the Chief Executive Officer and chair of the Committee, will take appropriate action on behalf of the Committee. The decisions taken and the reasons for urgency will be explained fully at the next meeting of the Committee.

The Committee's chair will meet with the Chair of the Board of Trustees and the Chief Executive Officer at the beginning of each school year to plan the work of the Committee.

Any Trustee may attend any meetings of the Committee by arrangement with the CEO and the Chair of the Board of Trustees.

### **Reporting**

The minutes of every meeting shall be recorded and submitted to the following meeting of the Board of Trustees. They shall also be circulated to the LGBs of The Mulberry Schools Trust.

All expenditure by or on behalf of the Committee or legal commitments of any sort authorised by the Committee shall be recorded and reported promptly to the Trustees.

### **Delegated Authorities**

The Standards Committee does not have its own budget and so any expenditure, including capital expenditure, or legal commitments of any sort may only be made with the prior consent of the Trustees.

## 2. The Finance Committee Terms of Reference

### Purpose of the Committee

The purpose of this committee is to ensure oversight of all of the financial affairs of the Trust, including advising the Trust Board on setting the budget. This committee also examines the longer term financial sustainability of the Trust and its schools, monitoring performance against budget, ensuring an appropriate set of policies and procedures are in place to provide assurance that public funds are being used correctly and good value for money is being achieved. This committee maintains oversight of the Trust's central support services. The committee will also oversee the effectiveness of the Trust's risk management, financial accounting and reporting systems and policies.

This committee is to be notified of all decisions or recommendations by the Trust Board or other Committees which have a budgetary consequence. Amongst other things relating to the purpose described above, activities of the committee will include:

### Finance

- Preparation and review of financial policy documents as required.
- Examining and agreeing on the level of delegation to the schools and their Principals for day-to-day financial management via the financial policies, recommending annually the updated scheme of delegation for the Trust and its schools.
- Deciding and then advising the Board of Trustees on the proportion of the budget to be held centrally by the Trust.
- Maintaining oversight of the effective delivery of the Trust central services.
- Deciding long term financial planning and resourcing across the Trust, ensuring its financial health and long term sustainability.
- Considering and presenting for approval to the Trust Board a 3 year Budget Plan taking account of the Trust Development Plan priorities and, within this framework, present an annual Budget to the Trust Board for approval.
- Monitoring the Trust's annual budget including the budget for each school as well as reviewing reports on financial management, end of year accounts and latest monthly management accounts and termly forecasts.
- Reviewing the efficient allocation of financial resources, reporting regularly to the board on value for money.

- Producing financial statements and reports in accordance with the requirements of the EFA's Academies Financial Handbook and ensuring financial compliance and that the Trust fulfils other regulatory duties.
- Reviewing and approving the Annual Report for the Trust.
- Considering and reviewing decisions relating to the finance systems employed by the Trust, the MIS system, the banking service and the building management system used by the Trust and its schools.
- Establishing, monitoring and reviewing the risk register for the Trust and its schools and to ensure where necessary there is a risk mitigation plan.
- Examining monitoring reports on the income and expenditure of all public funds (i.e. the sources of the Trust's funding) and reporting the financial situation to the Trust Board each term.
- Appointing auditors of the Trust's financial processes on an annual basis, as well as auditors of the Trust's accounts, so that the Trust Board can monitor probity and good practice in financial matters.
- Reviewing and approving the auditor's letter and recommending it to the Board.
- Ensuring that actions required by auditors are implemented effectively and their impact monitored regularly.
- Ensuring adequate financial and asset management systems are in place across the Trust and all its schools.

### **Premises and Estate**

- Deciding on and advising the Trust of priorities, including Health and Safety, for the maintenance and development of all premises belonging to schools in the Trust.
- Receiving and approving a three year strategy and annual improvement plan for the estate together with the budget, before presenting it to the Board.



- Considering and recommending to the Board plans for capital development works.
- Reviewing new builds / refurbishments relating to the new schools.
- Approving plans for the development of ICT services and resources across schools in the Trust.
- Ensuring all LGBs hold and review annually an Accessibility Plan.

### **Staffing and HR**

- Reviewing and approving HR policies on a planned basis taking account of best practice, legal developments and the culture of the Trust. As required, hearing final level appeals about grievances and dismissals, disputes over pay and conditions that have not been resolved at LGB level. Ensuring there is a fair and lawful recruitment process in place throughout the Trust and its schools and that staff within the Trust are treated fairly and have excellent conditions of employment.
- Considering proposals from LGBs and their principals for re-structuring of staff bodies, the creation of new posts within their staffing structure or other expenditure relating to reduction or expansion of staff that falls outside the limits imposed by the scheme of delegation.
- Considering proposals from LGBs and their principals about the development of their schools' staff.
- Determining the terms and conditions for staff in schools transferring into the Trust.

### **Membership**

There shall be between three and seven members of whom all shall be Trustees. Membership will be agreed on an annual basis at the first meeting of the Trustees in the school year. The Chief Executive Officer shall be an ex-officio additional member. The chair (who may not be a person employed by the Academy Trust) shall be appointed by the Board of Trustees. The chair's term of office shall be three years.

### **Meetings**

This committee will meet at least once a term, usually in advance of a main Trust Board meeting, with additional meetings as required. The Clerk shall be appointed by the Board and shall attend and service Committee meetings, including circulating the agenda and papers before each meeting, and preparing the minutes.

#### *Declarations of interest*

Members of the Committee, whether they are Trustees or not, must declare personal and pecuniary interests, loyalties and duties, in the same circumstances as apply to the Board.

#### *Quorum and voting*

It is generally expected and encouraged that decision making by the Committee should be by consensus. However, it is recognised that there will be occasions where a formal vote is necessary. Members of the Committee shall have one vote each. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of LPA in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

The quorum for each Committee shall be three non-conflicted members of whom all must be Trustees. Voting shall be by majority decision unless the Trustees impose a higher threshold for any matter or on any Committee. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

- i. Meetings will be chaired by the chair of the Committee. In the absence of the chair, the Committee will elect a temporary replacement from among the Governors present at the Committee meeting.
- ii. In the absence of the clerk the Committee will elect a replacement for the meeting.
- iii. The Committee will meet as often as is necessary to fulfil its responsibilities and at least once each term.
- iv. The clerk to the Committee will circulate an agenda for each meeting and papers ideally a week before the sub-committee meeting.
- v. Attendance at each Committee meeting, issues discussed and recommendations for decisions will be recorded. The written record of each meeting will be submitted to the next meeting of the Committee.

- vi. The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Board of Trustees.
- vii. The Committee is authorised to invite attendance at its meetings from persons to assist or advise on a particular matter or range of issues.
- viii. In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the Committee, the Chair of the Board of Trustees, in consultation with the Chief Executive Officer and chair of the Committee, will take appropriate action on behalf of the Committee. The decisions taken and the reasons for urgency will be explained fully at the next meeting of the Committee.

The Committee's chair will meet with the Chair of the Board of Trustees and the Chief Executive Officer at the beginning of each school year to plan the work of the Committee.

Any Trustee may attend any meetings of the Committee by arrangement with the CEO and the Chair of the Board of Trustees.

### **Reporting**

The minutes of every meeting shall be recorded and submitted to the following meeting of the Board of Trustees. They shall also be circulated to the LGBs of The Mulberry Schools Trust.

All expenditure by or on behalf of the Committee or legal commitments of any sort authorised by the Committee shall be recorded and reported promptly to the Trustees.

### **Delegated Authorities**

The Finance Committee does not have its own budget and so any expenditure, including capital expenditure, or legal commitments of any sort may only be made with the prior consent of the Trustees. The Finance Committee shall not enter into any borrowing arrangements or operating or finance leases without the prior consent of the Trustees and the EFA.

