

S. Peter's Collegiate Academy

A Church of England Academy

**Scheme of Delegation
2020-2021**



Scheme of Delegation

Relating to

S. Peter's Collegiate Academy

Adopted by the Board of Trustees of

S. Peter's Collegiate Church of England Academy

On

8 December 2020

Signed-----

Chair of Trustees

Next Review Date September 2021_____

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1 Scheme of Delegation

Introduction

- 1.1 As set out in Article 94 of the Academy Trust's Articles of Association, the business of the Academy Trust shall be managed by the Governors, hereafter referred to as the "Board of Trustees", who may exercise all the powers of the Academy Trust.
- 1.2 The purpose of the scheme is to set out a framework under which the Academy Trust is governed and managed and to:
 - (a) define and record those functions reserved for the Board of Trustees and
 - (b) define and record the delegation of certain functions to Committees, the Principal, The Business and Facilities Manager and other staff.
- 1.3 This Scheme shall be reviewed by the Trustees annually, and in the context of such a review, the Trustees shall have regard to any new legislation or guidance affecting the provisions of these documents.
- 1.4 This Scheme may be altered, added to or repealed by a majority resolution of the Trustees or by the members (the "**Members**") of the Academy Trust in a general meeting.

S. Peter's Collegiate Academy Trust

- 1.5 S. Peter's Collegiate Academy Trust (the "Academy Trust") has entered into a funding agreement with The Secretary of State for Education which places a number of requirements on the Academy Trust including the requirement to comply with the Department for Education's (the "**DFE**") Academies Financial Handbook.
- 1.6 The main roles involved in the running of the Academy Trust are as follows:
 - (a) the Members;
 - (b) the Trustees;
 - (c) the Principal who has responsibility for the day to day running of the Academy.

The Role of Members

- 1.7 The Members are members of the Academy Trust for the purposes of the Companies Acts.
- 1.8 In simple terms, the Members "own" the Academy Trust. They have a number of statutory rights, including the right to remove Trustees, the right to amend the Articles and the right to receive the annual accounts.
- 1.9 The Members do not have any specific duties imposed on them but they are required to provide a guarantee that if the Academy Trust is wound up and its assets do not meet all of its liabilities, they will contribute up to £10. (Articles 8).
- 1.10 The Members will often meet just once a year at the annual general meeting, if the Academy Trust decides that one is necessary, or they may just meet as and when required (for example if any amendments to the Articles are required).

Capacity of Trustees

- 1.11 Each Trustee is:
 - (a) a Trustee of the Academy Trust at company law. The Trustees are responsible for the governance and supervision of the Academy Trust and its committees and executives (including the Principal); and a charity trustee with responsibility for protection of the assets of the Academy Trust.

- 1.12 The Trustees manage the affairs of the Academy Trust and are responsible for its day to day operation.

Accountability of Trustees

- 1.13 The Trustees are chiefly accountable to:
- (a) the beneficiaries of the Academy Trust (students at the Academy and their parents) and to the local community for the quality of education and pastoral care at the Academy, for matters of health and safety and for safeguarding and promoting the welfare of the students;
 - (b) the Department for Education (DfE), the Education and Skills Funding Agency (ESFA) and specifically the Secretary of State under the terms of the Funding Agreement;
 - (c) the Secretary of State (in his role as principal regulator in respect of charity matters) for operating the Academy Trust for the public benefit, for the prudent management of the Academy Trust and its financial efficiency, and for compliance with legislation including charities legislation;
 - (d) the employees of the Academy Trust for their working environment, and for compliance with the contract of employment and employment law requirements and matters of health and safety; and
 - (e) other regulatory authorities for compliance with regulated responsibilities to which the Academy Trust and the Academy is subject.

Powers, Functions and Responsibilities of Trustees

- 1.14 The business of the Academy Trust shall be managed by the Trustees, fulfilling a largely strategic role, who may exercise all of the powers of the Academy Trust, as set out in the Articles.

- 1.15 As Trustees of the company and charity trustees, the Trustees have a number of duties as responsibilities towards the management of the Academy Trust and its finances. In summary, the Trustees are responsible for:

- (a) carrying on the Academy Trust in accordance with the objects of the Academy Trust as set out in the Articles and safeguarding its assets;
- (b) running the Academy and directing the education, pastoral care, financial and other policies of the Academy in accordance with the Articles and the Funding Agreement (including the Handbook);
- (c) ensuring sound management and administration of the Academy Trust, and ensuring that managers are equipped with the relevant skills and guidance;
- (d) financial controls and the financial management of the Academy Trust in accordance with the provisions of the Academies Financial Handbook, which sets out in detail provisions for the financial management of the Academy including guidance on financial systems and controls and accounting and reporting requirements;
- (e) setting standards of conduct and values, monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon;
- (f) risk management, that is identifying, quantifying and devising systems to minimise the major risks affecting the Academy Trust; and
- (g) ensuring the Academy Trust is conducted in compliance with the general law.

- 1.16 The Trustees are required to:
- (a) act together and in person and not delegate overall responsibility for the Academy Trust to others;
 - (b) act strictly in accordance with the Academy Trust's Articles;
 - (c) manage the Academy Trust's affairs prudently, act in the Academy Trust's interests only and without regard to their own private interests;
 - (d) not take personal benefit from the Academy Trust unless expressly authorised by the Articles or the Charity Commission; and
 - (e) take proper professional advice on matters on which they are not themselves competent.

