



L.E.A.D. Academy Trust
Lead • Empower • Achieve • Drive

L.E.A.D. Academy Trust

Scheme of Delegation

Note:

- 1. This Scheme* shall be reviewed annually by the Board. Amendments to the Scheme agreed during the year shall be annotated and incorporated into the Scheme by the Clerk to the Board.*

**approved by the Trust Board on 17 May and 19 July 2017 (Mins 73 and 93 refer).*

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Introduction

Under the approved structure (Appendix A), the Trust is a charitable company limited by guarantee. The Trust has entered into a Master Funding Agreement with the Department for Education (DfE) and a Supplemental Funding Agreement in respect of each academy (the “Funding Agreements”).

The Trust is responsible for ensuring that the company fulfils its statutory objectives, general functions and duties and appropriately exercises the legal powers vested in it, under the Charities Act 2011 and other legislation. The Trust is ultimately responsible to:

- the Members of the Trust - for overall performance and conduct. Members may at any time review and/or make amendments to the Governance Structure of the Trust; and
- the DfE in relation to compliance with the Funding Agreements and the requirements of the Academies Financial Handbook.

The Scheme of Delegation (“the Scheme”) : Context

The Trust Board (“the Board”) is the Governing Body of the Multi Academy Trust (Trust). The Board has full authority and responsibility for:

- setting strategic direction and policy governing all aspects of Trust activity. This includes strategic oversight, vision and planning for the Trust, oversight and determination of the organisational structure and of the performance and standards of each Academy and determination and oversight of the extent of provision of central services for schools (“the central Trust”); and
- governance and compliance (including the arrangements for self-evaluation of effectiveness), probity and financial management (including investment, audit and identification and management of risk), contractual relationships, management of estates and infrastructure and human resource management (as employer this includes the terms and conditions of service of all staff and related policy and procedures).

In accordance with Clause 105 of the Articles of Association* of the Trust, the Board has delegated the power to carry out many of these responsibilities to Committees or, through the Chief Executive, to the Executive Team, other Senior Staff and Headteachers. This document sets out the Scheme of Delegation approved by the Board (“the Scheme”).

*2017

General Principles of the Scheme

1. All references in this Scheme to “the Board” mean the Trust Board.
2. The Trust Board has overall responsibility and ultimate decision making authority for all the operations of the Trust, including the establishment, performance and maintenance of Academies. The Board retains ultimate responsibility for all the powers and responsibilities that it has delegated and receives reports on actions and key powers exercised on its’ behalf. The Board may at any time withdraw or vary any delegation and request additional reports/explanation on the exercise of delegated actions and powers.

3. Subject to the direction of the Board, there shall be three tiers of Governance (i.e. the Board and its' Committees, the Executive Management Team (EMT) and Academy Advisory Bodies (AABs). There shall be no duplication of governance between the three tiers. Governance shall be as close as possible to the point of impact of decision making. The relationship between the Board, Board Committees (including AABs) and EMT is characterised as a partnership to realise a common vision and common purpose.

Board Chair and Chairs of Committees and Academy Advisory Bodies

4. The Board appoints a Chair and Vice-Chair at the first meeting in each academic year. Similarly, each Committee elects a Chair at the first meeting of each academic year. All Chairs (including the Chair of the Board) shall have the power, following consultation with the Chief Executive or his/her nominee, to act on any urgent matter within the remit of their Committee that may arise between scheduled meetings and where, in the view of the Chief Executive (or his/her nominee) delay in making that decision would seriously impede the business of the Trust.
5. The power of a Chair to act may include taking an action, consulting with members of the Board/Committee by correspondence or calling a special meeting. The power extends to the Chairs of AABs subject to consultation with the Head Teacher (or his/her nominee). All such decisions shall be reported to the next meeting of the Board or the Committee as appropriate.
6. AABs are in practice Committees appointed by the Board. Whilst AABs elect their Chair and Vice-Chair, the confirmation of the Trust Board of those elected is required.

Principles of Delegation

7. Those to whom delegations have been granted (including Committees) are ultimately accountable to the Board.
8. Delegation of power(s) to any individual does not obviate the need for consultation with colleagues as appropriate.
9. All delegated functions must be exercised in accordance within the established policies and procedures, budgetary and financial and legal constraints of the Trust.
10. Those to whom delegations have been granted (including Committees) may elect not to exercise their delegation but to refer any matter to the Board (or in the case of the Executive and other members of staff, to the Chief Executive) if in their judgement, the complexity or risk associated with any matter merits this.
11. Issues regarded as novelty or potentially precedent-setting shall be referred to the Board for consideration and decision. (For example, where an issue may become a 'test case' or, in the view of the Chief Executive, is likely to be controversial or contentious. This includes issues that may risk potential damage to reputation/public trust and confidence, key relationships and /or that may have a personal impact on Board Members and/or on senior members of staff).
12. The Scheme is in two parts:

Part 1 : Delegations to Committees. This includes matters reserved for decision by the Board); and

Part 2 : Delegations to the Chief Executive, the Executive Management Team and other Senior Staff including Headteachers.

