

# **Brookvale Groby Learning Trust Scheme of Delegation**



**September 2020**

## Scheme of Delegation

This scheme of delegation sets out the Trust's approach to delegation of governance functions and should be read in conjunction with the committee terms of reference and governance structure.

	<b>Members</b>	<b>Trust Board</b>	<b>Headteacher /Accounting Officer</b>
Articles of Association: agree and review	Approve	Recommend	Develop
Members: Appoint/remove – ensuring processes in place for appointment of members maintaining a segregation between members and trustees	Determine and deliver		
Appointments of Trustees – ensuring processes in place for appointment of trustees	Approve Member appointments	Determine and deliver	
Election of staff governors to LAB			Deliver
Appointment of the Accounting Officer and Audit Committee (will be part of Finance and Operations Committee remit)		Deliver - appoint Accounting Officer and (if necessary) the Audit Committee	Headteacher to deliver – the Accounting Officer role
Clerk: appoint and dismiss		Deliver	
Governance structures (committees) for the trust: establish and review annually		Deliver	
Committee terms of reference and scheme of delegation: agree annually		Deliver	
Appoint/remove Chair of LAB		Deliver	
Skills audit: complete and use to recruit to fill gaps and develop a training programme for trustees and governors		Deliver	Develop
Set the vision and strategic objectives of the Trust. Agreeing key performance indicators against which progress towards achieving the vision can be measured.		Approve	Develop
Deliver strategic objectives of the Trust		Review	Deliver
Scrutiny – review & challenge progress of the Trust against its strategic objectives and KPIs		Review	Report

Policies – review and approval of Trust Wide Policies (including admissions, DBS, charging and remissions policies, health & safety and safeguarding in line with agreed policy delegation)		Determine	Deliver – presenting polices to the Board for approval
Campus Improvement Plan		Review	Develop
Key Performance Indicators – setting and reviewing performance of the Trust		Review	Develop
Curriculum – setting the curriculum for the Academy and reviewing its effectiveness		Determine - curriculum and standards Review – effectiveness of the curriculum across Trust	Deliver Recommend
Pupil Premium – reviewing and challenging the value for money/ ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap		Review	Report – to Board effectiveness of use of the Pupil Premium across Trust
Set admissions policy		Approve	Develop
Collective worship arrangements for school without religious character			Deliver
Student issues (including attendance, exclusions, punctuality and disciplinary matters for each Academy)		Review	Deliver
Changes to term dates and length of school day		Agree	Recommend
Trust governance details on trust website: ensure		Review	Deliver
Appointing the Headteacher		Deliver	
Appointing Academy Staff			Deliver
Establishing Trust wide HR Policies (including		Approve	

recruitment , discipline, capability, grievance and absence policies) in accordance with all appropriate regulations			
Media and PR - overseeing public relations activities to project the activities of the Trust to the wider community		Review	Deliver
Complaints procedure: develop and operate		Approve	Recommend
Constitution of informal and formal panels	Deliver	Deliver	Headteacher (in conjunction with Senior Deputy Headteacher) Determine and Deliver
<b>SAFEGUARDING</b>			
Appoint a senior board lead leadership to take responsibility for the Trust's safeguarding arrangements.		Agree	
<b>Financial oversight</b>			
External auditors: appoint	Agree	Recommend	
Chief financial officer: appoint		Agree	Recommend
Trust's scheme of financial delegation: establish, monitor and review		Agree	Develop
External auditors' report: receive and respond			
Headteachers' performance management & pay award		Agree	
Staff appraisal procedure and pay progression:		Approve	Recommend
Benchmarking and trust wide value for money: ensure robustness			
Trust Annual Budget - formulating and setting the Trust wide budget		Approve	Recommend
Monitoring budget		Review	
Investment policy		Approve & review	Recommend
Reporting: financial reporting and KPIs		Review	Deliver
Financial Policies –establishing of policies and procedures to ensure compliance with the Trust's financial and reporting requirements		Approve	Develop & recommend
Approving annual audited accounts	Receive	Approve	Deliver – arrange for auditing and filing of annual report and accounts

