

## Northumberland Church of England Academy Trust Scheme of Delegation



<b>Applicable to:</b>	✓	All individual schools within NCEAT
	✗	Specified schools only
	✓	NCEAT Trust Board
<b>Approval body:</b> NCEAT Trust Board		

<b>Status</b>	
<b>Statutory policy or document</b>	Yes
<b>Review frequency</b>	Annual (earlier if new guidance or legislation issued and/or business need for earlier review identified)
<b>Publication</b>	Trust website

Version	Approval by Trust Board	Status	Next review due by:
1.0	July 2018	Initial scheme of delegation created following conversion from SAT to MAT. Retained Trust Board and Committee Model.	September 2019
2.0	October 2019	Revised scheme of delegation to change structure to create Local Governing Bodies (LGBs) for each academy/school and to reflect delegation of powers from Trust Board to LGBs.	September 2020
2.1	December 2019	Section 4.4: Minor amendment to wording Section 7.7: Change of committee name Revisions to Section 8: Decision Making and Accountability	December 2020
2.2	December 2020	Section 3: NCEAT Governance Structure 2020/21 updated. Section 4-7 minor cosmetic changes Section 8: updated decision making and accountability Appendix 1 - minor cosmetic changes Appendix 2 – i) remove Achievement and Standards Committee. Renumber committees ii) AIB updated iii) FORC – 2.2 delete ‘appropriate add in ‘required by directors’; additional minor cosmetic changes Appendix 3 – New insert	December 2020

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## **1. Rationale for Scheme of Delegation**

**1.1** A multi academy trust's board of trustees is accountable in law for all major decisions about their academies. However, this does not mean that the board is required to carry out all the trust's governance functions and many can and should be delegated to the CEO and the board's committees, including Local Governing Bodies. It is vital that the decision to delegate a function is made by the full board of trustees and is recorded. Without such delegation, the individual or committee has no power SoD to act.

**1.2** Which functions the board decides to delegate will depend upon the size of the MAT, both in terms of the number of schools and the number of pupils in the MAT, and the way in which its leadership is structured, as well as the geographical spread and the context of the schools.

**1.3** The Scheme of Delegation (SoD) is the key document defining the lines of responsibility and accountability in a MAT. It should be a simple yet systematic way of ensuring that the members, trustees, board committees, cluster and/or academy committees, executive leadership and academy Principal/Headteachers are all clear about their roles and responsibilities. This overarching SoD for all decision making in the trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

**1.4** The Scheme of Delegation is not set out in our Articles of Association, and therefore it is critical that the that explicitly establishes who makes which decisions and who carries out which functions, and ensures that this is clear to both all those within the MAT, as well as to the governing bodies of schools who may be potentially looking to join. Once determined the SoD must be published on the trust and its schools' websites.

**1.5** A scheme of delegation must be fit for purpose which means it demonstrates clearly the lines of accountability. Where there is duplication or overlap, questions should be asked as workload issues may develop (e.g. the need to produce reports for and attending meetings of more than one layer of governance) and cracks can develop as assumptions are made about who is responsible for what with the result that decisions are either not made or different decisions are reached by different people or committees.

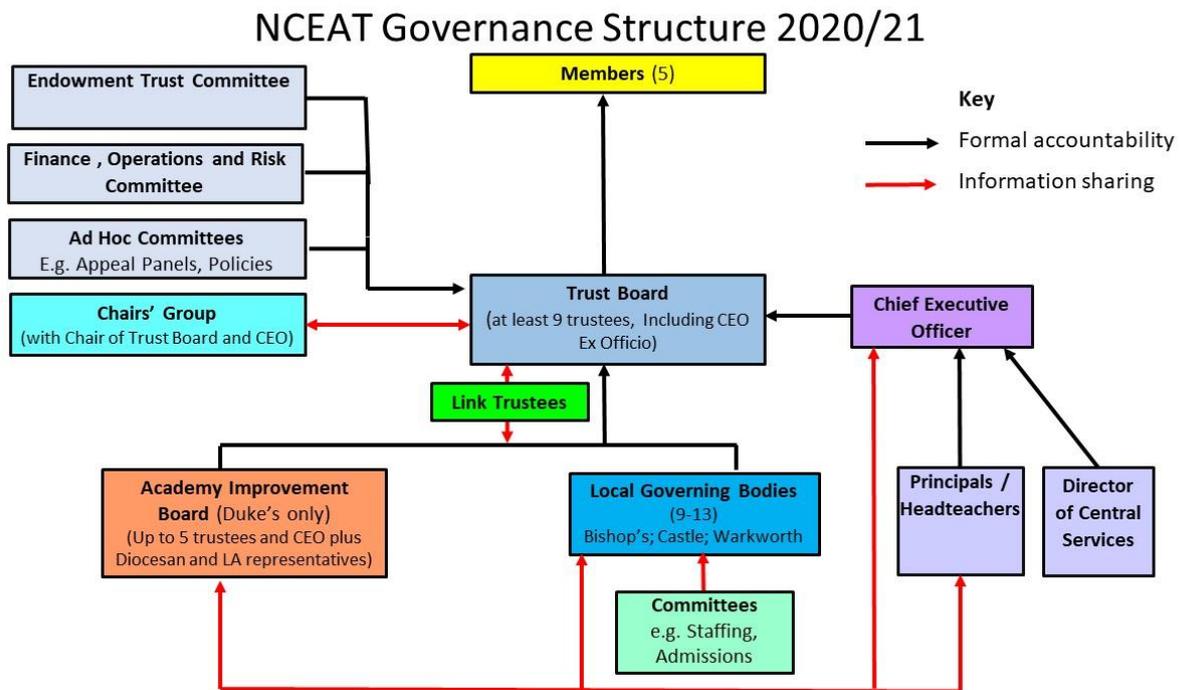
**1.6** As our MAT matures and grows the workings of the MAT, both in terms of governance and management are likely to change. The SoD must be reviewed annually, with changes made as the context changes, in recognition of the need to be responsive to changing circumstances and to adapt accordingly. It is important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

## 2. Characteristics of an effective Scheme of Delegation

2.1 An effective Scheme of Delegation will:

- a. Promote a culture of honesty and accountability;
- b. Ensure the executive leadership is clear about which decisions the Trust Board remain in control of;
- c. Identify responsibility for the appointment and performance management of the CEO and academy Principal/Headteachers;
- d. Ensure that the role of the executive leadership is fully understood throughout the MAT;
- e. Identify responsibility for policy and practice in each academy;
- f. Identify responsibility for oversight of educational performance in each academy;
- g. Identify responsibility for oversight of each academy's budget;
- h. Identify responsibility for assessment of risk in each academy;

## 3. Scheme of Delegation Governance Structure 2020-21



## **4. Exercising powers and decisions**

**4.1** The Trust ensures there is separation between the individuals who sit as members, non-executive directors/trustees and local governors to ensure objectivity when exercising powers under this Scheme. ,

**4.2** The Trust Board requires that all powers and decisions are determined in accordance with the trust's policies and any statutory/regulatory requirements, and in a manner consistent with the trust's common purpose, vision and values.

**4.3** The Trust Board has agreed a 'Code of Conduct for Trustees and Local Governors' setting out the standards expected of individuals when exercising their role and responsibilities. It incorporates the '7 principles of public life' that apply to all individuals elected or appointed to public office, or to work in, all sectors that provide public services.