## **Audit Committee Terms of Reference**

### **Purpose of the Committee**

The purpose of the Audit Committee is to provide assurance over the suitability of, and compliance with, the financial systems, operational controls and risk management of the Trust. The Committee's work must focus on providing assurances to the Trust Board that all risks are being adequately identified and managed with particular regard to reviewing the risks to internal financial control at Trust and academy level. The Committee should be independent and objective and each member should have a good understanding of the objectives and priorities of the Trust. The outcome of the Committee's work will inform the governance statement that accompanies the Trust's annual accounts. In pursuance of this purpose the Committee's activities will include:

### **Responsibilities**

#### *Financial Management and Policies*

- To Keep under review the Trust's financial management and reporting arrangements, providing constructive challenge (where necessary) to the actions and judgements of management in relation to the interim management and financial accounts, statement and reports and the annual accounts and financial statements, prior to submission to the Trust Board, paying particular attention to:
  - (i) Critical accounting policies and practices, and any changes in them;
  - (ii) Decisions requiring a major element of judgement;
  - (iii) The extent to which the financial statements are affected by any unusual or complex transactions in the year and how they are disclosed;
  - (iv) The clarity and transparency of disclosures;
  - (v) Significant adjustments resulting from the external audit;
  - (vi) The going concern assumption;
  - (vii) Compliance with accounting standards;
  - (viii) Compliance with DfE and legal requirements.
- To review the Trust's policy and procedures for handling allegations from whistle-blowers.

- To review the Trust’s policies and procedures for handling allegations of fraud, bribery and corruption.
- To receive reports on the outcome of investigations of suspected or alleged impropriety.
- To review the adequacy of policies for ensuring compliance with relevant regulatory, legal and code of conduct requirements.
- To ensure that any significant losses are investigated and reported to the DfE where required.
- To review the Trust’s risk management policy, strategy, processes and procedures for the identification, assessment, evaluation, management and reporting of risks.
- To review the adequacy and robustness of risk registers.
- To keep under review the adequacy and effectiveness of the Trust’s governance, risk management and internal control arrangements, as well as its arrangements for securing value for money, through reports and assurances received from management, the Responsible Officer, the external auditor and any other relevant independent assurances or reports (e.g. from the National Audit Office).
- To review all risk and control related disclosure statements, in particular the Trust’s annual “Statement on Internal Control”, together with any associated reports and opinions from management, the external auditor and Responsible Officer, prior to endorsement by the Trust Board.
- To review any recommendations made by the Secretary of State for Education for improving the financial management of the Academies.

#### *Internal audit*

- To review the programme and ensure that the function is adequately resourced.
- To review the reports and recommendations, together with the adequacy of management’s response.
- To monitor the implementation of action agreed by management in response to reports from the external and internal auditor.

#### *External Audit*

- To oversee the process for selection of the external auditor and make appropriate recommendations to the Trust Board and members for consideration at the annual

general meeting. *NB Currently, the Finance Committee oversees the appointment of the auditors and so, once the Audit Committee is required, this duty will transfer to the Audit Committee's remit.*

- To consider the appointment of and assess independence of the external auditor, ensuring that key personnel are rotated at appropriate intervals.
- To ensure that any provision of non-audit services does not impair the external auditors' independence or objectivity.
- To discuss with the external auditor the nature and scope of each forthcoming audit and to ensure that the auditor receives the fullest co-operation.
- To review the external auditor's annual management letter and all other reports and recommendations, together with the appropriateness of management's response.
- To review the performance of the external auditor on an annual basis.
- To recommend to the Trust Board the appointment/ re-appointment of the external auditor.
- To review and consider the circumstances surrounding any resignation or dismissal of the external auditor.

### *General*

- To review or investigate any other matters referred to the Committee by the Trust Board.
- To draw any significant recommendations and matters of concern to the attention of the Trust Board.

### **Membership**

The Committee will comprise three Trustees each appointed by the Trust Board. No member shall be an employee of the Trust. When making the appointments the Trust Board shall ensure that the Committee collectively has a good range of skills and experience in relation to governance, risk and control and at least one member of the Committee has recent relevant financial experience to allow them to competently analyse the financial statements and understand good financial management disciplines.

The Trustees will appoint (and may remove) one of the members of the Committee with relevant experience to be chair.

The Committee may co-opt members (who need not be Trustees) for a period of time (not exceeding one year and with the prior approval of the Trustees) to provide specialist skills, knowledge and experience that the Committee needs at any particular time. No more than two members may be co-opted at any one time. Co-opted members must comply with all the qualification, safeguarding and conflict of interest management requirements that are imposed on Trustees.

The Trust Board may at any time remove or replace a Trustee on the Audit Committee.

## **Meetings**

The Committee will meet as often as is necessary to fulfil its responsibilities but at least three times a year.

The Clerk to the Committee shall be appointed by the Board and shall convene, attend and service the meeting including circulating the agenda and papers, preparing the minutes and forwarding any report and recommendations to the Trust Board.

### *Declarations of interest*

Members of the Committee must declare personal and pecuniary interests, loyalties and duties at every meeting.

### *Quorum and voting*

The quorum will be three members. Each member (including any co-opted member) has one vote. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of the Trust in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

Voting shall be by majority decision. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

The conduct of meetings will be as follows:

- Meetings will be chaired by the chair of the Committee.
- In the absence of the clerk the Committee will elect or appoint a replacement clerk for the meeting.
- The clerk to the Committee will circulate an agenda for each meeting and papers ideally a week before the Committee meeting.

- The Committee is authorised to invite attendance at its meetings by any persons to assist or advise on a particular matter or range of issues. It is expected that the CEO and the Accounting Officer will attend meetings and report to the Committee as required by the Committee.
- At every meeting the Committee shall decide whether to sit privately without any non-members present for all or part of the meeting.
- In the event of a need to deal with any urgent matters arising from the meeting or on matters falling within the remit of the Committee, the Chair of the Committee will consult with the chair of the Board of Trustees will take appropriate action and report to the Board on behalf of the Committee.

### *Reporting*

Within 21 days of its meeting the Committee will produce and agree minutes of its meetings and provide a summary report for the Trust Board. The report will identify decisions made, recommendations to and information for the Trust Board and any items for discussion by the Trust Board. Minutes and Committee reports can be agreed by Committee members by email.

The Clerk will forward the Committee reports to the Trust Board in good time for the next Trust Board meeting.

The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Trust Board and for clarifying any questions arising from the business of the Committee meeting.

### **Authority**

The Audit Committee does not have its own budget. It is authorised to:

- carry on any activity authorised by these terms of reference;
- seek any appropriate information that it requires from any officer or employee of the Trust and all officers and employees shall be directed to co-operate with any request made;
- with the prior consent of the Trust Board and at the expense of the Trust, procure specialist advice on an ad hoc basis to support them on particular pieces of business;
- co-opt members as described above.

### **The Pay Committee Terms of Reference**

#### **Purpose of the Committee**



The purpose of the Pay Committee is to oversee the staff appraisal process and the process for determining performance-related pay progression for staff at all the schools of the Trust. The committee will be responsible each year for making recommendations to the Board of Trustees on performance related pay progression for all staff. In making its recommendations the Committee will comply with the Trust's Performance Management, Pay and Appraisal Policies. Any recommendations approved by the Trust Board will be back dated to 1 September of the year in question which is the following academic year after the year during which performance was measured. In pursuance of this purpose the Committee's activities will include:

### **Responsibilities**

- To monitor each year the appraisal process conducted for all staff and to report on its implementation to the Trustees.
- To review the Appraisals Policy and process and to make any recommendations arising from the review to the Trust Board.
- To receive, before October 31 in each school year, from all of the LGBs of the Trust, proposals for performance related pay progression for their respective staff, including Principals.
- To consider the proposals from the LGBs on performance related pay progression and to make recommendations to the Clerk and the Chair of the Board of Trustees at least 10 days prior to the Trust Board meeting in the Autumn term at which the recommendations will be considered. The recommendations will either approve the LGB proposals or will make alternative proposals with explanations.
- To review, before October 31 in each school year, the performance of the members of the Executive team of the Trust including the CEO and their levels of pay. To make recommendations to the Board of Trustees of any performance related pay progression for the individual members of the Executive team including the CEO. The recommendations must be submitted to the Clerk and Chair of the Trust Board at least 10 days before the meeting of the Trustees in the Autumn term at which the recommendations will be considered.
- The Committee shall consult with the Finance Committee prior to finalising any recommendations on pay to the Trustees.