- 1.17 The Trustees should also hold the Principal to account. They should offer support, constructive advice, be a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information and improve proposals where appropriate and at all times act in the best interests of the Academy Trust.
- 1.18 The Trustees shall have regard to the framework for inspecting Academies in England under section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children's Services and Skills (Ofsted).

Delegation of powers of Trustees

- 1.19 The Trustees may delegate such of their powers or functions that they can legally delegate and which they consider would be desirable to delegate.
- 1.20 Delegation can be made to:
- (a) committees of the Board
 - (b) the Principal
 - (c) other staff of the Academy
- 1.21 However, every act of delegation shall be a delegation of powers and duties, and not a delegation or shedding of responsibilities.

2 Powers and Duties Reserved for the Board of Trustees ('the Board')

General

- 2.1 Approval of a written Scheme of Delegation of its financial powers and duties to its Committees, the Principal and other staff. The scheme must satisfy the Board's ultimate responsibility for ensuring there are adequate operational controls in place for all its financial processes within the Academy.
- 2.2 The Board has overall responsibility for the Academy's finances. The main responsibilities of the Board are prescribed in the Funding Agreement between the Academy and the DfE.

Budgets and Finance

- 2.3 Formally approving the annual Academy budget by 30th June, prior to the start of each financial year.
- 2.4 Considering budgetary control reports for the Academy accounts with relevant explanations and documentation where required.
- 2.5 Authorisation of all virements in excess of £5,000 between or within budget headings for the Academy.

Purchasing and Contracts

- 2.6 Maintenance of a Register of Business Interests for all Trustees and Academy staff with financial responsibilities.
- 2.7 Authorising the award of contracts or purchases over £10,000 but below the OJEU (Official Journal of the European Union) limit.
- 2.8 Authorisation of the advertising of tenders above the OJEU limit, and authorising the award of such tenders.
- 2.9 Accepting the best value tender and minuting the reason(s) for their decision.

Income

- 2.10 Ensuring grants from the DfE are used only for the purposes intended.

- 2.11 Ensuring that funds from other sources are used only for the purposes intended.

Write Offs/Compensation

- 2.12 Authorisation of the write off of debts not collectable (the Secretary of State's prior approval is also required if debts are to be written off are above the value set out in the Academies Financial Handbook).
- 2.13 Authorisation/payment of staff severance payment or compensation following detailed ESFA guidance.

Security of Assets

- 2.14 Authorisation of the disposal of individual items of equipment and materials that have become surplus to requirements, unusable or obsolete, with an original purchase value in excess of £5,000 and are owned by the Academy.
- 2.15 Ensuring that there are annual independent checks of assets and the asset register.

Insurances

- 2.16 Ensuring that arrangements for insurance cover are in place and adequate.

Accounts and Audit

- 2.17 Appointment of external auditors
- 2.18 Receiving and reviewing reports from the external auditor.
- 2.19 Receiving and reviewing reports from the Business Committee on the use of resources, systems of internal financial control and discharge of financial responsibilities.
- 2.20 Informing the DfE if it suspects any irregularity affecting resources.

Human Resources

- 2.21 Reviewing on a regular basis, all policies relating to Human Resource Management and to be aware of current legislation and make recommendation for amendments and updates.
- 2.22 Receiving and reviewing information from the Principal on required staffing levels and structures for teaching and associate staff which takes into account identified needs in the Academy Development Plan.
- 2.23 Considering the financial implications of the staffing structure on an annual basis and the extent to which it can be achieved within the finances available to the Academy.
- 2.24 Authorising changes to the Academy's establishment.
- 2.25 Delegating such powers and functions as considered to be required for the internal organisation, management and control of the Academy (including appointments and the implementation of all policies approved by the Trustees.
- 2.26 Ensuring that there is a system of Performance Management for all staff and to review the operation of that system.
- 2.27 Appointment of Trustees, as agreed by the Principal, to undertake the Performance Management of the Principal in accordance with Appendix 1 and ensuring Trustees are appointed in line with the requirements of the Performance Management Policy.

- 2.28 Agreeing a Pay Policy after consultation with staff and professional bodies and taking due cognisance of comments received, undertake an annual review and keep staff informed of procedures for pay review and appeals against decisions made.
- 2.29 Monitoring the overall distribution of awards and impact of the Pay Policy.
- 2.30 Provision of representatives to act as the Pay Committee and the Pay Appeals Committee in accordance with Appendices 2 and 3.
- 2.31 Reviewing and considering disciplinary and grievance procedures which may be used by the Board as employers. Also receiving advice from the Principal and taking into account rules and regulations which may be issued by the DfE, the opinions of the Diocese, the National Society and professional bodies of which employees may be members.
- 2.32 Provision of representatives to act as the First Committee in all matters relating to disciplinary and grievance procedures, staff dismissal, early retirement and other personnel issues in accordance with Appendix 4.
- 2.33 Ensuring that 'The Staff Manual' is maintained as an accurate reflection of current legislation and Trustee Policies.