External auditors report: receive and respond		Review and approve actions	Recommend actions and deliver on areas of non-compliance
Risk Register		Review	Deliver
External auditors: appoint/remove	Approve	Recommend	Recommend
Compliance – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions		Determine – policies to ensure compliance Review	Deliver – ensuring register of interest on Trust website
Asset and Premises Maintenance Strategy – determining use of Academies’ premises and ensuring premises are adequately maintained		Determine – Trust wide policy	Recommend
Acquiring and disposing of Trust land		Approve	Recommend
Changing use of Assets		Approve	
Arranging insurance for the Trust		Review	Deliver

## Committees of The Trust:

### Local Academy Board (LAB) Terms of Reference

The Terms of Reference of the LAB must be approved by the Board of Trustees annually.

The composition of the LAB will be agreed by the Trustees and may be amended from time to time. The LAB shall not exceed 10 members and will be composed of:

- The Headteacher;
- Up to two Staff Governors, ensuring that the total numbers of Local Governors who are employees of the Trust shall not exceed one third of the total number of Local Governors;
- 7 Trustees

The LAB will operate as a Committee of the Trust Board.

### Operational Responsibilities of the LAB

1. To accept annually the BGLC Terms of Reference and Standing Orders.
2. To appoint (or remove) Vice Chair annually.
3. To hold at least four LAB meetings per year.
4. To recruit new stakeholder governors as vacancies arise (staff).
5. To arrange induction and mentoring for newly appointed or elected governors.
6. To organise and participate in appropriate training.
7. To receive reports from the Headteacher as agreed (generally at each meeting).
8. To receive KPI data reports.
9. To review policies in line with Policy Review Schedule and maintain a knowledge of Trust policies.

## **General Responsibilities of the LAB**

1. To regularly review the school's vision and values and recommend changes to the Board.
2. To ensure that the vision and values are shared with all stakeholders.
3. To take an active role in School Self Evaluation, Peer Review and Subject Reviews (quality assurance), recognising success while identifying and monitoring areas requiring improvement.
4. To review the Campus Improvement Plan (CIP) and ensure that it is updated regularly and focussed on key priorities. Reviewing progress of the CIP through the year, and reviewing the impact document at the end of the year.
5. To review and challenge KPI data termly ensuring any priority areas are fed into the CIP.
6. To be aware of how the school is regarded by students and parents.
7. To be aware of school policies and regularly review policies delegated to the LAB, consulting with representative stakeholders as appropriate.
8. Operation and review of the Complaints Procedure.
9. To ensure that the LAB complies with all duties delegated to it by the Trust Board.

## **Specific Responsibilities of the LAB (this list is not exhaustive)**

### **Behaviour for Learning and Exclusions**

(Monitoring delegated to SEND and Behaviour & Attendance Governors)

1. To review regularly the Behaviour Policy.
2. To monitor the application of the Behaviour Policy.
3. To review the use of detentions and exclusions.
4. To review and decide whether or not to uphold permanent exclusions.
5. To review and decide whether or not to uphold fixed term exclusions where a student is either excluded for +15 days in a term or would lose the opportunity to sit a public exam.
6. Monitor attendance, punctuality and disciplinary matters for students including all exclusion related matters.

### **Curriculum**

(Monitoring delegated to SEND, Pupil Premium and High Prior Attainers Governors)

1. To review and agree the curriculum model.
2. To monitor delivery of agreed curriculum.

### **Safeguarding and Child Protection**

(Monitoring delegated to Safeguarding Governor)

1. To ensure that the safety and protection of all students is prioritised.
2. To ensure the safeguarding policies, procedures and training are effective and comply with the law (Keeping Children Safe in Education 2019).
3. To undertake regular visits to meet with the Designated Safeguarding Lead and other key staff.

### **School Organisation**

1. To review home/school agreements.
2. To be familiar with the content of the school and sixth form prospectus.
3. To ensure that the requisite information is published on the school website.