13. The Scheme is not intended as an exhaustive list of all aspects of Trust activity but aims to set out the salient powers.
14. All revisions to Part 1 of the Scheme shall be subject to formal report to the Board. All revisions to Part 2 of the Scheme are a matter for the Chief Executive to determine subject to occasional report to and review of the Scheme by the Board.

Matters Reserved for decision by the Board

15. The Board has reserved decisions on some key issues to itself. These are referred to in the Scheme as "Reserved Matters". The Board shall determine all reserved matters following consideration of reports and/or recommendations from Committees and/or the Chief Executive and / or members of (EMT).

Establishment of and procedures relating to Committees

16. The Constitution, Membership, terms of reference and delegations to all Committees shall be determined and reviewed annually (or such other frequency as may be agreed) by the Board.
17. Any member of the Board who is not a member of a Committee shall have the right to attend any meeting of any Committee, and at the discretion of the Chair, to speak on any matter included on the agenda.
18. The Chair of the Board or of a Committee may, through the Clerk to the Board or Committee, call a special meeting of the Board/Committee at any time, provided the purpose of the meeting is specified in the agenda for the meeting.
18. The Clerk to the Board and to Board Committees (including AABs) shall:
 - consult with the Chair of the Board/Committee on the content of the agenda for meetings;
 - ensure that the agenda and papers for meetings are sent to members of the Board/Committee a minimum of seven days before the day of the meeting;
 - ensure that minutes of all meetings are prepared in a timely manner and approved by the Chair prior to circulation to Board/Committee members. (Following approval by the Chair, minutes shall be submitted to all Board/Committee members and shall also be submitted to the next available meeting of the Board/Committee for noting/approval. The Minutes of all Committees (other than AABs) shall be submitted in full to the Board unless the Board has agreed that a summary report will suffice).
 - agree, in consultation with EMT and Chairs, an annual programme of meetings for the Board and its' Committees, together with supporting annual business plans.

The Scheme of Delegation

Part 1 : The Trust Board and Trust Board Committees

The Trust Board

Appointment and Constitution	The Constitution and Membership of the Trust Board shall be determined by the Trustees. There shall be a minimum of six members of the Board including the Chief Executive.
Quorum	Any three members of the Board shall constitute a quorum.
Frequency of Meetings	<p>The Trust Board shall meet at least three times a year.</p> <p>The Chair of the Board, through the Clerk to the Board, may call a special meeting of the Committee at any time, provided the purpose of the meeting is specified in the agenda for the meeting.</p>
Attendance	The Chief Executive, Deputy Chief Executive and Director of the Trust shall normally attend meetings of the Board. Other staff may attend at the discretion of the Chair.
Reserved Matters Generally	<p>Matters referred to the Board shall take account of the Board Risk Register and shall include any proposal for new initiatives and/or policies and any developments which may impact on the strategic direction of L.E.A.D. in terms of finance, policy, service delivery, reputational risk or organisational structure.</p> <p>Any issue regarded as novelty or potentially precedent-setting shall be referred to the Board for consideration and decision. (For example, where an issue may become a 'test case' or, in the view of the Chief Executive, is likely to be controversial or contentious. This includes issues that may risk potential damage to reputation/public trust and confidence, key relationships and /or may have a personal impact on Board Members and/or on senior members of staff).</p>
Specific Reserved Matters	<p><u>Approval of:</u></p> <ul style="list-style-type: none"> • Trust Vision, values and ethos, promotion and protection of this and the integrity and reputation of the organisation; • the overall strategic direction of the Trust within available resources and review and/or variation of agreed strategy and plans. This includes, on recommendation of the Chief Executive: <ul style="list-style-type: none"> - the Strategic Plan for the Trust and its' Academies and any proposed amendments thereto; and - proposals for entering into formal strategic partnerships; • matters referred to the Board by the Chief Executive and on which: <ul style="list-style-type: none"> - the Board has indicated it wishes to be kept informed and/or requires early warning or dialogue; and - the Chief Executive requires a steer or input from the Board.
Strategic oversight, vision and planning	

Finance

Approval (on recommendation of the Chief Executive or the appropriate Committee) of:

- the financial management and investment policies and decisions of the Trust (and any proposed amendment thereto) including the funding model to be adopted across the Trust and the Academies. (This includes funding models for individual Academies developed in consultation with them by the Chief Financial Officer (CFO));
- actions relating to the effective and appropriate management and use of Trust finances;
- subject to prior consultation with AABs (to be co-ordinated by the CFO) the extent of the central services to be provided to each Academy by the Trust and the allocation or apportionment of the costs of those services;
- the annual revenue budget for the Trust including the annual budget of each Academy as recommended by CFO;
- the criteria for allocation of the annual Capital Budget and the associated Annual Capital Programme;
- variations to approved budgets and/or actions that may be necessary to ensure that the expenditure of the Trust remains within agreed limits; and
- appointment of internal and external auditors.