**4.4** Trustees, governors and selected Trust/Academy staff sign a Declaration of Interests to identify any potential conflicts of interest to any effect on decision-making is prevented.

## **5. Reservation of powers and decisions**

**5.1** The Trust Board operates a risk-based approach to the oversight and management of the trust and its academies, as set out in the trust's Risk Management Policy. Actions are identified to address and reduce inherent risks and any decision by the Trust Board to reserve powers and functions will be based on the trust's evaluation of the residual risk that remains. This approach applies to all academies within the trust and new schools joining the trust.

**5.2** In the following circumstances the Trust Board may decide to exercise themselves any of the powers and functions that would otherwise be delegated to the Local Governing Body and/or the academy's Principal/Headteacher under either this Scheme or the parameters for financial decisions set out in the trust's Financial Handbook:

**5.2a.** The school/academy is judged as "inadequate" (requires special measures or having serious weaknesses) or "requires improvement" by Ofsted;

**5.2b.** The school/academy is judged by the Trust's ongoing self-evaluation and performance management process, at the absolute discretion of the trustees, that performance in one or more of the following areas is unacceptable:

- leadership and management (including governance and safeguarding);
- DfE performance measures and/or governance KPIs
- quality of teaching, learning and assessment;
- personal development, behaviour and welfare;
- early years provision (where relevant);
- 16-19 provision (where relevant); or
- in the case of a Church school only, and following consultation with the Diocesan Education Board, the impact of the school's Christian vision on pupils and adults;

**5.2c.** Significant safeguarding concern arises which, at their absolute discretion, the directors consider could place the school/academy at risk of an Ofsted inspection;

**5.2d.** The school/academy is deemed, at the absolute discretion of the Trust Board, not to be managing its finances effectively;

**5.2e.** The school/academy is deemed, at the absolute discretion of the Trust Board, not to be acting in accordance with the trust's common purpose, vision or values;

or

**5.2f.** Any other circumstance where, at their absolute discretion, the Trust Board deem it necessary for the efficient operation of the school/academy and/or the Trust.

**5.3** If the Trust Board decides to exercise its power under clause 5.2:

**5.3a.** A bespoke Scheme of Delegation for the school/academy shall be agreed by the Trust Board, subject to the requirement to consult with the Diocese in relation to a Church of England school, with the purpose of mitigating the areas of risk identified. This may include creating an Academy Improvement Board to replace the Local Governing Body. This may include external appointees, for example to represent the Diocesan Board of education but Trustees will retain a majority;

**5.3b.** The Academy Improvement Board shall generally be authorised to exercise the powers and functions reserved by the Board, subject to any specific arrangements agreed under **5.3a**; and

**5.3c.** The Trust Board will periodically review the school/academy's performance and when, at its absolute discretion, it considers it appropriate to do so it will revoke the bespoke Scheme of Delegation and this Scheme shall apply instead.

## **6. Dispute resolution**

**6.1** Any dispute between any parties about the application of this Scheme shall be referred to the Trust Board for their determination. Strategies for managing disputes or disagreements between parties about the Scheme of Delegation will include:

- Explicitly acknowledging concerns during board, committee of LGB meetings
- Face-to-face conversations, for example through the Chairs Group or facilitated by the Chair or Vice Chair
- Depersonalising tension by reminding trustees and LGB members of their 'higher purpose'.

**6.2** This Scheme of Delegation is intended to be consistent with the trust's Articles of Association (the "Articles") and its Master and Supplemental Funding Agreements. In any conflict between any provision of this Scheme and the Articles or the Funding Agreement(s), the Articles or the Funding Agreement shall prevail.

## **7. Roles and responsibilities**

### **7.1 The role of the members**

The five members of the Trust are guardians of the governance of the Northumberland Church of England Academy Trust and as such have a different status to Trustees. The Members hold the Trust Board to account for the effective governance of the Trust and appoint trustees to ensure that the trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the trust to the members.

### **7.2 The responsibilities of the members include:**

- a. To amend the articles of association subject to any restrictions in the articles, the funding agreement or charity law.
- b. To, in certain circumstances, appoint new Members or remove existing Members.
- c. To appoint and remove Trustees in certain circumstances.
- d. By special resolution, to issue direction to the Trustees to take a specific action.
- e. To appoint the Trust's auditors and receive the Trust's audited annual accounts.
- f. To change the name of the company.
- g. To dissolve the Academy Trust, in conjunction with the DfE, if it is failing.

### **7.3 The role of the trustees**

The Northumberland Church of England Trust is a charitable company and so Trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. NGA uses the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are neither company directors nor trustees.

The Trustees are responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements.

The Trustees appoint the Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of its vision and strategy, and will hold the CEO to account for the conduct and performance of the Trust, including the performance of the schools/academies within the Trust, and for its financial management.

### **7.4 The responsibilities of the Trustees include:**

- a. To set the Trust's common purpose, vision and ethos.
- b. To assure standards of conduct and ensure its obligations to its stakeholders are understood and met.
- c. To set the Trust's strategic aims, taking into consideration the views of the sponsor, Local Governing Bodies, Principal/Headteachers, parents/carers and other stakeholders.

- d. To ensure the Trust operates within its constitution and complies with its statutory and contractual obligations including pupil admissions and exclusions.
- e. To have strategic oversight of the Trust's approach to safeguarding children, equality and diversity and health and safety.
- f. To make financial decisions within the parameters applicable to the Trust Board as set out in the trust's Financial Handbook and be responsible for the Trust's financial affairs and its use of resources to maximise outcomes for pupils.
- g. To approve Trust-level policies that enable strategic aims to be achieved, are consistent with the trust's vision and values and ensure appropriate compliance, and to monitor and review the effectiveness of those policies.
- h. To manage risks to ensure the effective operation of the Trust.
- i. To ensure the effectiveness of the trust's governance arrangements.
- j. Hold the executive leadership to account for the educational performance of the Trust's schools/academies and their pupils, and the performance management of staff

The Trust Board has the right to review and adapt its governance structure at any time which includes removing delegation. The Trust Board of NCEAT will comprise of a minimum of 9 Trustees.

### **7.5 The role of the Chair of the Trust Board**

The Chair ensures the effective functioning of the Trust Board and sets professional standards of governance. They act as a sounding board for the CEO and provide support and challenge. Together with the CEO, they engage with the Regional Schools Commissioner, the Department for Education and the Diocesan Education Board on behalf of the trust.

### **7.6 The responsibilities of the Chair of the Trust Board**

- a. To make decisions and recommendations delegated by the Trust Board to the Chair of the Trust Board.
- b. To take Chair's action to make urgent decisions on behalf of the Trust Board where a delay is likely to be seriously detrimental to the Trust, a pupil or their parents/carers, or a person who works for the Trust. To report those decisions to the Trust Board.
- c. To recruit and develop non-executive directors/trustees with relevant skills to carry out the functions of the Trust Board.
- d. To plan and manage the work of the Trust Board in conjunction with the Clerk to the Trustees.
- e. To ensure effective communication between different levels within the Trust's governance structure.
- f. To act as an ambassador for the Trust, promoting its vision and values, at local, regional, national and international level.

The Chair will be supported by the Vice Chair in undertaking c-f. The Vice Chair may take Chair's action under 2 in the absence of the Chair or if the office of Chair is vacant.