### **Membership**

The Committee will comprise three Trustees appointed by the Trust Board at its first meeting in the school year. No voting member shall be an employee of the Trust. The Trustees will

nominate one of the members to be chair of the Committee. The Trust Board may at any time remove or replace a Trustee on the Pay Committee. The CEO shall attend the meeting of the Pay Committee to give the report on pay and progression and to assist trustees' discussions where required but s/he shall not have the right to vote.

## **Meetings**

The Committee will meet once per year in the Autumn term after October 31 and at least 14 days before the meeting of the Trustees that will consider the pay recommendations for staff.

The Clerk to the Committee shall be appointed by the Board and shall convene, attend and service the meeting including seeking the proposals from the LGBs, circulating the agenda and papers, preparing the minutes and forwarding any recommendations to the Board of Trustees.

### *Declarations of interest*

Members of the Committee must declare personal and pecuniary interests, loyalties and duties at every meeting.

### *Quorum and voting*

The quorum will be three members. Each member has one vote. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of the Trust in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

Voting shall be by majority decision. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

- i. Meetings will be chaired by the chair of the Committee.
- ii. In the absence of the clerk the Committee will elect or appoint a replacement clerk for the meeting.
- iii. The clerk to the Committee will circulate an agenda for each meeting and papers ideally a week before the Committee meeting.
- iv. The Committee is authorised to invite attendance at its meetings by any persons to assist or advise on a particular matter or range of issues.
- v. In the event of a need to deal with any urgent matters arising from the meeting or on matters falling within the remit of the Committee, the Chair of the Committee will consult with the chair of the Board of Trustees will take appropriate action and report to the Board on behalf of the Committee.

### *Reporting*

Attendance, issues discussed and recommendations for decisions will be recorded by the Clerk. The written record of each meeting will be approved by the chair and submitted to the next Trustees meeting.

The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Board of Trustees and for clarifying any questions arising from the business of the Committee meeting.

### *Delegated Authority*

The Pay Committee does not have its own budget or any delegated authority for expenditure or legal commitments.

### *Additional meetings*

If, exceptionally, the Committee determines that it needs to hold additional meetings for the completion of its business, the additional meetings shall be convened and conducted in the manner described above, as applicable.

## **The Appointments Committee Terms of Reference**

### **Purpose of the Committee**

The purpose of the Appointments Committee is to assist the Trust Board and the company members of the Trust with the appointments and selection processes for which they are respectively responsible under the Articles of Association. The Trust Board will convene the Appointments Committee when necessary. The Committee will, when carrying out its tasks, consider the governance needs of the Trust and its schools and will make recommendations to the Trust Board on suitable candidates for the Board of Trustees and the Local Governing Bodies. Members of the Appointments Committee will have been trained in recruitment practice in order to undertake this role. The Appointments Committee brings for approval all recommendations for appointment of Trustees to the company members and all recommendations of appointment of Trustees and members of LGBs to the Trustees. In pursuance of this purpose the Committee's activities will include:

### **Responsibilities**

- To work with the Trust Board to identify the particular skills, knowledge and experience and characteristics needed and to review person specifications and/or office descriptions
- To ensure a diverse range of people are appointed to the Trust Board and its LGBs, taking account of matters of equality and inclusion
- To ensure that where candidates stand for election as parent or staff governors, they satisfy the requirements for skills, knowledge and experience to enable them to serve the Trust effectively – for example, they must be able to read and speak English to a sufficient level to ensure participation
- To oversee communications with prospective candidates, scrutinise suitability against criteria and conduct interviews with candidates where required.
- To liaise with the Trust executive as necessary on succession planning and appropriate recruitment processes.
- To liaise with the Trust executive over consideration of applications and taking up references as appropriate.
- If requested by the Trust Board, to review or oversee the election process for parent or staff governors conducted under the Terms of Reference of the LGBs.

### **Membership**

The Committee will comprise three Trustees (not including the CEO although the CEO will attend) appointed by the Trust Board for such term of office to be decided by the Trust Board. The Board may also co-opt another trustee at times as a member of this committee should particular skills be required.

No member shall be an employee of the Trust other than the CEO who will attend meetings to advise as required but who will not have a vote. The Trustees will nominate one of its members to be chair of the Committee.

### **Meetings**

The Committee will meet when required by the Trust Board. The Clerk to the Committee shall be appointed by the Board and shall convene, attend and service meetings of the Committee, circulating the agenda and papers, preparing the minutes and forwarding any recommendations to the Board of Trustees or company members as applicable.

### *Declarations of interest*

Members of the Committee must declare personal and pecuniary interests, loyalties and duties at every meeting.

### *Quorum and voting*

The quorum will be three members. Each member has one vote. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of the Trust in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

Voting shall be by majority decision. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

- i. Meetings will be chaired by the chair of the Committee.
- ii. In the absence of the clerk the Committee will elect a temporary replacement clerk for the meeting.
- iii. The clerk to the Committee will circulate an agenda for each meeting and papers ideally a week before the Committee meeting.
- iv. The Committee is authorised to invite attendance at its meetings by any persons to assist or advise on a particular matter or range of issues.
- v. In the event of a need to deal with any urgent matters arising from the meeting or on matters falling within the remit of the Committee, the Chair of the Board

of Trustees in consultation with the Chief Executive Officer and chair of the Committee will take appropriate action on behalf of the Board of Trustees or Committee. The action taken and the reasons for urgency it will be explained fully at the next meeting of the Committee (and the Board of trustees if relevant).

### *Reporting*

Attendance, issues discussed and recommendations for decisions will be recorded by the Clerk. The written record of each meeting will be approved by the chair and submitted to the next Trustees meeting.

The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Board of Trustees and for clarifying any questions arising from the business of the meeting.

### *Delegated Authority*

The Appointments Committee does not have its own budget or any delegated authority for expenditure or legal commitments. Any expenditure (on recruitment advertisement for example) should be approved in advance by the Trustees.

## (D) Local Governing Bodies

### 1. General Terms of Reference

#### Introduction

Currently, each school, and the UTC, has an LGB established under Articles 100-106, whose main responsibility is to ensure that standards of attainment and achievement by the students of the school are high and are maintained at the highest possible level. The LGB must account and report to the Board of Trustees of The Mulberry Schools Trust, as required by the Board, on the school's performance. Members of the LGB shall be known as "**Governors**". Governors are not Trustees of The Mulberry Schools Trust unless they also sit on the Trust Board. Each LGB may be (in time) responsible for the governance of two or more schools.

#### Responsibilities

*Core responsibilities of Governors:*

- (a) Ensure that the highest academic standards, quality of curriculum and personal development of pupils are upheld at the school(s)
- (b) Act as a responsible steward of the finances, resources and assets held by the school(s), ensuring best value for money is obtained so that all pupils gain maximum benefit from them
- (c) Review and recommend to the Board for approval school policies (other than those set by the Trustees) and put in place procedures to implement all policies as necessary.