Governance and compliance

Approval of

- the governance arrangements of the Trust to ensure the highest standards of governance that command the confidence of staff and stakeholders;
- the Scheme of Delegation and any amendments thereto;
- the report and recommendations (if any) of the Chair following the annual Board self - review of effectiveness (this to include review of the effectiveness of the Board and its' Committees, the Chair and individual members of the Board);
- procedures for the appointment and/or removal of Trustees, members of the Board and its' Committees and Local Governing Bodies (LGBs);
- the role of the Chair of the Board and Succession Planning for Board members;
- Trustee, Board and Governor Code of Conduct and any actions required in relation to breaches thereof;
- Staff Code of Conduct and any actions required in relation to breaches thereof;
- arrangements for training and evaluation of Trustees, Board and Committee members and Governors;
- appointment or dismissal of the Chief Executive and of the Clerk to the Board; and
- the Governance Handbook and amendments thereto.

<p>Organisational structure</p>	<p><u>Approval of</u></p> <ul style="list-style-type: none"> ● establishment and appointment of Board Committees; ● on recommendation of the Chief Executive, the overall structure and staffing of the Trust and any proposed amendments thereto; ● the extent of central services provided to Academies by the central Trust;
<p>Performance, targets and standards including Pupil outcomes</p>	<p><u>Monitoring and approval of</u></p> <ul style="list-style-type: none"> ● performance targets and key performance indicators (KPI's) for the Trust and its' Academies; ● the overall performance and standards of the Trust and its' Academies against agreed targets and KPIs and, through the reports and recommendations of the Performance and Standards Committee, the Chief Executive and/or the Director of the Trust, consideration and approval of actions recommended in relation to School Improvement and performance. This includes actions recommended where Academy Improvement Plans and/or improvement actions have not been implemented or have not had the desired impact in terms of improved performance and pupil outcomes; ● the performance of the Chief Executive, EMT and others to whom responsibilities have been delegated. This includes holding them collectively and individually to account for the overall performance of the Trust (and/or of individual academies) against agreed targets and KPI's, the exercise of their delegated powers and delivery against the targets, plans, and budgets approved by the Board.
<p>Policy</p>	<p><u>Approval of</u></p> <ul style="list-style-type: none"> ● all policies and substantive amendments thereto developed by EMT for the effective management, administration and operation of the Trust and for adoption by Academies. This includes policies for Safeguarding and Child Protection, Trustee and Trust Board Confidentiality, Trust Board, Trustee, Governor and Staff Conflict of Interest and procedures relating thereto and Trustee, Board Member and Governor expenses and remuneration.

Pay Committee

Purpose	<p>The purpose of the Committee is to:</p> <ul style="list-style-type: none"> ● consider and determine terms and conditions including salary of the EMT and annual PRP awards for Headteachers; and ● make recommendations to the Board regarding the pay policy and the terms and conditions of service of the Trust.
Constitution / Membership	The Committee shall comprise a minimum of three Board members.
Chair	The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.
Quorum	Any two members of the Committee shall constitute a quorum.
Frequency of Meetings	The Committee shall meet at least twice each year (normally in June and December).
Attendance	The Chief Executive and Deputy Chief Executive shall normally attend meetings of the Committee and shall withdraw if requested to do so by the Chair and/or if any item relating to their terms and conditions of service are to be discussed.
Authority and Delegated Functions	<p>Any decision with resource implications for which provision has <u>not</u> been made in the budget shall be subject to recommendation to the Board. Subject to this the Pay Committee has full delegated authority in relation to:</p> <p><u>Performance appraisal and salaries</u></p> <ul style="list-style-type: none"> ● to undertake the annual performance appraisal of and target setting for the Chief Executive, subject to appointment by the Committee in agreement with the Chief Executive of an independent external adviser; ● determine and annually review the salary ranges of each member of EMT (i.e. the Chief Executive, Deputy Chief Executive and Director of the Trust). The annual salary review shall take account of the recommendations of the independent external adviser; ● determine, on recommendation of the Director of the Trust, annual PRP awards for Headteachers*. <p><i>*Any appeal against a decision of this Committee shall be considered by the Trust Appeal Panel.</i></p> <p><u>Staff terms and conditions (non-EMT)</u></p> <p>Determine and review the terms and conditions of staff and associated Human Resource policies in relation to:</p> <ul style="list-style-type: none"> - the Executive Head Support Package (Pay Committee 8 December 2016 (Minute 13 refers)); - the scheme for payment of Headteachers above the Pay Scale applicable to their school (Pay Committee 8 December 2016 (Minute 14 refers)); and

	<ul style="list-style-type: none"> - the Trust Job Evaluation Scheme including the delegated arrangements for implementation of the Scheme (Pay Committee 8 December 2016 (Minute 15 refers)). <p><u>Staff related procedures</u></p> <ul style="list-style-type: none"> • determination of compromise agreements above £10,000 (subject to a value-for-money report from the Chief Executive).
	<p><i>These Terms of reference approved by the L.E.A.D Trust Board 19 July 2017 (Minute 92.3)</i></p>

Audit and Risk Committee

Introduction

The terms of reference apply to the L.E.A.D. Multi Academy Trust (the Trust) which is one of two subsidiaries of the L.E.A.D. Academy Trust.

Good governance arrangements include the establishment of a committee to provide assurance over the suitability of, and compliance with, its financial systems and operational controls. The Trust has therefore determined that it is appropriate to establish a dedicated Audit and Risk Committee, and that this Committee shall also be responsible for oversight of the risk management arrangements for the L.E.A.D. Multi Academy Trust.