### **7.7 The role of the Trust Board committees**

The Trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the Trust Board. The membership (there must be at least three Trustees) and responsibilities of board committees

are set out in the committee's terms of reference. It is usual for the Trust Board to committee members according to their skills. The committee members then elect the committee chair. The Trust Board has constituted three standing board committees, the Finance, Operations and Risk Committee, the Endowment Trust Committee and the Achievement and Standards Committee.

The Academies Financial Handbook makes it clear that the Trust Board 'should have a finance committee to which the board delegates financial scrutiny and oversight'. In trusts with income above a certain level, there must also be a separate audit committee.

### **7.8 The responsibilities of the Trust Board committees**

The terms of reference for each committee are set out in Appendix 2.

### **7.9 The role of Chairs of Trust Board committees**

The Chair ensures the effective functioning of the committee and professional standards of governance are achieved in line with the Trust's expectations.

### **7.10 The responsibilities of Chairs of Trust Board committees**

- a. To make any decisions and recommendations delegated by the Trust Board to the Chair of the Committee.
- b. To make decisions previously delegated by the Committee to the Chair of the Committee.
- c. To lead and support the members of the Committee to carry out its delegated functions.
- d. To plan and manage the work of the Committee in conjunction with the Clerk.
- e. To ensure decisions and recommendations made by the Committee are reported to the Trust Board.

### **7.11 The role of Local Governing Bodies (LGBs)**

The Trust Board delegates some of its decision-making powers and scrutiny and monitoring functions to a local governing body for each academy comprising local governors, known as a Local Governing Body (LGB). It also delegates stakeholder engagement at local level to the LGB. The Trust provides guidance for LGBs about its expectations for their scrutiny and monitoring.

To establish the ethos of the school/academy to ensure this is locally relevant, and in the case of Church schools only, to develop and maintain its religious character. To provide assurance to the Trust Board regarding the provision and care for all learners within the school/academy. To ensure effective engagement with local stakeholders.

### **7.12 The responsibilities of Local Governing Bodies (LGBs)**

- a. To establish the ethos, and the religious character, for the school/academy which is consistent with the Trust's mission, vision and values and ensure this is locally relevant for learners and the community it serves.
- b. To make decisions and recommendations delegated by the Trust Board to the LGB as delegated in Section 8. To report those decisions to the Trust Board.
- c. To approve school/ academy level policies that enable strategic aims to be achieved, are consistent with the Trust's vision and values and ensure appropriate compliance, as set out in Section 8. To monitor and review the effectiveness of those policies.
- d. To recruit, in conjunction with the Trust Board, and develop local governors with relevant skills to carry out the functions of the LGB.
- e. To establish a programme of governor scrutiny and monitoring to provide assurance about:

- progress against the priorities in the trust/school improvement plan and their effectiveness in achieving strategic aims
  - the effectiveness of provision for all learners including:
    - curriculum
    - extra-curricular/curriculum enrichment activities
    - careers/preparation for the world of work
    - the impact of specific sources of funding e.g. pupil premium, primary PE and sports premium, Year 7 catch-up premium, SEN
  - the effectiveness of care for all learners including:
    - safeguarding
    - attendance
    - behaviour
    - welfare and family support
  - the effectiveness of the implementation of the trust's arrangements for the performance management of staff in the academy
  - the school/academy's preparedness for Ofsted inspection
  - for Church of England schools/academies only: the impact of the school's Christian vision on pupils and adults and preparedness for SIAMS inspection.
- f.** To ensure that suitable full-time education for any pupil of compulsory school age is arranged where the pupil has a fixed-period exclusion of more than five school days.
- g.** To ensure there is effective engagement between the school/academy and stakeholders in the local community, especially parents.
- h.** To have an overview of the school's/academy's finances and identify where priorities require a change to resource allocation.
- i.** To identify and manage risks at local level.

### **7.13 The role of the Chair of a Local Governing Body**

The Chair ensures the effective functioning of the LGB and ensures professional standards of governance are achieved in line with the Trust's expectations. They act as a sounding board for the school/academy's Principal/Headteacher and provide support and challenge.

### **7.14 The responsibilities of the Chair of a Local Governing Body**

- a.** To make decisions and recommendations delegated by the Trust Board to the Chair of the LGB as set out in Section 8.
- b.** To take Chair's action (when agreed by Chair or Vice Chair of Trust Board and CEO) to make urgent decisions on behalf of the LGB where a delay is likely to be seriously detrimental to the academy, a pupil or their parents/carers, or a person who works at the academy. To report these decisions to the LGB.
- c.** To recruit, in conjunction with the Trust Board, and develop local governors with relevant skills to carry out the functions of the LGB.
- d.** To plan and manage the work of the LGB in conjunction with the Clerk to the Trustees (or their representative).
- e.** To ensure decisions and recommendations made by the LGB are reported to the Trust Board.
- f.** To ensure effective communication with the Trust Board and the CEO.
- g.** To act as an ambassador for the trust and its schools/academies at local, regional, national and international level.

The Chair will be supported by the Vice Chair in undertaking c-f. The Vice Chair may take Chair's action under b in the absence of the Chair or if the office of Chair is vacant.

### **7.15 The role of the Chairs' Group**

The Trust has established a Heads and Chairs Forum and assigned Link Trustee(s) for each academy to facilitate communication between the various levels of governance.

### **7.16 The role of the Chief Executive Officer (CEO)**

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's schools/academies and so the CEO performance manages the school/academy Principal/Headteachers. As there is the delegation of some governance functions to school/academy committees, this is with the relevant LGB chair alongside.

The CEO acts as the Trust's executive leader and Accounting Officer. Together with the Chair of the Trust Board, they engage with the Regional Schools Commissioner, the Department for Education and the Diocesan Education Board and Director of Education on behalf of the trust.

The CEO is the Accounting Officer so has overall responsibility for the operation of the Academy Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the executive management team of the Academy Trust. The CEO will delegate executive management functions to the executive management team and is accountable to the Trust Board for the performance of the executive management team.

### **7.17 The responsibilities of the Chief Executive Officer (CEO)**

- a. To develop the common purpose, vision, values and strategy with the Trust Board.
- b. To ensure that the Trust Board's plans and priorities are implemented and that progress is regularly reported using robust and accurate measures and performance indicators.
- c. To be accountable for the performance of the schools/academies within the Trust.
- d. To ensure that the Trust Board, its Committees and the Local Governing Bodies have sufficient information to undertake effective scrutiny and monitoring and provide assurance.
- e. To ensure that the systems of governance, financial and risk management that the Trust Board relies on to operate effectively are fit for purpose and properly controlled.
- f. To make decisions and recommendations delegated by the Trust Board to the CEO as set out in *Section 8*.
- g. To implement Trust level policies that enable strategic aims to be achieved, are consistent with the Trust's vision and values and ensure appropriate compliance.
- h. To make financial decisions within the parameters applicable to the CEO as set out in the Trust's Financial Handbook.
- i. To ensure appropriate records of the Trust's governance arrangements are maintained to demonstrate accountability and transparency.
- j. To lead the school's/academies' Principal/Headteachers and the Director of Central Services individually and through the Executive Leadership Team.
- k. To ensure effective communication throughout the Trust and with its stakeholders including leading formal consultation on behalf of the Trust Board.
- l. To act as an ambassador for the Trust, promoting its vision and values, at local, regional, national and international level.
- m. As the Accounting Officer of the Trust –

- To have personal responsibility to Parliament, and to the Education and Skills Funding Agency's Accounting Officer, for the financial resources under the trust's control.
- To have appropriate oversight of financial transactions by ensuring that the Trust's property and assets are under the control of the Trustees, and measures exist to prevent losses or misuse; ensuring that bank accounts, financial systems and financial records are operated by more than one person; and, keeping full and accurate accounting records to support their annual accounts.
- To take personal responsibility for assuring the Trust Board that there is compliance with the Trust's funding agreements and the Academies Financial Handbook.