### **SEND, Pupil Premium and LAC Students**

(Monitoring is delegated to SEND & Vulnerable students and Pupil Premium Governors)

1. To discharge responsibilities for all SEND students per latest directives & recommendations.
2. To monitor the relative achievement of disadvantaged students towards closing all gaps including reviewing the pupil premium strategy and impact of Pupil Premium funding.
3. To ensure that each student is encouraged to achieve to his/her maximum potential.
4. To check that all required information is published on the school website.

## **Performance Management**

1. Chair of LAB and Finance & Operations to contribute to performance management of Headteacher.

## **Staffing**

1. To be familiar with the staffing structure and its rationale.
2. To maintain a knowledge of the roles and responsibilities of current members of Senior Leadership.

## **Target Setting and Achievement**

1. To understand the annual targets for student achievement.
2. To monitor student achievement against published targets.
3. To hold the Headteacher to account for achievement of targets.

## **Teaching & Learning**

1. Monitor the quality of teaching and the impact of action taken by leaders.

## **Standing Orders**

### **Operation of the LAB**

1. The usual term of office for all members of the LAB will be 4 years except for the Headteacher who is ex-officio.
2. The Vice Chair of the LAB will be elected annually by the members of LAB at its first meeting in each school year.

### **Arrangements for meetings of the LAB:**

1. All governors meetings will be convened by the Clerk.
2. An agenda for each meeting will be drawn up by the Clerk, in liaison with the Chair of Trustees and the Headteacher.
3. The Clerk to the LAB will circulate the agenda and any papers seven clear days' notice in advance of the meeting.
4. Any 3 members of the LAB may request an extraordinary meeting by giving written notice to the Clerk, to include a summary of the business proposed for discussion. The Clerk will then prepare an agenda and call a meeting.
5. The LAB will meet as often as is necessary to fulfil its responsibilities but as a minimum, the LAB will meet at least once each term. The LAB shall meet at least two weeks prior to a meeting of the Board.
6. The meeting may take place virtually should the need arise.
7. The quorum for any meeting of the LAB is at least 3 of those members of the LAB currently appointed, rounded up to the nearest whole number.
8. In the absence of either the Chair and Vice Chair or the Clerk at a meeting of the LAB, the LAB will agree a replacement for the meeting.
9. LAB meetings will generally commence at 5.30pm unless otherwise agreed.
10. Meetings will be limited to two hours in duration. Where business has not been completed within the agreed time, those present may resolve to continue the meeting in order to complete the agenda. Any business not completed will form part of the agenda for the next meeting.
11. Each member of the LAB shall have one equal vote. Where there is an equal division of votes, the Chair of the LAB will have the casting vote.
12. Votes will normally be taken by a show of hands; however, the Chair of the meeting may call for a secret ballot where this has been requested by two or more governors.
13. All recommendations and decisions made at a meeting of the LAB will be recorded accurately in writing. These minutes will be forwarded by the Clerk of the Trust and LAB within two weeks of the meeting date.
14. An annual timetable of meeting and training dates will be prepared and circulated to governors in the summer term of the previous year.
15. Governors wishing to suggest items for consideration at a meeting should inform the Clerk in advance and provide a copy of any supporting papers.

16. Items proposed for consideration under Any Other Business should be communicated to the Clerk no later than one week prior to the meeting.
17. Governors and attendees will be invited to declare any interests they may have in relation to agenda items at the start of each meeting.
18. Governors with an interest in an agenda item will refrain from discussing it and voting.
19. Draft minutes of each meeting will be approved by the Chair of Trustees for email circulation within two weeks of the meeting where possible.
20. Minutes of the previous meeting will be approved by governors at their next meeting.

**Governors are expected to:**

- Diary note published meeting and training dates.
- Arrive in good time for the start of any meeting.
- Read the paperwork distributed in advance and identify questions/challenges to raise.
- Be familiar with the contents of the School Plans (CIP and SEF).
- Refrain from inappropriate personal criticism.
- Participate in discussions, paying due attention to the views and comments of others.
- Be brief and adhere to any time limits allocated to agenda items.
- Follow up on action points between meetings.
- Maintain confidentiality.