Overview	<p>The Audit and Risk Committee shall:</p> <ul style="list-style-type: none"> - determine, oversee and review the arrangements for independent checking of financial controls, systems, transactions and risks; - review the risks to the internal control framework at the Trust; - agree an Annual Internal Audit Plan that shall address these and other risks identified by the Trust Board from time to time; - inform the statement of internal control and, so far as is possible, provide assurance to the external auditor; - recommend to Trust Board the appointment of internal and external auditors; and - establish and maintain through monitoring, an appropriate risk management strategy and risk register.
Constitution and Membership	<p>The Committee shall comprise a minimum of three Trust Board members. One or more members of the Committee must have relevant experience in accounting, auditing and/or finance but shall have no executive responsibility for the management of the Trust.</p> <p>The Chair of the Finance Committee is not eligible for appointment as Chair of this Committee.</p>
Quorum	<p>Any two members of the Committee shall constitute a quorum.</p>
Frequency of Meetings	<p>The Committee shall meet at least three times a year.</p> <p>The internal or external auditors may request a meeting of or with the Committee if they consider this to be necessary. (Any such request shall not be refused)</p>
Attendance	<p>The Chief Executive as the Accounting Officer and the Deputy Chief Executive as the Chief Financial Officer shall normally attend all meetings of the Committee.</p> <p>The Committee may, at its sole discretion, request a meeting with the external and/or internal auditors without Officers of the organisation being present.</p> <p>Internal and external auditors shall attend the meetings regularly. Other specialist may also attend to advise or report to the Committee.</p>

Authority and Delegated Functions	<p>The Committee is an advisory body with no executive powers. It is authorised by the Trust Board to:</p> <ul style="list-style-type: none"> - investigate any activity within its terms of reference, and to seek any information it requires from staff, who are required to co-operate with the Committee in the conduct of its enquiries; and - obtain independent professional advice if it considers this necessary. The budget limitation for this is set as £2,500. Any amount above this shall require authorisation by the Trust Board
Terms of Reference	<p>The purpose of the Committee is to oversee and provide independent assurance to the Trust Board, and to make recommendations to the Trust Board thereon, on the arrangements of the Trust in relation to:</p> <ul style="list-style-type: none"> • Audit • Governance • Risk Management and Internal Control • Ethics and Probity
Duties <u>Audit</u>	<ul style="list-style-type: none"> • review the draft external financial statements and reports of the Trust to ensure that they reflect best practice and are in accordance with the relevant accounting and reporting requirements which include the EFA Financial Handbook; • approve arrangements for and to consider and make a recommendation to the Trust Board for the appointment of an external and an internal auditor, the level of fees, the provision of any non-audit services by the external or internal auditor and any issues related to the resignation or dismissal of the external or internal auditor; • discuss with the external auditor the nature and scope of each forthcoming audit and the findings of the audit once completed; • approve the Annual Internal Audit Plan for the Trust and consider and report to the Trust Board on the Annual Internal Audit Report, identifying any areas of concern in terms of strategic risk and addressing key internal control issues as required; • specifically consider the level of assurance internal audit work provides about the arrangements of the Trust and whether there are any concerns arising that need to be brought to the attention of the Trust Board; • consider all relevant reports from any internal auditors or from the appointed external auditor, including reports on the accounts of all academies within the Trust; • consider the achievement of value for money and the response to any management letters; • monitor and where the Committee considers necessary draw the attention of the Trust Board to progress in relation to implementation of any actions recommended (and agreed by management) by any internal or external auditors to address any adverse control findings identified by them; • review the effectiveness of the internal control systems of the Trust and its academies to ensure that the aims, objectives and key performance targets of the organisation are achieved in the most economic, efficient, effective and environmentally preferable manner;

<p><u>Governance</u></p>	<ul style="list-style-type: none"> • consider, and advise the Trust Board on the annual and long-term audit programme of the Trust, ensuring that the internal controls of the Trust are subject to appropriate independent scrutiny at least in accordance with Government standards; • monitor the performance of internal audit, including agreeing the scope of any external assessment and receiving reports on the management and performance of the providers of internal audit services, including the results of the quality assurance and improvement programme which shall form part of Internal Audit's annual report. (This is in accordance with the mandatory Internal Audit Standards); • ensure that there are effective arrangements in place between internal and external audit and that the value of the audit process is actively promoted; • approve the Annual Statement of Accounts and have oversight of the publication of an Annual Report in the most appropriate format; • monitor the openness of the Trust in its dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so; • have oversight of the management and response of the Trust in relation to the Freedom of Information Act and Data Protection Act requests; • review any issue referred to it by any other Trust Committee or Board.
<p><u>Risk Management and Internal Control</u></p>	<ul style="list-style-type: none"> • approve and / or review the arrangements developed for robust systems for identifying and evaluating significant risks and ensure that effective Risk Management Systems are put in place, including arrangements relating to internal control and the internal audit function; • review and endorse the Business Continuity Plan and Risk Management Strategy and formally review the Risk Register at least annually; • have oversight of provisions that reflect the transparency of the Trust including Whistleblowing Policy and Procedures and Fraud and Corruption Policy and to review and discuss any incidents arising under those policies, reporting to the Trust Board as required;
<p><u>Ethics and Probity</u></p>	<ul style="list-style-type: none"> • consider the level of compliance of the Trust with its own and other published standards and controls. • promote and maintain the highest standards of conduct by any Board Members and Non-Executive Directors having regard to the Nolan principles and any other recommended Code of Conduct established from time to time; • review the operation of the Code of Practice (Governors) and Code of Conduct (staff); • oversee and review the arrangements of the Trust in relation to training, guidance and support in the context of ethics and probity, including promoting and maintaining the Code of Practice (Governors) and Code of Conduct (staff).
<p><u>General</u></p>	<p>The Committee shall follow the prescribed activities in the Scheme of Delegation approved by the Trust Board regarding writing off of bad debts and disposal of surplus stock, stores and assets.</p>