### **7.18 The role of the Principal/Headteacher**

The school/academy Principal or Headteacher is responsible for the day to day management of the academy and is managed by the Chief Executive Officer. To report to the Local Governing Body on matters that he or she has delegated responsibility for including scrutiny and monitoring of the school's/academy's performance in key areas.

### **7.19 The responsibilities of the Principal/Headteacher**

- To make decisions and recommendations delegated by the Trust Board to the Principal/Headteacher as set out in Section 8.
- To implement Trust-level policies that enable strategic aims to be achieved, are consistent with the Trust's vision and values and ensure appropriate compliance.
- To develop and implement school/academy level policies that enable the school's/academy's plans and priorities to be achieved, are consistent with the school's/academy's ethos and, in the case of Church schools, religious character and ensure appropriate compliance.
- To make financial decisions within the parameters applicable to the Principal/Headteacher as set out in the Trust's Financial Handbook.
- To ensure appropriate records of admissions (including a clear, fair and objective waiting list) and attendance are maintained for the school/academy.
- To contribute to the development of the Trust's common purpose, vision, values and strategy through membership of the Executive Leadership Team.
- To ensure that the Trust Board's and the LGB's plans and priorities are implemented and that progress is regularly reported using robust and accurate measures and performance indicators.
- To be responsible for the performance of designated academy within the Trust.
- To ensure that the Trust Board, its Committees and the Local Governing Body have sufficient information to undertake effective scrutiny and monitoring and provide assurance.
- To ensure that the systems of governance, financial and risk management that the Trust Board relies on to operate effectively are implemented at school/academy level.
- To ensure that appropriate health and safety protocols and procedures are established and implemented effectively at school/academy level.
- To lead the school/academy staff and line manage the academy's Senior Leadership Team.
- To appoint appropriately qualified and experienced individuals as the academy's SENCO, Designated Safeguarding Lead, Designated Teacher for Looked After Children and, in secondary schools, Careers Leader.
- To ensure effective communication throughout the school/academy and with the Trust, including with local stakeholders, and lead formal consultation on behalf of the LGB.

o. To act as an ambassador for the Trust and its academies at local, regional, national and international level.

## Section 8 Decision Making and Accountability

### Key

✓ = **Decision Maker.** Identifies which body or individual who has responsibility for making the decision (where there are multiple bodies or individual ticked for the same decision, this will be specified in terms of reference for committees and LGBs (Appendices 1 and 2) below or the relevant policy/procedure

**R = Recommendation.** To consider any recommendation that the party marked with an R provides. The < and/or > symbols show the direction of that recommendation;

**A = Advisory role.** To seek and consider any advice that the parties marked with an A wish to provide. The < and/or > symbols show the direction of that advice.  
(The relevant body/individual may seek and consider advice from any party on any other matter but it is not a requirement within the context of this Scheme.)

1	Governance	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
1.1	Appoint members	✓								
1.2	Agree change of name for Trust	✓	<R				<A			
1.3	Agree and review articles of association	✓	<R				<A			
1.4	Appoint or remove Trustees	✓	✓							
1.5	Decide to establish any subsidiary company		✓							
1.6	Approve applications by schools to achieve a nationally recognised designation		✓				<R		<A	<A
1.7	Agree to dissolve the Trust	✓	<R							
1.8	Agree the governance structure below the Trust Board		✓							
1.9	Agree the roles and responsibilities of committees/individuals		✓							
1.10	Agree the Scheme of Delegation		✓				<R		<A	
1.11	Decide whether to withdraw all or some of the delegated powers and functions from an individual academy		✓				<A			
1.12	Agree the constitution, membership and procedures of committees including the LGB		✓							
1.13	Appoint/remove the Clerk to the Trust Board		✓							
1.14	Appoint (by election)/remove the chair and vice chair of the Trust Board		✓							
1.15	Agree members of board committees		✓							
1.16	Approve appointment of trust governors to school/academy LGBs		✓						<A	
1.17	Appoint parent governor to the LGB where no nominees		✓						<R	
1.18	Appoint co-opted governors to the LGB		✓						<R	
1.19	Approve elected chair and vice chair of school/academy LGBs		✓				<A>		<R	
1.20	Approve members of ad hoc appointment committees and hearing and appeal bodies		✓						✓	

1.21	Approve members of committees to consider admissions and exclusions								✓		
1.22	Suspend members of school/academy LGBs		✓					<A>	✓		
1.23	Remove members of school/academy LGBs		✓					<A>	✓		
1.24	Remove chair or vice chair of school/academy LGBs		✓					<A>	✓		
1.25	Decide outcome of formal complaints (subject to Complaints Policy)		✓					✓	✓	✓	
1.26	Skills audit: complete and recruit to fill gaps		✓					<A>			
1.27	Annual self-review of Trust Board and committees		✓	✓	✓			<A>	<A>	✓	<A>
1.28	Chair's performance: carry out 360 review at least every 2 years		✓								
1.29	Trustee contribution: review annually		✓					<A>			
1.30	Succession: plan		✓					<A>	<A>	<A>	
1.31	Annual schedule of business for Trust Board and LGBs: agree		✓	✓	✓			<A>	<A>	✓	<A>
1.32	Publication on Trust and schools'/academy's websites of all required details on governance arrangements: ensure compliance		✓					✓	✓	✓	
1.33	Annual report on performance of the Trust: submit to Members and publish		✓					<R>	<R>	<R>	<R>
1.34	Safeguarding compliance and training		✓					✓	✓	✓	✓

2	Strategy and ethos	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
2.1	Agree Trust-wide mission, vision, values and strategy		✓				<A>		<A>	
2.2	Establish individual school/academy ethos and character						A>		✓	<A>
2.3	Approve Trust-wide strategic/business plans		✓				<A>			
2.4	Approve individual school/academy improvement plans		✓				R>		✓	✓
2.5	Approve school/academy-level targets (KPIs)			✓			<R>		✓	<A>
2.6	Agree proposed addition of schools/academies to the Trust		✓				<R>	<A>		
2.7	Decide delegation of policy approval (see Appendix 3)		✓	<A>		<A>	<R>	<A>	<A>	<A>
2.8	Approve policies delegated by Trust Board		✓	✓		✓	✓	<A>	✓	<A>
2.9	Agree Trust-wide equalities statement and equality objectives		✓				<A>			
2.10	Decide the scope of central services to be delivered by the MAT or procured on a Trust wide basis			✓			<R>	<R>		
2.11	Decide additional services (not available from Central Services) to be procured by an academy, subject to the NCEAT Finance Regulations Handbook						A>	A>	✓	✓

3	Education provision	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
3.1	Agree the dates of school/academy terms and holidays		✓				<A>			<A>
3.2	Agree Trust-wide training days						✓			<A>
3.3	Agree the dates of school/academy-specific training days						✓		✓	✓