Curriculum and Student Welfare

- 2.33 Reviewing on a regular basis, all policies relating to curriculum and student welfare matters and to be aware of current legislation and make recommendation for amendments and updates. Policies to include:
 - (a) Equal Opportunities Policy
 - (b) Special Educational Needs and Disabilities
 - (c) Accessibility
 - (d) Relationships and Sex Education Policy
 - (e) Safeguarding Policies
- 2.34 Considering all aspects of the curriculum as devised by the Principal and staff, including its relationship with a Christian view of life and being mindful of the ongoing legislation concerning the National Curriculum.
- 2.35 Monitoring the provision of curricular Religious Education and worship opportunities, having due regard to the nature of the Academy as a Church of England Academy committed to serving a multi-faith, multi-cultural society.
- 2.36 Considering and monitoring the formulation, presentation and review and evaluation processes of the Academy Improvement Planning cycle as devised by the Principal.
- 2.37 Awareness of all regulations, reports and recommendations concerning the curriculum issued by the DfE, the LA, the Diocese, National Society or other outside agencies.
- 2.38 Monitoring the effectiveness of the Academy curriculum as revealed by examination results and other performance indicators.
- 2.39 Monitoring and advising on the Academy's charging policy in relation to the delivery of the curriculum.
- 2.40 Considering proposals presented in connection with residential and overseas visits and advise accordingly.

Admissions

- 2.41 Determining and reviewing from time to time the Academy's Admissions Policy, ensuring that the policy is correctly and fairly applied.
- 2.42 Ensuring the organisation of an Admissions Appeal Committee and Student Discipline Committee, as and when required (see Appendix 5).

Premises

- 2.43 Make decisions and review recommendations for the future premises provision and approving an Estate Strategy.
- 2.44 To ensure the development, maintenance and/or replacement of the physical assets, equipment and facilities of the Academy in line with the Vision Statement and Academy Improvement plan.

Procedural Issues

- 2.45 The agenda and papers for meetings shall normally be circulated to Trustees at least one week in advance of the meeting.
- 2.46 Minutes of meetings shall be collated and sent to the Chair within one week for approval before wider circulation to Trustees, by email.
- 2.47 Minutes of meetings shall be presented to the next meeting of the Board of Trustees along with any reports and recommendations for their consideration.
- 2.48 The decision-making process of the Board of Trustees will be open and transparent and in the best interests of the Academy. Agreements will be reached by consensus wherever possible. If this is not possible and voting is required, each member of the Committee shall have one vote and, in the event of a split decision, the Chair shall have a casting vote.
- 2.49 When decisions are needed urgently, action by the Chair of Trustees or decisions by email may be required. These decisions should be kept to a minimum and must be reported to the next meeting of the Board as a standing agenda item: Chair's Decisions and Correspondence

3 Powers and Duties Delegated to the Student Committee

General

- 3.1 Ensure the Academy is working towards achieving the best outcomes for all its students.
- 3.2 Maintain strategic oversight of the curriculum offered by the Academy and the attainment and progress of all its students.
- 3.3 Work in liaison with the Resources Committee to ensure the Academy's resources are best used in support of the attainment and progress of all students.
- 3.4 Report to the Board of Trustees on all matters relating to Attainment and Progress.

Terms of Reference

Except for those items specifically reserved for the Board and those delegated to the Principal, or those delegated to other staff:

- 3.5 Consider and recommend to the Board of Trustees:
 - a. The curriculum offered by the Academy to ensure it is best meeting the needs of current and potential future students of the Academy.
 - b. Targets for attainment and progression for the next one, three and five years

- c. The School Improvement Plan for the next one, three and five years and Self-Evaluation Framework. Liaison with the Resources Committee will be needed to ensure plans for use of the Academy's resources are aligned to the School Improvement Plan.
- d. Annual plans for use of Pupil Premium Funding and 'Closing the Gap' impact reports.
- e. Changes to school uniform.

Monitor and report progress to the Board of Trustees on achievement of these plans (section 3.5).

- 3.7 Ensure action is taken where expected progress towards achievement of agreed plans (section 3.5) is not being achieved.
- 3.8 As part of this work (sections 3.5 to 3.7), specifically consider: -
 - a. Inclusion of disadvantaged groups of students, in particular, students with Special Educational Needs and Disabilities and Pupil Premium students.
 - b. The broader curriculum and preparing students for their future life, including extra-curricular activities, preparation for employment, and links with higher education, employers and community groups.
- 3.9 Monitor and report progress to the Board of Trustees on the Academy's Christian Ethos and all actions required in relation to SIAMS inspections
- 3.10 To work with the school in drafting the vision and setting strategic priorities for the School Improvement Plan. review and approve School Improvement Plan targets and performance indicators. Monitor and evaluate progress in meeting these priorities.
- 3.11 Regularly review and recommend to the Board of Trustees all Academy policies relating to Ethos & Personal Development. The review of policies should include consideration of whether the policies are being implemented and have had the outcomes intended.
- 3.12 To monitor the Academy's Mission Statement, review effectiveness and agree an annual focus.
- 3.13 To review the Governors' policy for the management of student exclusions in the light of DfE regulations and guidelines relating to inclusion, and make recommendation to the Trustees as appropriate.
- 3.14 To specifically consider The Academy's Christian ethos and all actions required in relation to SIAMS inspections.
- 3.15 To monitor both staff and pupil welfare and morale and to make suggestions where appropriate of key issues that could be addressed to improve wellbeing of both groups.
- 3.16 To monitor and review the behaviour and safety of students, including all issues relating to Safeguarding.
- 3.17 To monitor and review chaplaincy provision, including Liturgy and Worship.
- 3.18 To monitor and review links with the local community including the police and local businesses.
- 3.19 To ascertain parents' views of the school for input to the Academy's self-evaluation. Monitor and review relevant components of the evaluation relating to Ethos & Pastoral Development and recommend to the Board of Trustees.