<p>Glossary of Terms</p>	<p><i>Trust Board – the group of officers and trustees responsible for the overall management of the L.E.A.D. Multi-Academy Trust</i></p> <p><i>Trust – L.E.A.D. Multi-Academy Trust including its subsidiary organisations.</i></p> <p><i>Internal Audit – professional advisors providing assurance and advice on the internal control framework and risk management arrangements.</i></p> <p><i>External Audit – the auditors appointed to provide an opinion on the annual accounts and financial statements, and to provide additional advice.</i></p> <p><i>Best practice – the Academies Financial Handbook, guidance from DfE, CIPFA and other recognised professional bodies in relation to the good governance and management of Academy Trusts.</i></p>
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Finance and Resources Committee

Purpose	<p>The purpose of the Committee is to:</p> <ul style="list-style-type: none"> ● hold to account and constructively challenge EMT as to the effectiveness and impact of policy, proposals and practice in relation to the management and deployment of Trust resources; ● review benchmarking data in relation to the overall performance of the Trust in comparison to regional and national standards and to the performance of other comparable Trusts; ● provide oversight and assurance to the Trust Board as to the effective and appropriate management and use of Trust resources and to make recommendations to the Board in relation to these matters; and ● consider and review detailed reports on the financial sustainability, human resource and estate management performance, practices and resources of the Trust.
Constitution and Membership	<p>The Committee shall comprise a minimum of three Trust Board members.</p> <p>The Chair of this Committee shall not be eligible for appointment to the Audit Committee.</p> <p>The person(s) appointed by the Board to have oversight of safeguarding and SEN shall be entitled to attend and draw the attention of the Committee to any safeguarding implications arising from reports and/or proposals brought to the Committee.</p>
Chair	<p>The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.</p> <p><i>The Chair of this Committee is not eligible for appointment to Audit and Risk Committee.</i></p>
Quorum	<p>Any two members of the Committee shall constitute a quorum.</p>
Frequency of Meetings	<p>The Committee shall meet at least three times each year (normally termly).</p>
Attendance	<p>The Deputy Chief Executive shall normally attend all meetings of the Committee.</p>
Authority and Delegated Function	<p>Finance</p> <p><u>To make recommendations to the Board on:</u></p> <ul style="list-style-type: none"> ● the approval of the annual budget for the Trust as recommended by the CFO; ● any other financial matter referred to the Committee by the Trust Board. <p><u>To approve:</u></p> <ul style="list-style-type: none"> ● the financial management and investment policies of the Trust (and any proposed amendment thereto);

- procurement policies and associated arrangements;
- financial regulations, delegations and proposed amendments thereto.

To Monitor and provide assurance to the Board as to:

The overall financial performance and sustainability and resource requirements/use of the Trust (including performance against approved budgets) through consideration of:

- the Operational Financial Report to be submitted to each meeting of the Committee by the CFO. This shall include the range of financial information and projections required by the Committee for the Trust as a whole and for individual academies (i.e. investment, use of balances (in accordance with the approved use of balances policy), financial projections and material variances, capital requirements and expenditure, revenue balances, pupil number projections, staffing costs and any other details required by the Committee);
- the monitoring of financial efficiencies and economies of scale;

Human Resources

To consider, keep under review and where the Committee consider necessary make recommendations to the Board on:

- the impact and implementation of any Trust-wide strategies and policies for human resources and organisational development;
- the effectiveness of the measures in place to ensure compliance with and promote equality and diversity in employment;
- the details of proposed Trust restructuring proposals;
- the impact and implementation of Trust-wide strategy and policy in all matters relating to the recruitment, reward, retention, motivation and development of the Academy Trust staff.

Estates

- to consider and make recommendations to the Board regarding the strategic development and maintenance of the Trust estate.

Safeguarding

- to take into account and where the Committee considers necessary make recommendations to the Board on the safeguarding implications (if any) of all issues within the remit of the Committee.