3.4	Agree the times of school/academy sessions							R>		✓	<R
3.5	Agree proposed curriculum offer subject to Trust Curriculum Principles							✓		✓	<R
3.6	Decide the school's/academy's extra-curricular provision										✓
3.7	Agree assessment process							✓			✓
3.8	Approve proposal that involves a "significant change" to the school's/academy's provision (as defined by DfE) or that requires funds from the Trust's reserves		✓					<R	<A>	<R	<A
3.9	Approve proposal to make a change to the school's/academy's provision (not covered by 3.8 above)		✓	<R				<R	<A>	<R	<A
3.10	Approve proposal to increase or decrease PAN		✓					<A>		<R	<A
3.11	Decide to offer or refuse admissions									✓	<R
3.12	Decide requests to admit outside of normal age group									✓	<R
3.13	Respond to consultation by LA about naming the school/academy in an EHCP										✓
3.14	Decide permanent and fixed-term exclusions										✓
3.15	Review Principal/Headteacher's decision for relevant exclusions							A>		✓	
3.16	Consider reinstatement of an excluded pupil when directed or recommended by an independent review panel							A>		✓	
3.17	Determine school level policies which reflect the school's/academy's ethos and values to include e.g. curriculum & behaviour: approve							A>		✓	<R
3.18	Overview of standards of attainment across all schools/academies		✓							✓	
3.19	To commission, receive and consider reports from external advisers such as the School Improvement Partner		✓	✓				✓		✓	

4	Finance and risk (subject to NCEAT Finance Policies & Procedures and the Academies Financial Handbook)	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
4.1	Approve the first formal revenue and capital budget each financial year to submit to ESFA		✓	<R			<A>	<A>	<A	<A
4.2	Direct action in response to financial forecasts			✓			<A	<A		<A
4.3	Approve the budget forecast outturn to submit to ESFA			✓			<A	<A		<A
4.4	Develop and propose individual school/academy budgets						A>	✓		✓
4.5	Set the contribution rate (top slice) schools/academies pay to the trust for Central Services		✓	<R			<A	<A	<A	
4.6	Approve the annual report and accounts		✓	R			<A	<A		
4.7	Agree financial decision levels and limits			✓			<A	<A		
4.8	Agree financial procedures and internal financial controls			✓			<A	<A		
4.9	Appoint/remove external auditors	✓	<R	<A				<A		
4.10	Decide internal assurance arrangements including appointment of internal auditors			✓				<A		
4.11	Open/close Trust bank account		✓					<R		
4.12	Approve related party transactions			✓				<R		
4.13	Make novel, contentious or repercussive transactions			✓			<R	<R		
4.14	Agree grant funding on behalf of the trust e.g. NLE			✓			<R			
4.15	Agree a risk register		✓						✓	

4.16	Management of risk: review & monitor		✓	✓			<R	<R	<R	<R
4.17	Approve Trust-wide Business Continuity Plan			✓			<R	<R	<A	
4.18	Approve school/academy level Critical Incident and Contingency Plan			✓			A>	A>	✓	<R
4.19	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<R						
4.20	Approve requests for endowment funding		✓		✓			<R	A>	<R
4.21	Trust's scheme of financial delegation: establish and review		✓				<A	<A		
4.22	School/Academy scheme of financial delegation: establish & review			✓			<A>	<A>	✓	
4.23	Produce accurate monthly management accounts and commentary e.g. reflecting spend to date							✓		
4.24	Monitor financial performance against budget and forecast at least every two months (Trust) and at least termly (LGB)			✓				<A>	✓	
4.25	Benchmarking and Trust wide value for money: ensure robustness			✓			✓	✓		
4.26	Develop Trust wide procurement strategies and efficiency savings programme			✓			✓	✓		
4.27	Review and approve Trust wide procurement strategies and efficiency savings programme			✓			<R	<R		
4.28	Maintain and review appropriate contracts register			✓				<R>	✓	

5	Human resources*	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
5.1	Approve Trust's HR strategy		✓				<A	<A		
5.2	Approve the staffing structure at the start of each financial year linked to the first formal budget						✓	<A	<A	<R
5.3	Agree changes to the approved academy staffing structure						✓	<A		<R
5.4	Agree changes to the approved central team staffing structure		✓	✓			<R	<A		
5.5	Appoint Trust CEO/ Accounting Officer		✓							
5.6	Appoint Trust CFO		✓	<A			<A			
5.7	Appoint all other central services staff							✓*		
5.8	Appoint a Principal/Headteacher		✓				<A>*		✓	
5.9	Appoint a Deputy Principal/Headteacher						A>*		✓	✓
5.10	Appoint to any other leadership /TLR role							*	✓	✓
5.11	Appoint all other academy staff						A>	*		✓
5.12	Decide starting salaries and ranges for Principal/Headteachers (LGB)		✓			A>	<R	*	<R	
5.13	Decide starting salaries and ranges for central services staff					✓	✓	<A*		

5.14	Decide starting salaries and ranges for academy staff					A>		A>*	✓	✓
5.15	Approve the outcome of the probationary period for support staff							✓*		✓
5.16	Approve the outcome of the induction period for NQTs							A>*		✓
5.17	Appraisal/pay recommendation for and remuneration CEO	✓				<R				
5.18	Appraisal/pay recommendation and remuneration for Principal/Headteachers					✓	A>		<✓	
5.19	Appraisal/pay recommendation and remuneration for CFO		✓			<R				
5.20	Appraisal of central services staff excluding CFO						✓*	✓*		
5.21	Appraisal of academy staff excluding Principal/Headteacher							A>*		✓
5.22	Agree a CPD plan for staff						✓*	✓*		✓
5.23	Agree Pay Policy and annual pay awards	✓	<R			<R	<A*	<A		
5.24	Decide annual salary review for teachers in academies							*	✓	<A
5.25	Agree recruitment and retention payments or market supplements for any trust employee	✓	✓			<A	<R*			<R
5.26	Decide leave of absence requests						✓*	✓*		✓
5.27	Decide flexible working requests						✓*	✓*		✓
5.28	Make decisions under disciplinary, capability, sickness absence policies etc.						✓*	*		✓
5.29	Suspension or Dismissal of CEO	✓								
5.30	Suspension or Dismissal of CFO		✓			<R				
5.31	Suspension or Dismissal of Principal/Headteacher					✓			<R	
5.32	Suspension of central services staff						✓*	✓*		
5.33	Suspension of academy staff							*		✓
5.34	Dismissal of staff not covered by 5.27-5.29					✓		✓*		✓
5.35	Approve proposal to refuse alternative employment to an "at risk" employee	✓				<R	<R*			<R
5.36	Approval of non-contractual/statutory dismissal payments or settlement agreements up to £50k		✓			<R	<R*			
5.37	Approval of non-contractual/statutory dismissal payments or settlement agreements over £50k (and notification to ESFA where appropriate)	✓				<R	<R*			
5.38	Approval of discretions exercised under LGPS Employer Discretions Policy							✓*		✓
5.39	Appoint designated leads at school level for statutory roles e.g. safeguarding, LAC									✓
5.40	Agree terms and conditions for trust employees	✓				<R	<A *			