Organise appropriate procedures to elect Parent Governors and Staff Governors when vacancies arise.

Hold at least three LGB meetings per year.

Establish any temporary working groups as deemed appropriate and with the consent of the Trustees.

Suspend a Governor as approved by the Board of Trustees and in accordance with the Code of Conduct

Recommend, for approval by the Trustees, the annual budget plan for each school, for each financial year.

Comply with the financial policies, financial reporting procedures and delegated authorities issued by the Trustees from time to time

Review any sub-delegation arrangements

Oversee Exclusions and Admissions and manage appeals

Implement the Admissions Policy for the school(s)

### *Governance*

To appoint from its number, Local Governors with specific responsibilities for special educational needs, child protection and financial matters and standards.

To establish an Exclusions Committee for reviewing decisions of the Principal in that respect.

To establish an appeals panel in respect of staff redundancies or disciplinaries as required.

### *Staffing*

To support the Principals in the appointment of school staff (subject to the delegated authorities) to ensure that the school is fully staffed.

To ensure The Mulberry Schools Trust's policies on all HR matters are implemented in the school(s).

To monitor the implementation of the Trust's policies at the school(s) for HR matters including the appointment, induction and performance management of staff, pay review process and procedures for dealing with disciplinary matters, grievances and dismissal.

To ensure that the 'single central record' of staff at the school(s) is held correctly and updated for compliance with safeguarding requirements.

To work effectively and constructively with Trade Unions throughout the year as appropriate to ensure that staff well-being is regularly considered.

### *Students*

To ensure the highest possible standards of learning and teaching are upheld for all pupils

To ensure that a rich, balanced and varied curriculum is available to all pupils



To ensure that pupils have access to a range of suitable qualifications that give them access to high quality destinations on leaving the school(s)

To ensure effective arrangements are in place for student support and representation at the school(s).

To ensure the admission arrangements in the school(s) conform to the Admissions Code of practice held by the Trust.

To ensure effective arrangements are in place for student recruitment.

To ensure student attendance and monitoring systems are in place to maintain access to education at all times.

To establish arrangements for reviewing decisions of the Principals regarding exclusions.

To monitor, evaluate and report to the Standards Committee on:

- the impact of the school(s)' behaviour, classroom management, anti-bullying pupil/student welfare and reward policies and procedures and home-school agreements on attendance and behaviour and attainment;
- to check that pupils/students feel safe and secure in the school.

### *Safeguarding*

To review, maintain and implement a safeguarding and child protection policy for the school(s).

To appoint from its number a Local Governor with specific responsibility for safeguarding.

### *Community and parents*

To contribute to the development of the school's(s') prospectus and website content.

To support The Mulberry Schools Trust, the Chief Executive and the Principals and the extended school provision in any school(s).

To ensure systems are in place in line with the Trust's strategy at the school(s) for effective communication with students, parents or carers, staff and the wider community including the establishment and support of a local parent liaison group.

To implement a means whereby the school(s) can receive and react to parental feedback.

To establish and maintain a relationship with the local elected community representatives.

## **Composition**

There shall be 11 Governors, comprising:

- Chair of the LGB
- Co-opted governor Higher Education
- Co-opted governor Finance
- Co-opted governor Community
- Co-opted governor Law
- Co-opted governor HR and Personnel
- Co-opted governor Accountancy
- Staff governor – to be elected
- Parent governor – to be elected
- Parent governor – to be elected
- Principal of the Academy (ex-officio)

## **Appointment**

### *Chair*

The Chair of the LGB shall be appointed by the Board of Trustees. The Chair must be a member and Trustee of The Mulberry Schools Trust.

### *Co-opted Governors*

Co-opted Governors are appointed by the Trustees to ensure that each school has a governing body which is constituted with special skills related to finance, HR, project management, education and premises.

### *Staff Governor*

The LGB shall invite nominations from the staff of the school or, where there is more than one school under the LGB's jurisdiction, of both schools. Where there are any contested posts, the Governors shall hold an election of all staff employed at the relevant schools by secret ballot. Where there is more than one school under the jurisdiction of the LGB, the term of office for a staff governor will be two years rather than four to allow greater opportunity for representation of more than one school in the general governance of the LGB.

### *Parent Governors*

The LGB shall invite parents of registered pupils at the school, or where there is more than one school under the jurisdiction of the LGB, from each respective school to nominate an individual from among their number to be a Parent Governor. Where there is more than one school under the jurisdiction of the LGB, one Parent from each school up to a maximum of two will be elected. Where there are any contested posts, the Governors should hold an election of parents of pupils registered at the relevant schools by secret ballot.

### **Term of office**

The term of office for any Governor shall be four years, but this shall not apply to the Principal. Subject to remaining eligible to be on the LGB, any Governor may be re-appointed or re-elected to the LGB.

### **Resignation and removal**

A Governor shall cease to hold office if s/he resigns as Governor, or, in the case of the Principal teacher or a Staff Governor, resigns in his/her capacity as a member of staff of the school.

A Governor shall also cease to hold office if s/he is removed by the Trustees of The Mulberry Schools Trust.

### **Disqualification**

The rules on who is barred from acting as an LGB Governor must reflect the rules on the disqualification of Trustees as set out in Articles 68 to 74 and Articles 77 to 79 of the Articles of The Mulberry Schools Trust, as follows:

- (a) No person shall be qualified to be an LGB Governor unless s/he is aged 18 or over at the date of his election or appointment. No current pupil or current student of any of the schools shall be an LGB Governor.

- (b) An LGB Governor shall cease to hold office if s/he becomes incapable by reason of illness or injury of managing or administering her/his own affairs.
- (c) An LGB Governor shall cease to hold office if s/he is absent without the permission of the other Governors from all their meetings held within a period of six months and the Governors resolve that her/his office be vacated.
- (d) A person shall be disqualified from holding or continuing to hold office as an LGB Governor if –
  - s/he has been declared bankrupt and/or her/his estate has been seized from her/his possession for the benefit of her/his creditors and the declaration or seizure has not been discharged, annulled or reduced; or
  - s/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 an LGB Governor at any time when s/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).

An LGB Governor shall cease to hold office if s/he would cease to be a trustee by virtue of any provision in the Companies Act 2006, or would be 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).

A person shall be disqualified from holding or continuing to hold office as an LGB Governor if s/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 s/he was responsible or to which s/he was privy, or which s/he by her/his conduct contributed to or facilitated.

A person shall be disqualified from holding or continuing to hold office as an LGB Governor where s/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 school has opened, a person shall be disqualified from holding or continuing to hold office as an LGB Governor 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 Chair 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 an LGB Governor; and s/he is, or is proposed, to become such an LGB Governor, s/he shall upon becoming so disqualified give written notice of that fact to the Clerk.

### **Vice-chair**

The LGB shall appoint from among the Governors a Vice-chair of the LGB at the first meeting of the LGB to serve for a term of three years.

### **Clerk**

The Trustees shall appoint a clerk who shall attend and service LGB meetings.

### **Declarations of interest**

Governors must declare personal and pecuniary interests, loyalties and duties (whether direct or indirect), in the same circumstances as apply to the Trustees of The Mulberry Schools Trust (in accordance with Articles 97 and 98 of the Articles of The Mulberry Schools Trust).