These terms of reference approved by the Trust Board 19 July 2017 (Minute 92.3)

Performance and Standards Committee

Purpose	<p>The Committee is responsible for providing assurance to the Trust Board on:</p> <ul style="list-style-type: none"> - the standards and performance of all Academies within the Trust; - the effectiveness of the Trust Quality Assurance process; and - that each school is promoting and upholding the L.E.A.D. Vision, Values and ethos.
Constitution and Membership	<p>The Committee shall comprise <i>a minimum of three</i> suitably qualified and experienced persons appointed by the Trust Board (excluding the Chief Executive).</p> <p>The person(s) appointed by the Board to have oversight of Safeguarding and SEN shall be entitled to attend and draw the attention of the Committee to any safeguarding implications arising from reports and/or proposals brought to the Committee.</p>
Chair	<p>The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.</p>
Quorum	<p>The Committee has no decision - making role therefore there are no requirements as to minimum attendance.</p>
Frequency of Meetings	<p>The Committee shall meet at least once each term.</p>
Attendance	<p>The Director of the Trust and Directors of Schools shall normally attend meetings of the Committee.</p>
Authority and Delegated Functions	<p>The Committee is required by the Board to achieve it's delegated functions for all schools within the Trust through:</p> <ul style="list-style-type: none"> ● constructively challenging the appropriate Director of Schools as to the effectiveness and impact of the Quality Assurance (QA) process and the related school improvement work; ● reviewing benchmarking data in relation to individual schools and to the overall performance of Trust in comparison to regional and national standards and to other comparable Trusts; ● in depth review/scrutiny of schools in Special Measures and/or Requiring Improvement and/or which are causing concern including those that are slow to improve. (Schools assessed as Good or better shall be subject to summary assurance report only); ● drawing the attention of the Trust Board to any concerns arising from the standards and performance of schools* and/or the QA process;

	<p>Safeguarding</p> <ul style="list-style-type: none"> the Committee shall have particular regard to safeguarding compliance and effectiveness in all schools within the Trust and shall draw the attention of the Board to any safeguarding concerns arising from the termly review of school performance. (The agenda for each meeting of the Committee is to include a standing item on Safeguarding). <p><i>*Where the Committee considers appropriate, a recommendation(s) shall be made to the Director of the Trust and/or EMT, who shall report further on the actions taken in response to the recommendation(s) to the subsequent Trust Board meeting.</i></p>
<p>Reporting Procedures</p>	<p><u>Reporting to the Trust Board</u></p> <p>The Committee shall provide a termly report* to the Trust Board summarising the overall performance of the Trust and of individual schools within the Trust and drawing attention to any schools or issues of concern. The minutes of meetings of the Committee shall be made available to all members of the Trust Board.</p> <p><i>*this may be via the minutes of the meeting.</i></p> <p><u>Reports to the Committee</u></p> <p>The Committee undertakes in-depth review/scrutiny of schools in Special Measures and/or Requiring Improvement and/or causing concern, including those that are slow to improve. (Schools assessed as Good or better shall be subject to summary assurance report only).</p> <p>Reports to the Committee shall be presented by the Director of Trust and/or the appropriate Director of Schools and shall be supported by a strategic overview commentary and analysis of the performance of the Trust in relation to school improvement and school to school support etc. Reports shall include:</p> <ul style="list-style-type: none"> a strategic overview commentary on standards, performance and quality assurance of the schools within the Trust; a summary overview of all schools within the Trust to include a RAG rated risk assessment of the current direction of travel of standards and performance and drawing the attention of the Committee to those schools requiring in depth review, overall trends across the Trust and any related concerns; the most recent termly QA report for those schools to which the attention of the Committee has been drawn and to include a brief summary of developments since the previous meeting. (Members of the Committee are to have access to all QA reports for all schools within the Trust);

	<ul style="list-style-type: none"> - regional and national comparators of pupil outcomes and other relevant data; - a summary of schools or issues of concern that the Committee may wish to draw to the attention of the Trust Board; - occasional reports (to be provided as data/information becomes available) setting out key statistics including: <ul style="list-style-type: none"> demography and characteristic of schools and pupils within the Trust; Pupil outcomes, attainment and progress (Raiseonline data); Safeguarding, Welfare, Behaviour, Exclusions, Complaints, Attendance, Staff/Pupil ratios and related matters; comparisons with other comparable Trusts and with regional and national trends; and annual financial benchmarking. <p><i>Note : the Board has agreed that whilst there must be no duplication of reporting between the Performance and Standards Committee and the Board, summary information should be provided to the latter to enable it effectively to hold the Committee to account.</i></p>
	<p><i>These Terms of reference approved by the L.E.A.D. Trust Board 17 July 2017 (Minute 92.3)</i></p>