- 3.20 To make a plan for required governor visits for the following academic year to ensure appropriate oversight.
- 3.21 To review training requirements of committee members and liaise with the Training Link Governor to secure this.

To review the effectiveness of the committee and recommend variations to the terms of reference as appropriate.

- 3.23 Regularly review and recommend to the Board of Trustees all Academy policies relating to Attainment and Progress. The review of policies should include consideration of whether the policies are being implemented and have had the outcomes intended.
- 3.24 Regularly review risks relating to attainment and progress, ensure these are recorded in the Academy's Risk Register and ensure appropriate action is taken to abolish or mitigate the risks.
- 3.25 Ensure the Academy is compliant with all statutory requirements and regulations relating to attainment and progress.

Personnel

- 3.26 Consider a staffing structure for the Academy which conforms to identified needs in the Academy Development Plan together with the financial implications of the structure and make recommendations to the Board accordingly.
- 3.27 Agree temporary (less than one year) changes to the Academy's staffing structure so long as these can be made within the budget already agreed by the Board of Trustees.
- 3.28 Consider and make recommendations to the Board of Trustees on disciplinary and grievance procedures which may be used by the Trustees as employers, taking advice from the Principal and having taken into account rules and regulations which may be issued by the DfE and the opinions of the Diocese, the National Society and professional bodies of which employees may be members.
- 3.29 Regularly review and recommend to the Board of Trustees all Academy policies relating to Human Resource Management. The review of policies should include consideration of whether the policies are being implemented and have had the intended outcomes.
- 3.30 Act as a source of advice and support to the Principal in accordance with the published Recruitment Policy [APPENDIX 6], on recruitment following a vacancy or need to create a new post.
- 3.31 Ensure that all actions taken are appropriate and that the Academy management operates appropriate systems and procedures relating to all personnel issues. e.g. absence monitoring.
- 3.32 Become familiar with the advice and guidance issued by the chosen provider for HR Law on recruitment, selection and all other matters relating to Personnel Management and to advise the Principal accordingly.
- 3.33 Consider such plans as the Principal may submit for restructuring, for re-allocation of work, or other amendments to the existing situation.
- 3.34 Consider the training and staff development implications of the Academy Improvement Plan and ensure plans are in place for these to be addressed.
- 3.35 Establish, monitor and evaluate the Trustees' training programmes.

Procedural Issues

- 3.36 The agenda and papers for meetings shall normally be circulated to Trustees at least one week in advance of the meeting.
- 3.37 Minutes of meetings shall be collated and sent to the Chair within one week for approval before wider circulation to Trustees, by email.
- 3.38 Minutes of meetings shall be presented to the next meeting of the Board of Trustees along with any reports and recommendations for their consideration.
- 3.39 The decision-making process of the Board of Trustees will be open and transparent and in the best interests of the Academy. Agreements will be reached by consensus wherever possible. If this is not possible and voting is required, each member of the Committee shall have one vote and, in the event of a split decision, the Chair shall have a casting vote.
- 3.40 When decisions are needed urgently, action by the Chair of Trustees or decisions by email may be required. These decisions should be kept to a minimum and must be reported at the next meeting of the Board as a standing agenda item: Chair's Decisions and Correspondence.

Membership

- 3.41 Membership of the Committee shall be:
 - a. A minimum of three Trustees, one of whom shall be elected as Chair of the Committee
 - b. Principal
 - c. Co-opted CECET nominee (if required)
- 3.42 All members of the Board of Trustees may attend meetings of the Committee, but only members may vote. Members of staff and other individuals or observers may attend Committee meetings with agreement from the Committee.
- 3.43 The quorum for all meetings of the Committee shall be three Trustees of which two are not Staff Governors. The Principal counts as a Trustee for the purposes of quoracy.

4 Powers and Duties Delegated to the Business Committee

General

- 4.1 Ensure the Academy is working towards achieving the best use of its resources.
- 4.2 Maintain strategic oversight of the management of the Academy's financial, estate (buildings, facilities and equipment) and ICT resources.
- 4.3 Work in liaison with the Attainment and Progress Committee to ensure the Academy's resources are best used in support of the attainment and progress of all students.
- 4.4 Report to the Board of Trustees on all matters relating to the Academy's resources.

Terms of Reference

Except for those items specifically reserved for the Board and those delegated to the Principal, or those delegated to other staff:

- 4.5 Consider and recommend annually to the Board of Governors:
 - a. The budget for the Academy and the five year financial forecast
 - b. The outcome of the annual review of teaching and associate staff salaries, including any recommendations from the Principal following appraisal.
 - c. The staffing structure required to support the curriculum offered by the Academy and achievement of its attainment and progress targets