### **Quorum and voting**

It is generally expected and encouraged that decision making by the LGB should be by consensus. However, it is recognised that there will be occasions where a formal vote is necessary. Governors shall have one vote each. This is subject to any Governor having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of The Mulberry Schools Trust in which case the Governor must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

The quorum for each LGB meeting shall be three non-conflicted members provided that Governors who are employees of the school and The Mulberry Schools Trust may not be in the majority. Voting shall be by majority decision. Where necessary, the Chair of Governors may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

## Meetings

- (a) Subject to this Scheme of Delegation, the Governors' and Trustees' Code of Conduct and any direction given by the Trustees, the LGB may regulate its proceedings as the Governors think fit.
- (b) Meetings will be chaired by the Chair of the LGB. In the absence of the Chair from any LGB meeting or if there is at the time a vacancy in the office of Chair, the Vice-chair shall act as the Chair for the purposes of the meeting. In the absence of a Vice-chair, the Governors shall elect a temporary replacement from among the Governors present at the LGB meeting.
- (c) In the absence of the clerk the LGB will appoint a replacement for the meeting.
- (d) The LGB will meet at least once each school term.
- (e) The clerk to the LGB will circulate an agenda for each meeting and papers ideally at least a week before the LGB meeting.
- (f) Attendance at each LGB meeting, issues discussed and recommendations for decisions will be recorded.
- (g) The LGB is authorised to invite attendance at its meetings from any persons to assist or advise on a particular matter or range of issues.
- (h) In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of the LGB, the Chair of the Governors, in consultation with the Principal and the CEO will take appropriate action on behalf of the LGB. The decisions taken and the reasons for urgency will be explained fully at the next meeting of the LGB and will be reported to the Board of Trustees as appropriate.
- (i) On occasion, the LGB may be required to convene a Pupil Discipline Committee to hear representations made by parents / carers in relation to decisions made by the principal to exclude their child. Please see the Exclusions Policy and Guidance for further information regarding the constitution and requirements for such meetings.

## Delegated authorities

The LGB must operate within the financial limits set by the Trustees from time to time and notified in writing to the LGB. Subject to this, the Governors may:

- (a) Approve an increase in direct staff costs within the school budget
- (b) Approve contracts with a maximum value up to £20,000 or 2 year term

- (c) Approve of any capital item up to and including £20,000 within the school overall budget.
- (d) Agree virements of school expenditure up to £20,000

The LGB may not approve any expenditure outside the budget without the prior approval of the Trustees including any unbudgeted permanent school staff recruitment. All proposals for expenditure above these amounts should be considered by the Finance Committee of The Mulberry Schools Trust and presented to the Board for approval / ratification.

## **2. Mulberry UTC**

### **Introduction**

The terms of reference for the LGB of Mulberry UTC will include all of the general terms of reference for LGBs except for composition and appointment which are set out below.

### **Composition**

There shall be 11 Governors, comprising:

- Chair of the LGB Member and Trustee of the Mulberry Schools Trust, Chair of the Governing Body
- University Sponsor – Goldsmith’s University
- Employer Sponsor – BFI (British Film Institute)
- Employer Sponsor – National Theatre
- Employer Sponsor – Bank of America Merrill Lynch
- Employer Sponsor – Barts Health NHS Trust
- Co-opted Governor representing either the university of one of the employers
- Parent Governor – to be elected
- Parent Governor – to be elected
- Staff Governor – to be elected
- Principal of the UTC ex-officio

*Chair*

The Chair of the LGB shall be appointed by the Board of Trustees of The Mulberry Schools Trust. The chair must be a member and Trustee of the Trust.

*Sponsor Governors*

Each of the Sponsors shall be invited by the Trustees of the Mulberry Schools Trust to nominate an individual to be their “University” or “Employer” Sponsor Governor respectively, as applicable. The Board of Trustees shall, in consultation with the Governors, consider each nomination, and if approved, make the appointment and notify the LGB.

*Co-opted Governor*

The Co-opted Governor shall be appointed by The Trustees. The Co-opted Governor shall have some connection with either the University, Employer Sponsors or The Mulberry Schools Trust.

*Staff Governor*

The LGB shall invite nominations from the UTC’s staff and, where there are any contested posts, shall hold an election by secret ballot.

*Parent Governors*

The LGB shall invite parents of registered pupils at the UTC nominations from among their number and where there are any contested posts, should hold an election by secret ballot.



## **(E) Pupil Discipline Committee Terms of Reference**

### **Purpose of the Committee**

The Pupil Discipline Committee is a committee of the Local Governing Body and will meet at the request of the Chair in response to the need to hear cases relating to exclusions.

The purpose of the Pupil Discipline Committee is to hear representations made by parents / carers in relation to decisions made by the headteacher/principal to exclude their child. Only the headteacher/principal under law can exclude pupils and so the Mulberry Schools Trust delegates the authority to hear representations and appeals from parents and carers against the exclusion of their child to the Local Governing Body (LGB) for each school.

### **Responsibilities**

- To carry out the Local Governing Body's responsibilities for reviewing exclusions – including considering the views of the parent/carer of an excluded pupil and deciding whether or not to confirm an exclusion – in line with the DfE and Mulberry Schools Trust guidance. A copy of the guidance is available from the headteacher/principal.
- To consider representations from parents/carers if a pupil excluded from 1-5 school days (in aggregate) in a term and to place a note of the Committee's views on the exclusion on the pupil's record with a copy of the headteacher's exclusion letter, where appropriate.
- To review:
  - (a) all fixed –term exclusions of more than 15 school days (in aggregate) in term, including consideration of the implications of the school of re-integrating pupils excluded for more than 15 school days in a term;
  - (b) all exclusions which would deny a pupil the chance to take public examination or National Curriculum test;
  - (c) all permanent exclusions;

Such reviews will include:

- Considering the case presented by the headteacher/principal or nominated member of the Senior Team;
- Considering the views of parents/carers of excluded pupil;
- Having regard to the DfE, Local Authority (where appropriate) and Mulberry Schools Trust guidance;
- Deciding whether to uphold the exclusion or not where the exclusion is for more than 5 days (in aggregate) in a term or is permanent;

- Ensuring that, (where an exclusion is for 5 days or less) a note of the Committee's views on exclusion is placed on the pupil's record with a copy of the headteacher's exclusion letter, where appropriate.

## Membership

The Committee will comprise three members who should be drawn from governors on the individual school's Local Governing Body and from trustees of the board of the Mulberry Schools Trust. The panel of three governors/trustees should normally consist of at least 2 members of the school's LGB. The panel should be chaired by a governor/trustee who has been trained in exclusion and who has had experience of sitting on such panels before. It is also preferable that both other panel members will have had training and experience in exclusion – although on occasion, this may not be possible.

## Meetings and Process

The Committee will meet when required and must be convened to consider the headteacher's/principal's decision as follows:

- When a pupil has been permanently excluded, excluded for more than 15 days in any one term or will miss a public exam, the Committee must meet within 15 school days
- When a pupil has been excluded for more than 5 days within any one term, the Committee must meet within 50 school days
- The time limits given above should be adhered to, although where they slip, this does not invalidate decisions made in meetings once they are held.

1. The decision by the headteacher/principal to exclude a pupil for up to 5 days in any one term may not be overturned and so this does not fall under the Pupil Discipline Committee's remit. Parents however may make representations to the local governing body about the decision. Governors must consider parents' representations but may not reinstate the pupil. They are not required to meet to consider those representations (although they may do so if they deem it appropriate) but they should investigate the concerns raised, writing formally afterwards to set out a response. Whilst not able to overturn the decision and reinstate the pupil, they may for example examine aspects of policy or practice that could be improved to ameliorate future situations.

2. On rare occasions, if governors decide to meet parents directly, they should form a panel of 3 in the same way as for usual Discipline Committee hearings and hear from both the parents and the headteacher/principal using the same protocol as for a panel meeting, after which they should write formally to set out their response in the same way and place the letter on the child's file.

3. The headteacher/principal should notify the CEO that a Pupil Discipline Panel is being convened and make arrangements with the Director of Governance and Development for a clerk, who is currently provided by Tower Hamlets through a service level agreement. The headteacher/principal should also notify the Chair of the LGB and arrange with her/him the constitution of the panel in accordance with the Trust's policy. The CEO will normally attend the hearing. Parents should also be advised where they can seek support. Usually details of support agencies such as the Parents Advisory Centre will be included in the exclusion letter.