Academy Advisory Bodies

Purpose	<p>In summary, the purpose of the AAB is to:</p> <ul style="list-style-type: none"> - ensure that the core principles of L.E.A.D. are adhered to and, within the delegations agreed by the Trust Board from time to time, provide oversight of and challenge to the performance of the school; and - represent the educational and related interests of pupils and the voice of parents and the community. <p><i>For a full description of the purpose of the AAB is set out in the L.E.A.D. Governance Handbook*.</i></p> <p><i>*currently being re-drafted</i></p>
Constitution and Membership	<p>Academy Advisory Bodies shall comprise:</p> <ul style="list-style-type: none"> ● up to four Community Members - appointment subject to approval by the Board; ● a minimum of two elected parent Members; ● the Head Teacher (ex – officio); ● up to two Staff Members (one member of teaching staff and one member of support staff); ● up to two co-optees – appointment subject to approval of the Board. <p>Minimum number of members : 7</p> <p><i>The Chair and Vice-Chair of an AAB are selected by each AAB but their formal appointment is subject to approval by the Trust Board.</i></p>
Quorum	<p>Any three members provided always that Staff Members (including the Head Teacher) do not form the majority of those present.</p>
Frequency of Meetings	<p>At least once per term for a formally recorded meeting. Each AAB may meet informally more frequently should it elect to do so. (Currently a system of termly Engagement Meetings is in place – Guidance Note available).</p>
Attendance	<p>The Head Teacher shall attend all formal meetings of the AAB. At the discretion of the Chair, other members of staff (non AAB members) may attend and may participate in / present to the meeting. The Director of the Trust and the Regional Director of Schools may attend and report to any AAB meeting.</p> <p>All formal meetings of the AAB shall be formally minuted by the Clerk who shall attend throughout the meeting.</p>
Authority and Delegated Functions	<p><u>Vision and Accountability</u></p> <p>To carry forward the Trust’s vision, in a way appropriate to the specific qualities and community characteristics of each Academy.</p>

Oversight of the Academy's activities*

Challenge* to the Head Teacher and Academy leadership to account for:

- Outcomes for pupils, and their attainment and progress;
- The Quality of teaching, learning and assessment;
- Personal development, behaviour and welfare;
- Leadership and management;
- Safeguarding and SEND**;
- Finance and premises;
- Staffing.

**The AAB shall appoint a Named Member(s) with responsibility for oversight of provision for safeguarding and SEND.

Head Teacher Performance Review Appraisal

AABs are not directly involved in the annual appraisal of the Headteacher but the Chair of each AAB is invited to contribute to the process, for which purpose a standard template has been developed for completion by the Chair. The template invites comments from the Chair on the performance of the Head Teacher during the academic year and is issued annually to each Chair for completion in advance of commencement of the formal end of year Head Teacher appraisal process.

*Explanatory Notes:

1. Subject to 2 below, the Trust Board is ultimately responsible for performance of all Academies within the Trust.
2. The Headteacher of each Academy is responsible for school performance and is accountable to the Director of the Trust and the Trust Board for this. This includes accountability for operational decisions relating to finance, staffing and premises within the policies and budget set by the Trust Board.
3. School performance is assessed by the Director of Schools through the termly Quality Assurance (QA) process. This process reviews the performance of individual Academies against agreed School Improvement plans and targets for each of the headings listed above and, as appropriate, other issues that arise from time to time.
4. All Members receive, normally in advance of each formal meeting, a full copy of the QA report for the current term, together with the report of the Headteacher which provides Members with updates to the QA report and reports progress against the school improvement action points identified in the QA report.
5. The role of Academy Advisory Body in challenging the Headteacher and Academy leadership to account for the actions and outcomes in each of the headings listed above is to:
 - understand the issues facing the school and parents of children attending the school; and

	<p>- satisfy themselves that appropriate and timely actions are being taken to deliver high quality performance in a manner that meets the Vision of the the Trust and that is appropriate to the specific qualities and community characteristics of each Academy. (Engagement Meetings support this role and assist Members in developing their parental and community role).</p> <p>6. AAB members (“Governors”) are not responsible for operational issues. In the event that Governors have concerns regarding the performance of the school these should be discussed by the AAB and recorded in the minutes so that they can be brought to the attention of the Trust.</p> <p>7. Staff Appointments* - the Headteacher is authorised to appoint staff within the constraints of the budget and the staffing structure agreed by the Trust. The expectation of the Trust is that normally, non-staff AAB members will participate in the process for appointments to all permanent teaching posts.</p> <p>8. Where an AAB has concerns regarding aspects of the performance of the school these shall be discussed with the Headteacher at a formal AAB meeting. If following that discussion, the AAB remains concerned, the Clerk to the AAB shall be requested to record the concerns and the reasons for them, in the minutes of the meeting which shall be brought to the attention of the Director of the Trust (DoM) and the Director of Schools (DoS). In response to those concerns the DoM and DoS shall:</p> <ul style="list-style-type: none"> · liaise with the Headteacher and the Chair of the AAB with a view to resolving the issue(s); and · include reference to the matter in the Hub Summary School Risk Register for report to the next available meeting of the Performance and Standards Committee which shall, if necessary, draw the attention of the matter to Trust Board. <p><i>*Note:</i></p> <p><i>Primary Schools – this relates to all permanent teaching staff.</i></p> <p><i>Secondary School – this relates to senior teaching staff only (i.e. posts at SLT level and above and any post with TLR).</i></p>
	<p><i>Approved by the L.E.A.D. Trust Board : 19 July 2017 (Minute 92.3).</i></p>

Governor Panels

The Board has agreed that, subject to prior training, Governor Panels be established as follows