- d. The resource implications and plans in support of the School Improvement Plan for the next one, three and five years, covering financial, human, estate (buildings, facilities and equipment) and ICT resource implications and plans.
 - e. External audit reports and recommendations.
- 4.6 Monitor and report to the Board of Trustees on:
- a. Income and expenditure, including any significant variances and reasons for these. This reporting should include Governor's accounts.
 - b. Achievement of financial, human, estate (buildings, facilities and equipment) and ICT plans
 - c. Implementation of any actions recommended by external auditors.
- 4.7 Ensure action is taken where expected progress towards achievement of agreed financial, human, estate (buildings, facilities and equipment) and ICT plans is not being achieved.
- 4.8 Ensure implementation of any conditions and requirements of the Education Funding Agency.
- 4.9 Agree arrangements for internal audit, review internal audit reports and ensure action is taken as required.
- 4.10 Consider recommendations from the Pay Committee and associated staffing matters including any discretionary payments, re-gradings or enhanced, accelerated or withheld pay progression. The Business Committee has the power to agree these on a temporary (less than one year) basis so long as they are in accordance with the Academy's policies and can be accommodated within the budget already agreed by the Board of Trustees. Changes lasting more than one year should be recommended to the Board of Trustees as part of the annual staffing structure.
- 4.11 Monitor the condition of the Academy's estate (buildings, facilities and equipment) and ensure priorities for improvement are taken into account in the School Improvement Plan.
- 4.12 Monitor health and safety arrangements at the Academy and ensure compliance with all health and safety regulations and requirements.
- 4.13 Regularly review and recommend to the Board of Trustees all Academy policies relating to resources (financial, estate (buildings, facilities and equipment) and ICT). The review of policies should include consideration of whether the policies are being implemented and have had the outcomes intended.
- 4.14 Provide advice and support to the Principal in relation to resources and, in particular, in relation to the role of Accounting Officer.
- 4.15 Regularly review risks relating to resources, ensure these are recorded in the Academy's Risk Register and ensure appropriate action is taken to abolish or mitigate the risks.
- 4.16 Regularly review the Academy's Business Continuity Plan and ensure appropriate business continuity arrangements are in place.
- 4.17 Ensure the Academy is compliant with all statutory requirements and regulations relating to resources
- 4.18 Undertake the responsibilities of an Audit Committee (excluding staff Governors) to include the following:
- a) General
 - i. Advise on the adequacy of financial and other controls and risk management arrangements in the trust
 - ii. direct a programme of internal scrutiny and consider the results and quality of any external audit
 - b) The committee will meet at least once per term. The items of business that may be discussed during each term are outlined below.
 - c) The Chair of Governors should not chair the committee.

d) Autumn Term

- I. Agree a programme of work to deliver internal scrutiny that provides necessary coverage across the year, using the trust's risk register to inform the programme.
- II. Agree who will be responsible for carrying out elements of the programme of work.
- III. Review the internal and external audit plan for the forthcoming academic year.
- IV. Review the trust's latest census returns to ensure they are accurate and compliant with funding criteria.
- V. Review the trust's budget forecast returns to ensure they are accurate and compliant with funding criteria.
- VI. Comment on the annual report and accounts for the previous academic year prior to their finalisation and submission for audit.
- VII. Advise on the content of the governance statement to be presented alongside the finalised accounts.

e) Spring term

- i. Consider reports from those carrying out the programme of work and discuss progress in addressing any recommendations made at the previous meeting or by third parties.
- ii. Discuss the recommendations and outputs of any assurance activities by third parties, including ESFA financial management and governance reviews, funding audits and investigations.
- iii. Review the trust's latest census returns to ensure they are accurate and compliant with funding criteria.
- iv. Review the trust's land and buildings collection tool (LBCT) to ensure it is compliant with funding criteria.
- v. Review and consider the annual audited accounts.
- vi. Discuss the implications of the result of the accounting officer's statement of regularity.
- vii. Consider the internal scrutiny report and discuss the progress made against recommendations made regarding enhancing financial and other controls and risk management procedures.

f) Summer term

- I. Consider reports from those carrying out the programme of work and discuss progress in addressing any recommendations made at the previous meeting or by third parties.
- II. Discuss the recommendations and outputs of any assurance activities by third parties, including ESFA financial management and governance reviews, funding audits and investigations.
- III. Review the trust's latest census returns to ensure they are accurate and compliant with funding criteria.
- IV. Consider the internal scrutiny report and discuss the progress made against recommendations made regarding enhancing financial and other controls and risk management.
- V. Agree the committee's annual report to the board of trustees and accounting officer.
- VI. Re-visit findings from external auditors and review actions in response to audits.
- VII. Review and challenge the internal and external audit strategy.
- VIII. Consider the committee's own effectiveness