**The following persons have the right to attend any or all meetings of the LAB:**

- Any Trustee
- Clerk

**The following persons will attend meetings of the LAB by governors' invitation:**

- Members of the Senior Leadership Team (SLT)
- Any prospective appointed governor in the course of recruitment

**The Role of the Chair of the Local Academy Board (LAB)**

The Chair of the LAB agrees:

1. To represent the LAB on the Trust Board.
2. To ensure that the business of the LAB is conducted properly in accordance with the delegation requirements of the Trust.
3. To ensure, as far as is possible, that the LAB is fully populated.
4. To ensure that LAB meetings are run effectively, prioritising business, making best use of the time available and ensuring that all governors have an equal opportunity to participate in discussion and decision-making.
5. To establish and foster an effective relationship with the Headteachers.
6. To establish and foster a professional relationship with the Clerk.

**Standing order for the election of the Vice Chair of the LAB**

The LAB must elect a Chair and a Vice Chair by means of a fair, open and transparent process:

- The Vice Chair will be elected each year at the first meeting of the LAB.
- Nominations will be invited by the Clerk in advance of the meeting.
- Candidates may self-nominate or be nominated by other governors.
- Should a vote be necessary, nominees will withdraw from the meeting.
- A secret ballot may be held when governors decide by a majority vote to adopt this process.

NB Governors who are paid to work at the school, eg the Headteacher and staff governors, are not eligible to be elected Chair or Vice Chair of the LAB.

**Election/appointment of LAB Governors**



### **Headteacher**

The Headteacher shall be treated as an ex-officio member of the LAB.

### **Staff Governors**

In appointing staff to serve on the LAB nominations will be invited from all staff employed under a contract of employment or a contract of services. Where there is a contested post a secret ballot will be held. All arrangements for the nomination and election process will be determined by the LAB.

## **Finance & Operations Committee (F&O) Terms of Reference**

The purpose of this Committee is to monitor and make recommendations to the Trust Board on matters relating to the Finance, Human Resources, Premises and Health and Safety of the campus.

This committee will have delegated responsibility for audit providing assurance to the Board over the suitability of, and compliance with, financial systems and operational controls.

The Terms of Reference of the Finance & Operations Committee (F&O) must be approved by the Board of Trustees of the Brookvale Groby Learning Trust. All decisions reserved for F&O Committee shall be determined by the Board and will be reviewed at least annually.

### **1. Composition and membership**

The composition of the F&O Committee will be agreed by the Trustees and may be amended from time to time. The Committee shall operate with 5 Trustees.

The Committee may invite attendance at meetings from persons who are not Trustees or Committee members to assist or advise on a particular matter or range of issues. Any Trustee may attend a F&O Committee meeting. Only Committee members may vote.

Committee membership is agreed at the first Trust Board meeting of the academic year. Advisors to the Committee are the BGLC Business Director and the Headteacher. The Committee will be clerked by the Clerk to The Trust Board.

The Chair of the Finance & Operations Committee will be a Trustee and will have a Finance specialism / expertise.

### **2. Delegated Power**

The Committee has delegated power from the Trust Board to make decisions for the areas of responsibilities outlined in the Terms of Reference

The Committee may wish to form a sub group to discuss a specific issue or topic. The membership should be agreed by the Committee and report back to the Committee appropriately.

All decisions and recommendations will be reported to the next meeting of the Trust Board.

### **3. Quorum and Voting**

The quorum for a meeting is 3 Committee members. No vote on any matter shall be taken unless the majority of members of the Committee present are Trustees.

Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the members present and voting on the matter. Where there is an equal division of votes, the Chair shall have a casting vote.

A register of attendance shall be kept for each Committee meeting and published annually.