6	Physical resources	Members	Trust Board	Finance Committee	Endowment Committee	Ad Hoc Committees	Chief Executive Officer	Chief Finance Officer	Local Governing Body	Principal/Headteacher
6.1	Approve Estates strategy		✓	<R			>	>		
6.2	Decide to acquire or dispose of land or freehold property		✓	<R			<R	<R		
6.3	Decide purchase or sale of any freehold property		✓	<R			<R	<R		
6.4	Take up any leasehold or tenancy agreement on land or buildings for 7 years or more		✓	<R			<R	<R		
6.5	Grant a leasehold interest, including a tenancy agreement, of any duration on land or buildings		✓	<R			<R	<R		
6.6	Decide the arrangements for insuring land and buildings			✓			<R	<R		
6.7	Bid for capital funding		✓	✓			<R	<R	<R	<R
6.8	Authorisation for capital spending projects up to £199,999			✓			<R	<R	<R	<R
6.9	Authorisation for capital spending projects over £199,999		✓				<R	<R	<R	<R
6.10	Ensure the Trust is compliant with Health and Safety standards		✓				✓	R		A
6.11	Monitor Health and Safety compliance			✓			<R	A	✓	
6.12	Promote and monitor the health, safety and well-being of staff and pupils		✓				✓	✓	✓	✓

## **Appendix 1 - Membership of Local Governing Bodies**

1. The number of people who shall sit on the LGB shall be not less than five and a maximum of 13.
2. For schools/academies joining NCEAT, the first LGB will be the governing body of the predecessor school unless it is a school graded by OFSTED as 3 or 4, in which case, transfer of the governing body will be at the discretion of NCEAT.
3. The Trust Board will ensure that each LGB will include (or have made efforts to include) the following members:
  - a. 1 staff member (elected)
  - b. 2 parent members (elected)
  - c. The Principal/Headteacher
  - d. Incumbent or Principal/Headteacher Officiating Minister of the Parish in which the Academy is sited (applicable to designated Church schools only) or delegated representative.

Members of the LGB appointed under categories a, c and d shall not serve as Chair or Vice Chair of the LGB. The appointment of Chair must be ratified by the Trust Board Chair or Vice Chair through delegated authority.

4. The Trustees may also appoint co-opted members to an LGB. A person who shall be “co-opted” to the LGB means a person who is to serve on the LGB without having been appointed or elected to serve on the LGB. The Trustees may not co-opt a person who is employed at the school/academy if thereby the number of persons employed at the school/academy serving on the LGB would exceed one third of the total number of persons serving on the LGB (including the Principal/Headteacher).
5. The Trustees (all or any of them) shall also be entitled to attend any meetings of the LGB. Any Trustee attending a meeting of the LGB shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGB.
6. The Chair or Vice Chair of the LGB must be present at each governing body meeting. If the Chair or Vice Chair cannot attend, the meeting must be re-scheduled.
7. The quorum shall be a minimum of 5.
8. All persons appointed or elected to the LGB shall give a written undertaking to the Trustees to uphold the object of the Company.
9. The tenure shall be three years unless specified otherwise. Any LGB vacancies must be notified to the Trust as soon as they arise and noted in LGB minutes.

## Appendix 2: Terms of reference for the Trust Board Committees

There are three Trust Board committees, consisting of:

1. Academy Improvement Board Terms of Reference (Duke's School) - (AIB)
2. Endowment Trust Committee (ETC)
3. Finance, Operations and Risk Committee (FORC)

### 1. Academy Improvement Board Terms of Reference (Duke's School) - (AIB)

Northumberland Church of England School Trust (NCEAT) have appointed a School Improvement Board (AIB) for Duke's Secondary School, under the circumstances set out in Section 5 of the Scheme of Delegation.

The main function of the AIB will be to secure governance of the school, developing a sound basis for improvement and will be in place until the trigger is removed. NCEAT do not adopt a one size fits all approach and is committed to appointing AIB's which are small, focused groups. Members will be chosen on a case by case basis in accordance with the skills and knowledge and the needs of individual academies.

The AIB of NCEA Duke's School was appointed by NCEAT trustees with effect from September 2019.

#### Membership

The membership of the AIB from September 2020 is:

John Marshall - Chair	Jeff Hope
Russ Atkinson (non-voting)	Rachel Mays
Richard Bishopp	Mina Munns
Dave Cookson – Northumberland LA	Stephen Purvis
Alan Hardie	Paul Rickeard – JET, Newcastle Diocese

#### Constitution, Terms of Office and Proceedings

- Members of the AIB will hold office for the period that the AIB is in existence, although individual members may resign at any time.
- NCEAT may appoint additional members of the AIB at any time to support the continued development of the school and may remove existing members to ensure the committee remains small and focused.
- The chair of the AIB shall be appointed by NCEAT. NCEAT may remove or replace the chair as it sees fit for the efficient discharge of its functions.
- The AIB may make such arrangements as it sees fit for the discharge of its functions by any other person.
- It is for the AIB to determine the regularity of meetings, although it is anticipated that the board will meet approximately every four weeks during term time, to ensure the pace of improvement is maintained and to closely monitor improvement. Meetings may be virtual or in person and will be minuted.
- AIB members will commit to attending all meetings, unless due to personal circumstances – in which case the clerk will be informed in advance of the meeting.
- All AIB members and the principal, unless the principal is being discussed, and a shadow local governing body, once established, may attend meetings of the AIB and its committees although non-members will not have voting rights.
- Other individuals and observers, including other representatives of NCEAT, may attend with agreement of the AIB.

- Where confidential matters are being discussed it will be for the AIB to determine if non-members can be present.
- The quorum for all meetings of the AIB will be three members.

### **Responsibilities of the AIB**

The AIB will be responsible for monitoring the quality of provision and standards of achievement within the school by:

- Monitoring performance against targets set by the AIB with support from an external advisor
- Monitoring the implementation of the policy framework set by the AIB and its impact on standards of achievement.
- Monitoring the school self-evaluation and satisfying itself to the accuracy of this, including via external support as determined by the AIB.
- Ensuring the school complies with statutory requirements.
- Providing robust challenge and support to the principal and SLT.
- Monitoring and evaluating progress towards post-inspection or review action points.

Financial matters shall remain within the remit of the Trust Board and Finance, Operations and Risk Committee (FORC). However, the AIB may make requests for additional funding and refer issues where finance is restricting the pace of improvement to the Trust Board or FORC as appropriate. Requests for additional funding from the Endowment Trust will be made directly to the Endowment Trust Committee.

### **Accountability**

The AIB will hold the principal and SLT to account and be accountable to any interested party for the school's performance by:

- Receiving regular information from the principal and SLT on the performance of all aspects of the school.
- Monitoring the implementation of the performance management policy
- Supporting the performance management of the principal and monitoring progress towards agreeing targets.
- Ensuring that the website meets statutory requirements.
- Receiving appeals on issues relating to staff grievance, capability, complaints and exclusions.
- Determining how the school's relationships with key stakeholders will be managed including what will be communicated, in what medium and how frequently.

### **The role of the principal**

The principal will remain responsible for the internal organisation, the leadership and management and control of the school, and for advising on the implementation of the AIB's strategic framework. The principal will provide the AIB with regular information on the performance of all aspects of the school and will comply with any reasonable request from the AIB for information. It is for the AIB to determine the range, content and regularity of these reports. The AIB may request any member of the SLT to attend its meetings to provide information on the performance of any aspect of the school for which they are responsible. Where the AIB delegates any function to the principal, the AIB has the power to give reasonable directions in relation to that function and oblige the principal to comply with those directions.