4.19 Audit Committee Duties General

- a) To deal with all matters relating to auditing, internal scrutiny, finance and risk management that may be referred by the board of trustees.
- b) To keep up-to-date with any relevant legislation and advise the board of trustees when policies or procedures need to be revised.
- c) To minute all meetings and report all decisions to the Board of Trustees as a confidential item.
- d) To seek professional advice as necessary.
- e) To attend relevant training when appropriate.
- f) To report to the Board of Trustees on the proceedings, recommendations and decisions of the committee. Internal scrutiny and external audit
- g) To direct the Trust's programme of internal scrutiny and ensure this is informed by risk.
- h) To oversee individuals that undertake internal scrutiny.
- i) To deliver internal scrutiny in a way most appropriate to the Trust's circumstances, which could include employing an in-house internal auditor or buying-in internal audit services.
- j) To advise the Board of Trustees on the internal scrutiny programme of work.
- k) To ensure those carrying out the programme of internal scrutiny are suitability qualified and experienced.
- l) To report findings from internal scrutiny activities to the Board of Trustees.
- m) To assess year on year progress using the short annual summary report that outlines areas that have been reviewed, key findings, recommendations and conclusions.
- n) To keep the approach to internal scrutiny under review.
- o) To ensure the internal scrutiny approach the Trust uses is confirmed in the governance statement, which accompanies the annual accounts.
- p) To ensure the programme of internal scrutiny informs the Accounting Officer's statement of regularity in the annual accounts.
- q) To ensure the Trust submits its annual summary report of the areas reviewed, key findings, recommendations and conclusions to the ESFA by 31 December each year when the audited annual accounts are submitted.
- r) To ensure the ESFA is provided with any requested internal scrutiny reports.
- s) To advise the Board of Trustees on the need for and, where appropriate, the appointment, re-appointment, dismissal and remuneration of, and internal auditor or other assurance provider.
- t) To ensure the audited accounts are submitted to the ESFA by 31 December each year and meet other statutory requirements.
- u) To advise on the adequacy of the management response to issues identified by audit activity.
- v) To monitor the progress made against audit recommendations.
- w) To ensure the appropriate cooperation and coordination of the work of the external auditor and Accounting Officer.
- x) To advise the Board of Trustees on the appointment, re-appointment, dismissal and remuneration of the external and regulatory auditor.
- y) To receive reports (including the annual accounts and management letters) and consider any issues raised, the associated management response and action plans, and report necessary actions to the Board of Trustees.

- z) To review the external auditor’s annual planning document and approve the planned audit approach.
- aa) To consider any additional services delivered by the external auditor or other assurance providers and ensure appropriate independence is maintained.
- bb) To consider the quality of external auditors and those carrying out internal scrutiny. Financial management and reporting
- cc) To make reports to the Board of Trustees on the adequacy of the Trust’s financial controls. • To ensure information submitted to the DfE and ESFA that affects funding, including pupil number returns and funding claims (for both revenue and capital grants) completed by the Trust, is accurate and in compliance with funding criteria.
- dd) To advise the Board of Trustees on accounting policies, the Trust’s accounts, and the Trust’s annual report, including the process for review of the accounts prior to submission for audit, and levels of error identified.
- ee) To review and advise on the development of anti-fraud policies, whistleblowing processes and arrangements for special investigations.
- ff) To review an overview of financial statements submitted by the Trust. Risk management
- gg) To report to the Board of Trustees on the adequacy of the Trust’s risk management processes.
- hh) To advise on the strategic processes for risk, control and governance and the governance statement.
- ii) To advise on assurances relating to the management of risk and governance requirements for the Trust. Authority - The committee is authorised by the Board of Trustees to:
 - I. Investigate any activity within its terms of reference.
 - II. Seek any information it requires from any employee, with all employees directed to cooperate with any request made by the committee.
 - III. Obtain any external legal or independent professional advice, where necessary.

Membership

- 4.20 Membership of the Committee shall be:
 - a. A minimum of four Trustees, one of whom shall be elected as Chair of the Committee
 - b. Principal
 - c. Co-opted external financial adviser (if required)
- 4.21 All members of the Board of Trustees may attend meetings of the Committee but only members may vote. Members of staff and other individuals or observers may attend Committee meetings with agreement from the Committee.
- 4.22 The quorum for all meetings of the Committee shall be three Trustees. The Principal counts as a Trustee for the purposes of quoracy.

5 Powers and Duties Delegated to the Admissions and Appeals Committee

- 5.1 To ensure that appropriate admissions policies, entrance criteria and procedures and pupil exclusion procedures are maintained by the Academy.
- 5.2 To keep under review the Arrangements for Admission into the Academy and to advise the Governing Body regarding the determination of arrangements and make the necessary arrangements to consult with the Admitting Authorities and determine the Admissions Criteria as required by legislation.

- 5.3 To make arrangements for the implementation of the Admissions Policy of the Academy and compilation of a waiting list, in line with the LA's Co-ordinated Admissions Arrangements for Primary to Secondary transfer.
- 5.4 To make arrangements to handle all referrals from the Local Authority Fair Access Panel for In-Year transfers.
- 5.5 To advise on arrangements for the hearing of formal appeals against the Governors' decision not to admit a child.
- 5.6 To make arrangements for the Governors' response to enquiries from the ESFA following appeals made against the Governors' decision not to admit a child.
- 5.7 To consider representation concerning admissions and appeals made to the Trustees by outside agencies or individuals and advise on a suitable response.
- 5.8 To be aware of current legislation or advice concerning admissions and appeals and to make recommendations accordingly.
- 5.9 To maintain an ongoing file of policy statements and procedural routines relating to admissions.
- 5.10 To consider such other matters that may be presented to the Committee by the Board of Trustees.

Membership

- 5.11 Membership of the Committee shall be:
 - a. A minimum of four Trustees, one of whom shall be elected as Chair of the Committee
 - b. Principal
 - c. Co-opted member if deemed necessary
- 5.12 All members of the Board of Trustees may attend meetings of the Committee but only members may vote. Members of staff and other individuals or observers may attend Committee meetings with agreement from the Committee.
- 5.13 The quorum for all meetings of the Committee shall be three Trustees. The Principal counts as a Trustee for the purposes of quoracy.