#### **4. Operating Procedures of the Committee**

- To review annually the F&O Terms of Reference.
- To appoint a Chair annually at the first meeting of the academic year.
- To appoint (or remove) a Vice Chair annually.
- The Committee will meet as often as is necessary to fulfil its responsibilities but at least three times a year.
- The meeting may take place virtually should the need arise.
- To declare interests at the beginning of each meeting and during a meeting should they arise.
- To ensure that a register of Governors' Business Interests is maintained.
- To organise and participate in appropriate training.
- To receive reports from the Business Director as agreed (generally at each meeting).
- To review academy policies in line with Policy Review Schedule and maintain a knowledge of Trust policies.
- To maintain an understanding and awareness of the Funding Agreement and provisions set out in the Academies Financial Handbook.

#### **5. Reporting Procedures**

Within 14 days of each meeting, the Committee will produce and agree minutes of its meetings.

The Committee shall conduct an annual review of its work and these Terms of Reference and shall report the outcome and make recommendations to the Trust Board.

#### **6. Responsibilities of the Committee**

##### **Financial Planning & Organisation**

- To consider indicative funding, notified annually by the Department for Education (DfE) and to assess its implications for the Trust. This will be in consultation with the Headteacher (Accounting Officer) and Business Director, in advance of the financial year, drawing any matters of significance or concern to the attention of the Trust Board.
- To consider and recommend acceptance or non-acceptance of the Trust budget each financial year.
- To establish and maintain a 3 year financial plan drawing any matters of significance or concern to the attention of the Trust Board.

##### **Budgeting**

- To contribute to the formulation of the Trust strategic plan, through the consideration of financial priorities and proposals, in consultation with the Headteacher and Business Director and with the stated and agreed aims and objectives of the school.
- To receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year. This will include the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the development priorities set out in the strategic plan.
- To liaise with, and receive reports from, appropriate Committees and make recommendations to those Committees about the financial aspects of matters being considered by them.

- To delegate the day to day management of the approved budget to the Headteacher, within agreed authorisation limits.
- To consider requests for supplementary expenditure and make appropriate recommendations to the Trust Board.
- To review financial policy including consideration of long term planning and resourcing in accordance with the school development plan.

#### **Expenditure**

- To monitor and review expenditure on a regular basis and ensure compliance with the overall financial plan for the Trust, and with the financial regulations of the ESFA, drawing any matters of concern to the attention of the Trust Board.

#### **Financial Procedures**

- To monitor and review procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and where appropriate make recommendations for improvement.
- To prepare the financial statement to form part of the annual report of the Trust Board to stakeholders and for filing in accordance with requirements of the Companies Act, Charity Commission and Funding Agreement (including the Academies Financial Handbook)

#### **Audit**

- Review and recommend External Auditors to Members.
- Review and address the risks to internal financial controls, agreeing a programme of work to address and provide assurance on those risks.
- Appointment of an internal audit service and review reports of any recommendations on the effectiveness of the financial procedures and controls
- Ensure that information submitted to the DfE and EFA that affect funding, including pupil number returns and funding claims are accurate and comply with the relevant funding criteria.
- Complete the governance statement that forms part of the audited accounts to provide assurance to the external auditors.

#### **Risk**

- To monitor and manage risks to ensure effective operation and maintenance of a Risk Register.
- Overall responsibility for risk management, including regular review, along with ultimate oversight of the Risk Register, shall be retained by the Board of Trustees.
- Other Committees may also input into the management of risk at the discretion
- of the Board.
- Aside from any review by individual Committees, the Board itself must review
- the Risk Register at least annually.
- Risks management covers the full operations and activities of the Trust, not
- only financial risks.

#### **Health & Safety**

- To receive each term the Business Director's Health and Safety report and advise as necessary.

- Consideration and approval of Health and Safety policy, including procedures for Educational Visits.
- To monitor compliance with the Academies Health & Safety policies and statutory obligations under the Health and Safety at Work Act 1974.

#### **Asset Management**

- To receive reports from the Headteacher on the annual inventory check including details of surplus / missing items
- To confirm that an asset recording system is in place, including an inventory and fixed asset register for each Academy.