### **Conduct of the AIB**

- The AIB will conduct its business in an open and transparent way at all times.
- No individual AIB member has the power to act alone, unless delegated to do so by the AIB.
- Where functions have been delegated to an individual, or a group, they must report back to the full AIB on actions taken under delegation at the earliest possible opportunity. The AIB remains responsible for any action undertaken on its behalf under delegation.
- Individual members of the AIB must respect confidentiality. It is for the AIB to determine which parts of meetings, and the associated minutes, should remain confidential. Serious breaches of confidentiality may result in NCEAT removing an individual member from the AIB.
- Any agreed dialogue with press agencies will be through close liaison with the principal, the CEO and the chair of the AIB. No member of the AIB should have contact otherwise with press agencies, unless authorised by the chair.
- Clerking of the meetings will be arranged by NCEAT. The appointed clerk will also be bound to confidentiality.

### **Procedural Responsibilities**

- AIB minutes will be collated and sent to the chair within one week for approval unless exceptional circumstances prevail, before wider circulation to the members of the AIB, by email.
- The agenda for AIB meetings will be determined by the chair of the AIB in the first instance, at least seven days before the meeting. This will then be circulated by the clerk to other members for additional items to be considered for the agenda. All papers will be circulated to members giving five clear days before the meeting.
- On request the principal will present a report to the AIB on progress against each of the key issues. The report will also include relevant data and student tracking information, and including behaviour and attendance data.
- Urgent decisions that need to be taken by the principal in the period between AIB meetings will be with the approval of the chair of the AIB and in consultation with the CEO.
- The decision making processes of the AIB will be open and transparent, and in partnership in the best interests of the school and its progress towards addressing the key issues for the school.
- Each member shall have one vote. In the event of a split decision, the chair of the AIB will have the casting vote.

### **Disbanding the AIB**

The AIB will be disbanded once the trigger for its appointment has been removed. This decision will be made at the right time for the school and only when stability has been restored and there is confidence in the sustained progress of the school. A planned disbanding of the AIB will take place alongside the induction of the newly formed LGB.

## **2. Endowment Trust Committee (ETC)**

### **1. OVERVIEW**

1.1 An endowment trust fund ("the Trust Fund") was created when the Northumberland Church of England Academy Trust ("NCEAT") was first created. Its creation was a legal requirement at that time and the terms upon which the Trust Fund is to be held, invested and administered is governed by a Deed of Gift dated 27 April 2010 made between (1) the Secretary of State for Children Schools and Families (2) the Trustee and (3) the Sponsors. NCEAT is the trustee of the Trust Fund.

1.2 NCEAT had given delegated decision making powers to the members of the Finance, Operations and Risk Committee to be responsible for the execution oversight, governance and validation of NCEAT's responsibilities in relation to the Trust Fund. NCEAT, by these terms of reference, has now given those powers to the Endowment Trust Committee in order to ensure that the Trust Fund is managed independently and in accordance with the objects (as set out below) and the terms of the Deed of Gift.

1.3 The objects of the Trust Fund are as follows:

"To advance education for the benefit of the community of Ashington, Newbiggin-by-the-Sea and Lynemouth in accordance with the principles of the Church of England in particular by:

- i assisting and supporting the education of students at the school including the provision of awards, prizes or other rewards
- ii relieving the financial hardship of pupils and ex-pupils of the school by the provision of bursaries, scholarships, equipment or in any other way the trustee thinks fit to enable them to pursue their education
- iii providing grants or other financial assistance to assist pupils in financial need to undertake extra-curricular activities (including educational travel in the United Kingdom or overseas)
- iv providing or assisting in the provision of services or facilities at the school not provided for under the funding agreement
- v fostering closer ties between the school and community, including promoting education in the community served by the school

1.4 The Trust Fund shall only be used for the purposes described above.

### **2. COMPOSITION OF ETC**

2.1 The ETC is to comprise:

*2.1.1 all voting members of the Finance, Operations and Risk Committee*

*[2.1.2 all non-voting members of the Finance, Operations and Risk Committee (non-voting for the purposes of this committee)]*

2.2 The Clerk to the Board of Trustees is to serve as Clerk to the ETC.

2.3 The ETC shall appoint a Chairperson from those at 2.1.1 who shall be required to stand for re-election at the first committee meeting of each academic year. The Chairperson may not also be the Chairperson for the FORC.

### **3. QUORUM**

- 3.1 The quorum of the committee shall be 2.
- 3.2 All Trustees attending the meeting shall be entitled to a vote.
- 3.3 The CEO attends the meeting in his position as Accounting Officer of NCEAT and is a non-voting member.

### **4. FINANCIAL RESPONSIBILITIES**

- 4.1 To ensure compliance with the Objects of the Trust.
- 4.2 To approve applications from NCEAT for funding from the Trust Fund to a maximum annual funding value of £50,000.
- 4.3 Applications from appropriate NCEAT schools under the value of £5,000 may be approved in person, by email or by electronic form.
- 4.4 To review applications and make recommendations to the NCEAT Trust Board for any proposals above £50,000 per annum.
- 4.5 To appoint an Investment Manager to manage the Trust Fund in accordance with the Trust Fund investment policy.
- 4.6 To ensure external financial auditors conduct statutory audit and assurance of the financial statements of the Trust Fund.
- 4.7 To provide an annual report to the summer meeting of the Trust Board providing an overview of the financial performance of the Trust Fund and raising any concerns.
- 4.8 To report to the Trust Board at each meeting, a summary report on successful funding applications.
- 4.9 To rigorously and continually assess the effective impact and efficient use of the funds which have been successfully granted.

### **5. GENERAL PURPOSE RESPONSIBILITIES**

- 5.1 To ensure that all Trustees are aware of their personal responsibilities under Charities Law

### **6. CHAIR RESPONSIBILITIES**

- 6.1 To Chair each meeting of the ETC.
- 6.2 To ensure that the ETC meets *not less than* 3 times per annum, once per term.
- 6.3 To liaise with the NCEAT CEO and (if appropriate) the FORC Chair in relation to any ad hoc funding requests
- 6.4 To report to the Trust Board at each meeting as at 4.9.
- 6.5 To ensure the correct composition of the ETC as at 2.1.
- 6.6 To ensure, with the Clerk, the timely provision of ETC agendas and signed and verified minutes of each meeting are produced and available to all Trustees.

### **3. Finance, Operations and Risk Committee (FORC)**

#### **1. OVERVIEW**

1.1 FORC is responsible for the execution oversight, governance and validation of the Trust's responsibilities to the Secretary of State as outlined in the extant version of the Academies Financial Handbook (AFH).

1.2 FORC has high level responsibility and ownership of financial operations, controls and fiscal governance as well as accountability for all broader business support and central services functions.

#### **2. COMPOSITION**

2.1 The FORC is to comprise:

2.1.1 *Not less than* 4 Directors of NCEAT;

2.1.2 The Chief Executive Officer in the role of Accounting Officer shall be ex-officio (non-voting)

2.1.3 The Director of Finance and Central Services shall be ex-officio (non-voting)

2.2 Principals of NCEAT schools and other officers will be invited to attend as required by Directors.

2.3 The Clerk to the Board of Trustees is to serve as Clerk to FORC.

2.4 FORC shall appoint a Chairperson from those at 2.1.1 who shall be required to stand for re-election at the first FORC meeting of each academic year.