Procedural Issues

- 5.14 The agenda and papers for Committee meetings shall normally be circulated to Committee members at least one week in advance of the meeting.
- 5.15 Minutes of Committee meetings shall be collated and sent to the Chair of the Committee within one week for approval before wider circulation to the members of the Committee, by email.
- 5.16 Minutes of Committee meetings shall be presented to the next meeting of the Board of Trustees along with any reports and recommendations for consideration by the Board.
- 5.17 The decision-making process of the Committee will be open and transparent and in the best interests of the Academy. Agreements will be reached by consensus wherever possible. If this is not possible and voting is required, each member of the Committee shall have one vote, in the event of a split decision, the Chair shall have the casting vote.
- 5.18 When decisions are needed urgently, action by the Chair of the Committee or decisions by email may be required. These decisions should be kept to a minimum and must be reported to the next meeting of the Committee as a standing agenda item: Chair's Decisions and Correspondence

6 Financial Power and Duties Delegated to the Principal (acting as Accounting Officer)

The Principal is the Accounting Officer (responsibilities set out in the Academies Financial Handbook) and has delegated powers and functions in respect of internal organisation, management and control of the Academy, the implementation of all policies approved by the Board of Trustees and for the direction of teaching and the curriculum.

Within the framework of the Academy Improvement Plan the Principal has overall executive responsibility for the Academy's activities including financial activities. Much of the financial responsibility has been delegated to the Business and Facilities Manager but the Principal still retains responsibility for:

Budgets and Finance

- 6.1 Review income and expenditure reports and highlighting actual or potential overspending to the Business Committee.
- 6.2 Approving any virement between and within budget headings up to £5000 in conjunction with the Business and Facilities Manager.
- 6.3 Ensuring the arrangements for collection of income, ordering of goods and services, payments and security of assets are in accordance with the Academy's Financial Regulations Manual.

Purchasing and Contracts

- 6.4 Authorisation of contracts and expenditure up to the value of £ £10,000, in conjunction with the Business and Facilities Manager and budget holder.
- 6.5 Ensuring that all contracts and agreements conform with Financial Regulations;
 - (a) acceptance of quotations up to £ £10,000 in value
 - (b) receipt and custody of all tenders
 - (c) authorisation of senior members of staff to open tenders
 - (d) signing contracts on behalf of the Board

Security of Assets

- 6.6 Ensuring that proper security is maintained at all times for all buildings, furniture, equipment, vehicles, stocks, stores, cash, information and records etc. under his/her control.

Accounts and Audit

- 6.7 Ensuring that adequate operational controls are in place and that the principles of internal control are maintained.
- 6.8 Ensuring that full, accurate and up to date records are maintained in order to provide financial and statistical information.
- 6.9 Ensuring that all records and documents are made available to both internal and external auditors and the Business Committee.

Human Resources

- 6.10 Approving new staff appointments within the authorised establishment (see Appendix 6).
- 6.11 With the help of other senior staff as appropriate, review performance information for teachers and make recommendations to the Pay Committee, regarding pay awards.

7 Financial Powers and Duties Delegated to the Business and Facilities Manager (Acting as Chief Financial Officer)

The Business and Facilities Manager works in close collaboration with the Principal through whom she/he is responsible to the Board. The Business and Facilities Manager shall be responsible for ensuring the following are adhered to:

Budgets and Finance

- 7.1 Regular monitoring of expenditure and income against the approved budget. Submitting reports on the Academy's financial position to the Business Committee and the Board and also reporting all significant financial matters and any actual or potential overspending.
- 7.2 Preparing and annual draft budget plan for consideration by the Business Committee and approval by the Board by 30th June prior to the start of each academy financial year.
- 7.3 Approving virements between and within budget headings up to a value of £5000 in conjunction with the Principal and reporting such approval to the Board.
- 7.4 Maintaining proper records of account and reviewing monthly bank reconciliations.

Purchasing and Contracts

- 7.5 Authorising members of staff to order or receive goods and certify invoices for payment, ensuring the appropriate division of these duties between staff.
- 7.6 Maintaining a register of formal contracts entered into, amounts paid and certificates of completion.
- 7.7 Retention of quotes obtained for goods, works and services.

Income and Payments

- 7.8 Ensuring that all income is accurately accounted for and is promptly collected and banked intact.
- 7.9 ensuring that all correct invoices are duly certified by authorised staff before payments are made and that invoices, vouchers and other records are retained and stored in a secure way and are readily available for inspection by authorised persons.
- 7.10 Notifying the payroll provider of any matters affecting payments to employees.

Security of Assets

- 7.11 Maintaining a permanent and continuous register of all items of furniture, equipment, vehicles and plant.

8 Financial Powers and Duties Delegated to Other Members of Staff

Members of staff with delegated responsibilities should be aware that these must be exercised in accordance with the Academy's Financial Regulations Manual. Other members of staff primarily the Senior Business Officer, Business Officer, Finance Officer and budget holders will have some financial responsibilities and these are detailed in the Financial Regulations Manual. The following responsibilities are delegated to other staff as follows:

Budgetary Control

8.1 Budget holders are responsible for checking monthly statements of expenditure against their delegated budget (monthly reports issued by the Business Officer). Any potential overspends should be discussed with the Business and Facilities Manager beforehand.

Purchasing and Contracts

8.2 Budget holders can authorise orders up to £10,000 in conjunction with the Business and Facilities Manager, Senior Business Officer or Principal. Orders over £10,000 and up to £25,000 must be countersigned by any two of the Business and Facilities Manager, Principal and Chair of Board of Trustees or Vice Chair of Board of Trustees in the absence of the other.