4. Once a date has been agreed, the headteacher/principal should ensure that papers for the hearing are sent to all parties involved in the hearing, including the parents and governors as well as the clerk.

Arrangements for translation for parents must be made if necessary. The pupil's home Local Authority should also be notified if the exclusion is a permanent exclusion.

5. Papers should usually include:

- The exclusion letter and any other letters regarding previous exclusions (including internal and external exclusions)
- The headteacher's/principal's report outlining the reasons why the exclusion under consideration was made, details of the incident and what led to it
- Evidence about the breach of behaviour policy (and any other relevant policies) including witness statements and any other relevant evidence
- Evidence of any support and intervention with the pupil, such as PSP records, a behaviour log, a log of attendance to intervention sessions such as counselling, learning mentor drop-ins etc
- Attendance and achievement information
- Any other relevant information such as an EHCP or other SEND information

6. Parents should be advised that they can be accompanied by a representative (at their own expense) and a friend and that their child should be encouraged to attend the meeting with them.

7. Meetings should be held in a supportive atmosphere for the family, ensuring the hearing is conducted in a fair, professional and open manner. There is a guidance sheet in the Guidance section of the Exclusion policy, which sets out the process for a Pupil Discipline Committee panel hearing.

8. Panels may return 2 different decisions:

1. Panels may decide that a headteacher/principal has not acted lawfully, reasonably or fairly and so overturn the exclusion and reinstate the pupil
2. Panels may uphold the headteacher's/principal's decision to exclude the pupil

9. All such meetings are confidential and must be minuted, with a formal letter outlining in sufficient detail the decision, sent to parents without delay – usually on the day of the hearing. The clerk may telephone the family on the day the decision is made and follow up with the letter, which will be deemed to have provided notice on the same day if it arrives on the second working day after posting if sent by first class mail.

#### *Declarations of interest*

Members of the Committee must declare personal and pecuniary interests, loyalties and duties at every meeting.

#### *Quorum and voting*

The quorum will be three members. Each member has one vote. This is subject to any member of the Committee having an interest, loyalty or duty that conflicts or is reasonably likely to conflict with interests of the Trust in which case the member must declare his or her interest for the particular item and must not vote on or be present for the vote on that item.

Voting shall be by majority decision. Where necessary, the chair of the Committee may have a second or casting vote, provided that s/he is not prevented by a conflict of interest from participating in the voting.

- vi. Meetings will be chaired by the chair of the Committee.
- vii. In the absence of the clerk the Committee will need to reconvene the meeting as, due to conflict of interest, no governor or member of Trust staff may clerk a Pupil Discipline Committee meeting.
- viii. The clerk to the Committee will circulate the papers for the meeting and a list of those in attendance to all parties no less than 5 days before the panel hearing.
- ix. The Committee is authorised to invite attendance at panel hearings by any persons to assist or advise on a particular matter relating to the exclusion under consideration.

### *Reporting*

Attendance, issues discussed and recommendations for decisions will be recorded by the Clerk. The written record of each meeting will be approved by the chair and will remain confidential to the Committee members and the CEO of the Trust, unless there is a request for an Independent Review hearing.

The chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary, taking due account of the GDPR at meetings of the Local Governing Body or the Board of Trustees and for clarifying any questions arising from the business of the meeting.

Letters will be sent to parents/carers on the outcome of the hearing, without delay as set out in the Trust's Exclusion policy and in accordance with the model letters from the DfE.

### *Delegated Authority*

The Committee does not have its own budget or any delegated authority for expenditure or legal commitments.

To assist interpretation of the matters delegated the table below provides additional comment as appropriate.

EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<p><b>School Improvement Plan</b> - evaluations of schools SIPs (School Improvement Plans) against the Trust's three year Strategic Plan</p>		<p>Determine the SIP in consultation with the CEO</p> <p>Review against the 3 year strategic plan</p>	<p>Deliver – drafting and agreeing the SIP with LGBs and the Board</p> <p>Report to the Board</p>	<p>Recommend SIP to the Board</p> <p>Review the SIP and report to the CEO</p>	<p>Work with the CEO in producing the SIP</p> <p>Review and report to the LGB and CEO</p>
	<p><b>Key Performance Indicators</b> – effectiveness of schools' performance against the Trust's agreed KPIs (Key Performance Indicators) and recommending new KPIs annually.</p>	<p>Determine the philosophy, aims and vision</p>	<p>Determine Trust wide and school KPIs</p> <p>Review performance against KPIs and approve recommendations for development and planning to improve</p>	<p>Consult with the LGBs and propose KPIs to the Board</p> <p>Receive reports - from the LGBs and report performance of the LGBs against KPIs to the Board</p>	<p>Consult</p> <p>Recommend targets for performance of the school to the CEO</p> <p>Review performance of the school and report to the CEO</p> <p>Deliver: holding leadership to account for delivery against KPIs</p>	<p>Consult</p> <p>Deliver performance of the school against KPIs</p> <p>Report performance of the school to LGB and CEO</p>

Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
<b>Advising the Board on the quality of school SEFs (Self-Evaluation Forms) and recommending any actions</b>		Determine the content of the Self-Evaluation Form in consultation with the CEO	Deliver drafting and agreement of the Self-Evaluation Form for each school in the MAT  Report regularly to the Board	Recommend school Self-Evaluation Form to the Board  Review the school Self-Evaluation Form and report to the CEO	Work with the CEO in producing the school Self-Evaluation Form  Review and report to the LGB and CEO
<b>OFSTED</b> - Ensuring schools' readiness for inspection		Review reports from the CEO on readiness for inspection	Review and develop plans in support of readiness for inspection  Recommend action to the CEO to improve readiness  Report to the Board	Deliver readiness for inspection  Review and report on-going development to the CEO	Deliver readiness for inspection in the school concerned  Consult and recommend to LGB and the CEO any planned improvement to ensure readiness
<b>Raising Standards</b> - across the schools as well as the annual self-evaluation cycle for all schools in the family and reviewing termly reports from each school on pupils' progress		Determine the content of the annual self-evaluation cycle in consultation with the CEO  Review termly reports from the CEO on raising standards and approving or making recommendations	Review and develop self-evaluation process and practice across the Trust  Recommend development to the Board  Review and report on progress to the Board	Consult HT of the school concerned on progress  Review and report to the CEO and the Board	Deliver on policy for raising standards in the school concerned  Consult and recommend to LGB and the CEO any plans for improvement relating to the area

EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<p><b>Policy change</b> - Keeping strategic oversight of policy change in education and ensuring that Trust policies and practices across the family of schools keep pace with change</p>		<p>Deliver with the CEO change in relation to the national context</p> <p>Review annual reports from the CEO</p>	<p>Develop plans for improvement or change in relation to the context</p>	<p>Consult HT of the school concerned in relation to MAT policy and its impact on school improvements</p>	<p>Consult and recommend to LGB and the CEO any plans for improvement relating to the area</p>
	<p><b>Reviewing staff appraisal and performance management policy and processes and reporting to the Board annually on quality of provision for staff development across the Trust</b></p>		<p>Deliver – in respect of CEO</p> <p>Receive reports and review appraisal arrangements and outcomes for staff in the MAT</p> <p>Review any appeals in respect of the Principals and cross academy staff</p>	<p>Deliver - supporting the school and intervening where appropriate as well as appraisal of Principals / HT</p> <p>Review and report (annually) to the Board on appraisal arrangements and outcomes</p>	<p>Consult – in respect of performance management of HT/Principal</p> <p>Review and report to the CEO</p>	<p>Deliver and review in respect of all other staff</p> <p>Review management of staff to ensure teaching and learning objectives are met</p> <p>Report strengths and concerns in the quality of teaching to LGB and CEO and report annually to the CEO on appraisal arrangements and outcomes</p>
	<p><b>Board policy and practice</b> - across the Trust relating to learning and teaching and pedagogy</p>	<p>Determine the philosophy, aims and vision</p>	<p>Determine policy relating to learning and teaching across all schools in the MAT</p> <p>Review regularly policy and practice in learning and teaching across the MAT</p>	<p>Develop, review and recommend across the Trust as appropriate to assure rising standards</p>	<p>Review and deliver practice within the school concerned, reporting to the Board</p>	<p>Deliver quality and rising standards of practice within the school concerned</p> <p>Report regularly to the CEO on progress in the area</p>

EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<p><b>Quality of teaching and classroom experience of pupils across all schools in the Trust</b></p>		<p>Review reports from the CEO analysing quality and recommending development</p>	<p>Develop, review and recommend across the Trust as appropriate to assure rising standards</p> <p>Report regularly to the Board on standards across the Trust</p>	<p>Review and deliver practice within the school concerned, reporting to the Board</p>	<p>Deliver quality and rising standards of practice within the school concerned</p> <p>Report regularly to the CEO on progress in the area</p>
	<p><b>Curriculum</b> – Establishing and reviewing curriculum provision in all schools</p>	<p>Determine - the philosophy, aims and vision</p>	<p>Determine aims of the curriculum, constitution and standards</p> <p>Review effectiveness of the curriculum across all schools in the MAT</p>	<p>Deliver high quality curriculum across the Trust</p> <p>Recommend change in policy and provision across the Trust as appropriate</p> <p>Review and report to the Board</p>	<p>Review and deliver practice within the school concerned, reporting to the Board</p>	<p>Deliver quality of provision within the school concerned</p> <p>Report regularly to the CEO on progress in the area</p>
	<p><b>Inclusion, exclusions, use of Pupil Premium and Catch-up funding, attendance, pupils’ pastoral care and safeguarding</b> – ensuring that children are safe and that matters relating to Prevent as well as Internet safety are effectively monitored and managed</p>		<p>Determine policy and practice taking recommendations from the CEO</p> <p>Review reports from schools across the MAT</p>	<p>Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate</p>	<p>Review and deliver practice within the school concerned, reporting to the Board</p> <p>Convene Pupil Discipline Committee hearings to review</p>	<p>Deliver quality of provision within the school concerned</p> <p>Report on effectiveness of each area to the LGB and CEO</p> <p>Report to the CEO decisions to exclude pupils, as necessary</p>



					the principal's decisions.	
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EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<b>Provision for pupils with SEN (Special Educational Needs) and disability</b> - Receiving reports from schools in the Trust		Determine content, character and scope of this area based on recommendations from the CEO  Review regular reports on quality and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO
	<b>Quality of sex and relationships education, PSHEE, PE, spiritual, moral social and cultural development and religious education</b> - Receiving reports from schools in the Trust	Determine the philosophy, aims and vision	Determine content, character and scope of this area based on recommendations from the CEO  Review regular reports on quality and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO
	<b>Quality of post-16 education</b> - development to be considered in the Board's strategic planning for the family of schools		Determine strategy based on recommendations from the CEO  Review strategy	Report to Board effectiveness of this area across Trust making recommendations for development of strategy as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO

EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<b>Careers education, work-related learning and destinations for pupils – ensuring effective provision</b>		Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO
	<b>Development of pupils’ confidence, aspiration and achievement as well as policies on pupil voice and leadership and extended learning opportunities for pupils -</b> Preparing and reviewing policy documents of the Trust	Determine the philosophy, aims and vision	Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO
	<b>Trust communications and marketing material specifically (but not exclusively): Trust and school prospectuses, the website and schools’ linked websites, VLE, twitter and Facebook pages together with any linked school social networking, branding and corporate stationery and signage</b>	Determine the philosophy, aims and vision	Review all material and content and make recommendations for development	Develop strategic plan and material for the Trust	Review and approve material and interactive digital communication for individual school to ensure compliance with Trust approach	Deliver material and practice which is compliant with Trust approach  Report to LGB and CEO on quality and use
	<b>Work of schools across the Trust relating to parents / carers and effective engagement with families in support of pupils’ progress</b>		Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned  Report on effectiveness of each area to the LGB and CEO

EDUCATION AND CURRICULUM	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<b>Work of the Trust and its schools to develop and sustain employer and university relationships</b>		Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned Report on effectiveness of each area to the LGB and CEO
	<b>Extended Learning team of the Trust on their work relating to all out of hours learning, enrichment, global learning and MUN, outdoor education, pupil voice, women's education and men's education programmes</b>		Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned Report on effectiveness of each area to the LGB and CEO
	<b>Work of the Mulberry Arts College and its partnership work</b>		Review reports from the CEO and central services team	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the Arts College, reporting to the Board	Deliver quality of Arts work within the school concerned in line with the work of the Arts College Report on effectiveness of each area to the LGB and CEO
	<b>Work of The Mulberry Schools Trust's Teaching School, including ITT, leadership training and 'school to school support' work</b>	Determine the philosophy, aims and vision	Review reports from CEO on practice across the trust and make recommendations for development	Report to Board effectiveness of these areas across Trust making recommendations for development as appropriate	Review and deliver practice within the school concerned, reporting to the Board	Deliver quality of provision within the school concerned Report on effectiveness of each area to the LGB and CEO

FINANCIAL	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<b>Financial Policies</b> – establishing of policies and procedures to ensure compliance with the Trust’s financial and reporting requirements		Determine and approve policies	Review compliance with policies  Report any issues or non-compliance to the Board and act to bring into compliance	Review delivery and compliance with policies and procedures  Report any issues or non-compliance to the CEO	Deliver compliance with finance policies and procedures
	<b>Delegated Budgets and Finances</b> - in the form of a scheme of delegation of financial authority to the Academies		Determine and approve the scheme of financial delegation	Deliver on financial limits to the Board  Review effectiveness of limits	Review impact of limits on school provision  Comply with limits and recommend change as appropriate to the Board limits	Comply with limits  Evaluate and report impact to LGB
	<b>Proportion of the budget to be held centrally by the Trust</b>		Determine financial model for the Trust	Review the proportion of budget needed to support central services	Review delivery of contribution to central Trust budget  Comply with limits	Comply with limits  Evaluate and report impact to LGB

Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
<b>Funding Model</b> - agreeing 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 term and the long term	Determine the philosophy, aims and vision and review the model	Determine and approve the funding model based on values of the Trust as determined by the Members and as recommended by the CEO and central services team	Recommend a funding model to the Board for approval  Review and recommend plans for development based on evaluations of impact	Consult with the Board  Review compliance with the overall financial plan for the school, recommending any change to CEO	Comply with funding model  Evaluate and report impact of funding model to LGB, making recommendations for change to be considered if appropriate
<b>Maintaining oversight of the effective delivery of the Trust central services</b>		Determine effectiveness  Review and recommend any change in practice	Review and report to the Board on effectiveness, economy and efficiency of central services  Deliver effective central service		
<b>Deciding long term financial planning and resourcing across the Trust, ensuring its financial health and long term sustainability</b>		Determine long term financial plan  Review and recommend any change in planning required to deliver a healthy and sustainable financial future for the Trust	Review and report to the Board on financial health of the MAT and all its schools  Consult with LGBs  Recommend any development or change for the Board's consideration	Review financial health and report to CEO / Board  Deliver financial plans and comply with limits	Evaluate the effectiveness of the school concerned on compliance and delivery of long-term financial plans  Deliver financial plans and comply with limits