2.5 As a delegated committee of the NCEAT Board, any NCEAT Trustee may attend a meeting of FORC.

#### **3. QUORUM**

3.1 The quorum of the committee shall be 3.

3.2 All Trustees attending the meeting shall be entitled to a vote.

#### **4. FINANCIAL RESPONSIBILITIES**

4.1 To ensure compliance with the AFH;

- 4.2 To acknowledge all correspondence from the Education and Skills Funding Agency (ESFA), ensure it is brought to the attention of the Trust Board, and respond within the timelines required by the ESFA;
- 4.3 To recommend to Members external financial auditors to conduct statutory audit and assurance of the financial statements of NCEAT;
- 4.4 To appoint an independent internal assurance provider to deliver in-year financial and process assurance;
- 4.5 To advise on the appointment of the Director of Finance and Central Services;
- 4.6 To ensure the provision of an annual budget, in accordance with ESFA timelines, that forms the basis of all in-year variance reporting and the starting point for forward financial forecasts; will maintain a minimum of a three-year rolling budget;
- 4.7 To ensure the provision of monthly management accounts, at both a Trust and individual school level, detailing variance to budget both monthly and YTD cumulatively;
- 4.8 To provide a report to each meeting of the Trust Board providing an overview of the financial performance of NCEAT and raising any concerns including, but not limited to:
- 4.8.1 Variance from budget;
  - 4.8.2 Non-compliance with any area of the AFH;
  - 4.8.3 Issues raised from internal or external assurance;
  - 4.8.4 Any other matter representing material financial significance
- 4.9 To ensure that all ESFA reporting and financial submission deadlines are complied with;
- 4.10 To ensure that a best value and (where appropriate) tender process is used on all expenditure lines;
- 4.11 To review the terms and value of all contracts in accordance with the Trust's Financial Scheme of Delegation;
- 4.12 To rigorously and continually assess the effective impact and efficient use of pupil premium and all additional enhanced funding;
- 4.13 To support executive leaders in maximising all sources of additional private income;
- 4.14 To seek to derive efficiency through the use of shared services and leveraging the economies of scale possible within a MAT structure;

4.15 To liaise with the Academy Standards and Improvement Committee (ASIC) and/or Local Governing Bodies (LGB) to ensure financial resources are spent effectively with a focus on education outcomes impact;

4.16 To make recommendations to the Trust Board in relation to teachers annual pay awards;

4.17 To make recommendations to the Trust Board in relation to support staff annual pay awards;

4.18 To oversee both the teaching and support staff pension schemes;

## **5. OPERATIONAL RESPONSIBILITIES**

5.1 To ensure that all Trustees are aware of their personal responsibilities under the Companies Act 2006, Charities Law and their collective responsibilities under the AFH;

5.2 To ensure that the Central Services function acts to facilitate all business services required to permit the efficient operation of NCEAT and to support teaching staff in the delivery of outstanding education for our pupils;

5.3 To ensure that Central Services provide an effective human resources function that ensures compliance with all UK employment law, using external legal advice where required;

5.4 To ensure that Central Service provide an efficient estates function that makes maximum benefit of the property and operational assets of NCEAT;

5.5 To ensure that Central Services provide an efficient information technology function that facilitates the effective operation of both our educational provision and business support services;

## **6. RISK RESPONSIBILITIES**

6.1 FORC acts as the operational owner of the NCEAT risk register, whilst accepting that all Trustees have joint and several liability for risk across NCEAT;

6.2 FORC reports to the Trust Board on a termly basis with a summary of all significant and/or unmitigated risk;

## **7. CHAIR RESPONSIBILITIES**

7.1 To Chair each meeting of the FORC;

7.2 To ensure that FORC meets *not less than* 6 times per annum, twice per term;

7.3 To liaise with the ASIC Chair, or the Chairs of LGB's as appropriate, in relation to:

7.3.1 FORC requiring assurance relating to the effective spend of financial resources for Educational outcome improvement;

7.3.2 Responding to requests from ASIC or LGB's for targeted financial resource to address specific educational outcome requirements

7.4 To report to the Trust Board at each meeting as at 4.8;

7.5 To ensure the correct composition of the FORC as at 2.1;

7.6 To ensure, with the Clerk, the timely provision of FORC agendas and signed and verified minutes of each meeting are produced and available to all Trustees;

7.7 To support the CEO in the performance management of the Director of Finance and Central Services;

7.8 To support the CEO in all engagement with the ESFA.

## Appendix 3: Policy Delegation

DfE Statutory Policies for Academies (correct as of 2/12/20)

Policy	Review	Approval level
Accessibility plans (school level)	3 years	Local Governing Bodies
Admissions	Annual	Local Governing Bodies
Allegations of abuse against staff	3 years	CEO
Behaviour	Annual	Local Governing Bodies
Capability of staff	3 years	CEO
Careers guidance: details careers programme and a provider access statement	Annual	Local Governing Bodies
Charging and remissions	Annual	Finance, Operations and Risk
Children with health needs who cannot attend school	3 years	Local Governing Bodies
Complaints	3 years	Finance, Operations and Risk
Data protection	Annual	CEO (SLA with NCC)
Early years foundation stage (EYFS)	3 years	Local Governing Bodies
Equality information and objectives (public sector equality duty) statement	Every 4 years	CEO
Exclusion	3 years	Exclusion Panel
First aid in schools	3 years	Trust Board
Health and safety	Annual	Trust Board
Looked After Children	3 years	Local Governing Bodies
Newly qualified teachers (NQTs)	3 years	CEO
Premises management	3 years	Finance, Operations and Risk
Protection of biometric information of children	3 years	CEO
Safeguarding and Child Protection Policy	Annual	Trust Board
Sex and relationships education	Annual	Local Governing Bodies
Special educational needs and disability	Annual	Local Governing Bodies
Staff discipline, conduct and grievance	3 years	CEO
Supporting pupils with medical conditions	Annual	Local Governing Bodies
Teachers' pay	Annual	Trust Board

### Other live documents required by academies

Document	Responsibility for checking
Register of pupils' admission to school and attendance	Principal or Headteacher
School and Trust information published on a website	Director of Safeguarding and Compliance
Single central record of recruitment and vetting checks	Director of Safeguarding and Compliance
Register of business interests of Headteachers and Governors	Clerk to Trust Board or Local Governing Body

### Other Trust Policies (as of 2/12/20)

<b>Policy</b>	<b>Review</b>	<b>Approval Level</b>
Anti-Fraud and Bribery	3 years	Finance, Operations and Risk
Anti-Harassment and Bullying	3 years	Finance, Operations and Risk
Attendance and Punctuality	3 years	Local Governing Bodies
Code of Conduct - Trustees/Governors	Annual	Trust Board
Curriculum	3 years	CEO
E-Safety		CEO
Expenses	3 years	Finance, Operations and Risk
Expenses for Trustees and Governors	3 years	Finance, Operations and Risk
Financial Regulations Handbook	3 years	Finance, Operations and Risk
Flexible Working	3 years	CEO
Freedom of Information Publication Scheme	3 years	CEO
Home Visits and Lone Working	3 years	CEO
Investment and Reserves	3 years	Finance, Operations and Risk
Investment Policy Endowment Fund	3 years	Finance, Operations and Risk
IT and Communications	3 years	Finance, Operations and Risk
Leave of Absence	3 years	CEO
Managing Change	3 years	CEO
Minibus	3 years	CFO
No Smoking	3 years	CEO
Parental Code of Conduct	3 years	CEO
Safer Recruitment	3 years	CEO
Sickness Absence	3 years	CEO
Substance Misuse	3 years	CEO
Supervision Policy	3 years	CEO
Tackling Extremism	3 years	CEO
Use of Video and Photography	3 years	CEO
Whistleblowing	3 years	CEO

In addition, each school or academy will have their own specific policies where responsibility has been delegated or there is a specific need.