Pay Appeals Panel

Purpose	The purpose of the Panel is to consider and determine any appeal arising from decisions of the Trust Board Pay Committee in relation to the annual PRP awards of Headteachers.
Constitution and Membership	The Panel shall comprise a minimum of three Academy Advisory Board (AAB) members selected at random (subject to availability) by the Clerk to the Board by reference to the list of eligible AAB* members. * eligibility subject to current membership of a Trust AAB and prior training in the appeals and PRP process.
Quorum	A minimum of three members shall constitute a quorum.
Frequency of Meetings	The Panel shall meet as and when required.
Attendance	Any member of the Executive Management Team appropriate to the nature of the business to be transacted. A Human Resources adviser (agreed by EMT). The appellant and a named representative or supporter subject to a minimum seven days notice of the name and position of that person (including their relationship to the appellant) being provided to the Clerk.
Authority and Delegated Function	The Panel is authorised to consider and determine all appeals arising from decisions of the Trust Board Pay Committee in relation to the annual PRP awards of Headteachers. The decision of the Panel shall be final.
	<i>Approved by the L.E.A.D. Trust Board : 19 July 2017 (Minute 92.3).</i>

Staff Disciplinary*

To consider and determine all staff disciplinary matters – detailed terms of reference to be agreed.

Staff Disciplinary Appeals*

To consider and determine all appeals arising from staff disciplinary matters – detailed terms of reference to be agreed.

Exclusions*

To consider and determine all appeals arising from pupil exclusions.

Admissions*

To consider and determine all appeals arising from refusal by schools of pupil admissions.

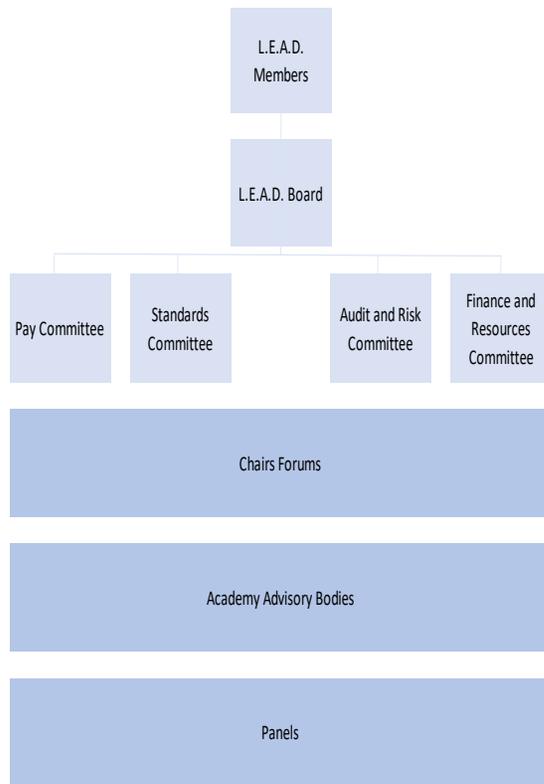
Complaints*

To consider and determine all Stage 4 Complaints (under the agreed Complaints Procedure).

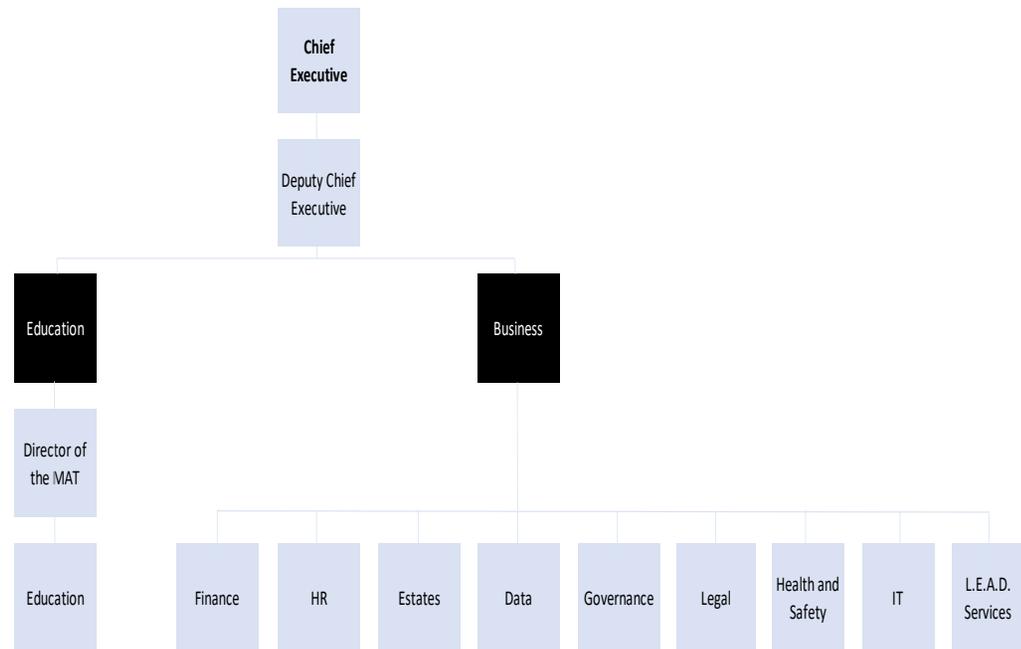
**approved by Trust Board 19 July 2017*

Appendix A

Governance Structure



Operational Staffing Structure and Departments



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