Area	Members	Trustees	CEO	LGB	Head/Assoc Principal
Considering and presenting for approval to the Trust Board a 3 year Budget Plan taking account of the Trust Development Plan priorities and, within this framework, present an annual Budget to the Trust Board for approval.	Determine the philosophy, aims and vision	Determine 3 year budget Review and approve budget prioritisation	Consult with LGBs, review and recommend 3 year budget plan and priorities	Review plan and report to CEO on expenditure	Comply with budget and deliver on priorities
Monitoring the Trust's annual budget including the budget for each school as well as reviewing reports on financial management, end of year accounts and latest monthly management accounts and termly forecasts		Determine annual budget Review reports from the CEO on expenditure and financial management	Report to the Board on monitoring of financial expenditure Review forecasts across the Trust and recommend any plans for saving / retrenchment	Review the school's compliance with annual budget and expenditure Report to the CEO / Board	Comply with budget and deliver on expenditure plan Report monitoring of expenditure to the board
Producing financial statements and reports in accordance with the requirements of the EFA's Academies Financial Handbook and ensuring financial compliance and that the Trust fulfils other regulatory duties		Review and approve financial statements, checking compliance	Report to the Board and ensure compliance with EFA requirements across the Trust	Review the school's compliance with EFA requirements	Work with the CEO in producing the accounts
Reviewing and approving the Annual Report for the Trust	Review the Annual Report	Receive and approve the Annual Report	Deliver the Annual Report – arrange for auditing and filing of annual report and accounts	Comply by keeping proper records in respect of the school and providing such information to assist the Trust in preparation of the Annual Accounts	Comply by keeping proper records in respect of the school and providing such information to assist the Trust in preparation of the Annual Accounts

Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
Considering and reviewing decisions relating to the finance systems employed by the Trust, the MIS system, the banking service and the building management system used by the Trust and its schools		Determine finance systems and services and the BMS and MIS used by the Trust  Review effectiveness  Approve changes where appropriate	Report on effectiveness of systems and services for finance, MIS and BMS used by the Trust  Recommend change as appropriate	Review the school's use of systems and services and ensure compliance	Comply with and deliver services for the school concerned
Establishing, monitoring and reviewing the risk register for the Trust and its schools and to ensure where necessary there is a risk mitigation plan		Determine the risk register  Review and approve the risk register as it is updated	Report to the Board on monitoring of the risk register and updates / changes	Review the school's risk register and report to the CEO any change	Deliver the risk register, reporting to the LGB any change
Examining monitoring reports on the income and expenditure of all public funds (i.e. the sources of the Trust's funding) and reporting the financial situation to the Trust Board each term		Review reports of income and expenditure	Report monitoring of income and expenditure in schools across the Trust	Review monitoring reports of income and expenditure and report to the Board	Report to the CEO / LGB income and expenditure of all funds held by the school concerned
Appointing auditors of the Trust's financial processes on an annual basis, as well as auditors of the Trust's accounts, so that the Trust Board can monitor probity and good practice in financial matters		Determine and approve the appointment of the auditors	Deliver the appointment of the auditors		
Reviewing and approving the auditor's letter and recommending it to the Board		Review the auditor's letter and recommend actions as appropriate	Report the auditor's letter	Review the auditor's letter	

Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
Ensuring that actions required by auditors are implemented effectively and their impact monitored regularly		Review regular reports from the CEO on actions required by the auditor	Report to the Board on progress against actions required in the auditor's letter	Review compliance of the school concerned with actions required by the auditor's letter	Deliver compliance with actions required by the auditor's letter
Ensuring adequate financial and asset management systems are in place across the Trust and all its schools		Determine and approve financial and asset management systems Review their use	Report to the Board on effective use across the Trust of the financial and asset management systems	Review the compliance of the school concerned with financial and asset management systems  Report compliance to the CEO	Deliver compliance with the asset and financial management systems of the school concerned



PREMISES AND ESTATES	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	Deciding on and advising the Trust of priorities, including Health and Safety, for the maintenance and development of all premises belonging to schools in the Trust		Determine Trust wide policy Review report from CEO	Review monitoring reports and recommend actions to the Board	Determine school plan in accordance with Trust policy Review delivery of school plan	Deliver in accordance with school policy
	Receiving and approving a three year strategy and annual improvement plan for the estate together with the budget, before presenting it to the Board		Review and approve three year strategy for estate management and development	Recommend annual plan and three year strategy Review monitoring reports of plan and recommend actions as appropriate	Deliver through monitoring compliance with plan and reporting to the Board / CEO	Comply through adherence to the plan and monitoring progress, reporting regularly to the LGB
	Considering and recommending to the Board plans for capital development works		Review and approve all plans	Recommend plans for capital development work	Report capital development needs to the CEO / Board Review compliance with plans	Consult and report on capital development needs for the school concerned Comply with plans
	Reviewing new builds / refurbishments relating to the new schools		Review and approve all plans for new school builds Review effectiveness of plans for new school builds	Report on plans for new school builds Recommend plans for new school builds	Deliver through monitoring effective progress in new school builds	Comply with plans for new school builds Report progress to the LGB

	Approving plans for the development of ICT services and resources across schools in the Trust		Review and approve plans for the development of ICT	Report on and recommend plans for development	Deliver plans for development in the school concerned	Comply with and deliver the plans for the school concerned
	Ensuring all LGBs hold and review annually an Accessibility Plan		Review and approve accessibility plans for all schools across the Trust	Report accessibility plans for schools across the Trust	Review and deliver accessibility plan for the school concerned	Develop and comply with the accessibility plan for the school concerned

STAFFING AND HR	Area	Members	Trustees	CEO	LGB	Head/ Assoc Principal
	<p>Reviewing and approving HR policies on a planned basis taking account of best practice, legal developments and the culture of the Trust. As required, hearing final level appeals about grievances and dismissals, disputes over pay and conditions that have not been resolved at LGB level.</p> <p>Ensuring there is a fair and lawful recruitment process in place throughout the Trust and its schools and that staff within the Trust are treated fairly and have excellent conditions of employment</p>		<p>Review and approve HR policy and practice</p> <p>Deliver HR policy and practice at Board level as required at high level</p>	<p>Develop and recommend HR policies and practice</p> <p>Deliver policies and practice in HR across all schools in the Trust</p>	<p>Report to CEO / Board on any suggested changes to HR policy and practice with regard to the school concerned</p>	<p>Comply with HR policy and practice with regard to the school concerned</p>
	<p>Considering proposals from LGBs and their principals for re-structuring of staff bodies, the creation of new posts within their staffing structure or other expenditure relating to reduction or expansion of staff that falls outside the limits imposed by the scheme of delegation</p>		<p>Determine through reviewing any proposals by LGBs to make amendments to staffing and making decisions based on Trust expenditure</p>	<p>Recommend any suggested changes in staffing structure for all schools in the Trust and the central services team in accordance with the scheme of delegation</p>	<p>Review and recommend to the Board / CEO any suggested changes to the school's staffing structure as appropriate to the</p>	<p>Consult on and report to LGB on any suggested changes to the school's staffing structure as appropriate to the scheme of delegation</p>

					scheme of delegation	
	<b>Considering proposals from LGBs and their principals about the development of their schools' staff</b>		Determine any proposals by LGBs to make amendments  Review	Recommend to the Board any proposals for the development of a school's staff	Report to the CEO / Board any suggested changes to the school's development of staff	Consult on and recommend to the LGB proposals for development of the school's staff
	<b>Determining the terms and conditions for staff in schools transferring into the Trust</b>	Determine the philosophy aims and vision	Determine all terms and conditions of staff in the MAT	Recommend changes to terms and conditions as appropriate	Consult on and report to the CEO / Board on any suggested changes	Comply with schools' terms and conditions as set out by the Trust