#### **Property Management**

- To approve the security policy and emergency plan for the campus as recommended by the Trust Business Director
- To determine the use of premises and grounds with regard to the lettings and charging policy.
- To ensure that the premises are inspected on an annual basis and that a planned and costed statement of priorities is prepared and reviewed.
- To ensure the long term development of facilities in order to maintain the campus position as a central point for the community.
- To ensure the responsibilities of the Trust Board under the Environmental Protection Act are met.
- To advise the Trust Board on environmental issues to ensure the campus is acting as a responsible institution in its duty to conserve energy, materials and with regard to the local community.

#### **Human resources**

- To oversee the HR strategy developed by the Trust Business Director
- To receive reports from the Headteacher about the staffing positions
- To review and approve policies linked to the employment of staff
- To review regular KPI information produced by the Business Director to review current staffing position across the Trust

#### **Performance Management and Pay**

- Chair of Committee to contribute to the performance management the the Headteacher.

#### **General**

- Reviewing or investigating any other matters referred to the Committee by the Trust Board.
- Drawing any significant recommendations and matters of concern to the attention of the Trust Board.

These Terms of Reference should be read in conjunction with:

The Finance policy

The Financial Scheme of Delegation

The Academies Financial Handbook

The Terms of Reference will be monitored by the Board of Trustees.

### **Remuneration Committee Terms of Reference**

The role of the Remuneration Committee is to maintain an oversight of the Trust's approach to remuneration and pay progression.

### **Committee membership**

- The membership will consist of 3 Trustees, none of whom are employees of the Trust.
- Members of the Committee shall be appointed by the Board annually.
- Committee members will attend Committee meetings. Those required to advise this Committee may be invited to attend meetings. Any conflict of interest matters will be resolved according to the guidance contained in the Academies Financial Handbook.

### **Quorum and Voting**

- The quorum necessary for the transaction of business shall be 3 members of the Committee.
- Where a vote is taken to decide on a course of action or to endorse a decision, a simple majority of those eligible to vote will be required. The Chair will have a casting vote.

### **Frequency of meetings**

- The Committee will meet as often as is necessary to fulfil its responsibilities but shall meet at least once per year.
- The meeting may take place virtually should the need arise.

### **Chairing**

- The Committee shall at the first meeting of each academic year, elect a Chair from among their number (the Chair). In the absence of the Chair, the remaining members present shall elect one of themselves to chair the meeting.
- The Chair of the Board shall not be Chair of the Committee.
- Employees of the Trust may not act as Chair, other than in exceptional circumstances agreed by the Board.

### **Clerking**

- The Committee will be clerked by the Trust Clerk. The Committee may appoint an alternative Clerk if this is not possible.

### **Reporting responsibilities**

Within 14 days of each meeting, the Committee through the Clerk will produce and agree draft minutes of its meetings. The Committee minutes will be submitted to the Trust Board members at the subsequent meeting. Matters indicated as confidential will not be circulated to all Board Trustees, but will be retained in a “confidential matters minute” as part of the Committee’s minutes.

### **Committee Tasks**

1. To review, approve and monitor strategy and policies on performance management, remuneration and conditions of service.
2. To ensure the Board has a Senior Leadership succession plan which minimises the risk to business continuity in the event of resignations or long term absence.
3. To consider the outcome of performance management and approve pay recommendations of the Headteacher.
4. To review and monitor the effectiveness of performance management and pay awards for schools in the Trust including Senior Leaders.
5. To hear appeals in relation to disciplinary, grievance and pay for members of staff within the Trust.
6. To review, approve and monitor special staff severance payments above the statutory or contractual entitlement (payments over £50k must be authorised by EFA).

7. To approve HR policies as determined by the Trust Board through the Trust Policy Framework.
8. To consider other areas, as determined by the Trust Board from time to time

### **Review**

The Committee will self-assess its performance against these Terms of Reference on an annual basis and will also review the Terms of Reference, submitting any proposed changes to the Board for approval.

Along with all other Chairs of Committees, a review of their performance will be completed annually.