Receipt of Goods

8.3 The following members of staff are authorised to receive and check goods:

- Head of Department
- Business Office Staff
- Receptionist

Payments

8.4 The following members of staff in addition to the Principal and Business and Facilities Manager are authorised to certify payments:

- Associate Principal
- Senior Business Officer

Salaries and Wages

8.5 The following members of staff in addition to the Principal and Business and Facilities Manager are authorised to certify pay documents and time records and authorise pay changes and appointments (excluding documents relating to themselves):

- Associate Principal
- Senior Business Officer

In the event that any position is not occupied, Trustees shall nominate an appropriate temporary alternative.

9 Summary of Financial Authorisation Levels

Delegated duty	Value	Delegated authority
Virements between and within budget headings	Up to £5000	Business and Facilities Manager or Senior Business Officer and Principal.
	£5000 and over	Board of Trustees.
Bank account transfers and cheque / BACS payment authorisation	Up to £10,000	Any Two Signatories.
	Over £10,000	Two signatories consisting of the Principal and/or Business and Facilities Manager or one other signatory.
Requisitions for orders / Invoice approval	Up to £10,000	Budget Holder and Business and Facilities Manager, Senior Business Officer or Principal
	£10,001 to £25,000	Any two of Principal and/or Business and Facilities Manager and Chair of Board of Trustees or Vice Chair of Board of Trustees in the absence of the other.
	Over £25,000	Full Board of Trustees .
Lease Agreements	Any	Board of Trustees approval.
Quotations and tendering	£1000 to £10,000	Minimum of three quotes to be obtained, if possible, by Business and Facilities Manager, Principal, Associate or Vice Principal or Budget Holder. Below £1000 seek best value for money.
	£10,001 to £25,000	Minimum of three quotes to be approved by the Board of Trustees. If there is a sole supplier only, ratification by Board of Trustees is required.
	£25,001 to relevant OJEU limit	Formal tendering process requiring Board of Trustees approval. If there is a sole supplier only, ratification by Board of Trustees is required.
	Over OJEU limit	OJEU advertising required Board of Trustees' approval.
Authority to accept other than lowest quotation	Up to £10,000	Business and Facilities Manager and Principal.
	£10,001 or over	Board of Trustees.
Disposal of assets	Up to £5,000	Business and Facilities Manager or Senior Business Officer and Principal.
	£5,000 to £10,000	Chair of Board of Trustees or Vice Chair of Board of Trustees in the absence of the Chair.
	Over £10,000	Board of Trustees.
Write-off of bad debts	Up to £1,000	Principal or Business and Facilities Manager.
	Above £1,000	Board of Trustees.
Signatories for grant claims / DFE returns	Any	Any two (or as required) of Business and Facilities Manager, Principal and Chair of Board of Trustees.
Income invoice approval	Over £10,000	Invoices raised over £10,000 must be notified to the Board of Trustees.
Maintenance Repairs, Emergency Repairs,	Up to £10,000	Business and Facilities Manager or Senior Business Officer in conjunction with the Principal or Associate Principal.
	Over £10,000	Principal or Associate Principal, Chair of Board of Trustees in conjunction with the Chair of Board of Trustees or Vice Chair of Board of Trustees in the absence of the Chair.
Formula Capital		All expenditure must be reported to Board of Trustees.

Cheque Signatories	Up to £10,000	Any Two Signatories.
	Over £10,000	Two signatories consisting of the Principal and/or Business and Facilities Manager or one other signatory.

In the event that any position is not occupied, Trustees shall nominate an appropriate temporary alternative. Evading delegated limits by sub dividing items, is against the Academy's policy.

Appendix 1: Principal's Appraisal/Performance Management

The task of appraising the Principal, including the setting of objectives, will be delegated to three members of the Board of Trustees plus an external advisor.

The Principal's Appraisal Committee will:

- a) undertake training for this purpose and particularly if new to Principal's Performance Review
- b) work with the appointed External Adviser
- c) take advice from the Academy Improvement Partner when agreeing objectives relating to the Principal's performance
- d) agree targets and objectives with the Principal
- e) commission evidence and information to be collected
- f) conduct the Principal's Performance Review
- g) make recommendations to the full Board of Trustees
- h) appoint a Review Officer for the purposes of Appeal by the Principal against the Performance Review.

The Principal may present his/her views in a note, make a presentation regarding his/her own review but will withdraw from any discussions on his/her pay and decisions making process and may not vote on it.

Appendix 2: The Pay Committee – Terms of Reference

The Committee, mindful of present legislation and advice from the Principal, the Diocese and/or the DfE will:

- a) consider pay and associated staffing matters including making discretionary payments (if any), carrying out re-gradings, enhancing, accelerating or withholding pay progression and the criteria for making such determinations
- b) carry out the annual review of teaching staff as required by legislation, considering recommendations from the Principal following Appraisal/Performance Management
- c) carry out the annual review of associate staff salaries
- d) ensure that awards are made without unlawful discrimination
- e) ensure arrangements are in place for every member of staff to receive their Annual Salary Statement
- f) ensure that the Business and Facilities Manager and the Academy's HR Administrator are notified, in writing, of any changes to pay of staff in the Academy
- g) make recommendations to the Business Committee regarding pay awards.

The Pay Review

For the Pay Review the Principal:

- will, with the help of other senior staff as appropriate, review performance information for teachers and make recommendations to the Pay Committee regarding pay awards,
- may present his/her views in a note, make a presentation regarding his/her own review but will withdraw from any discussions on his/her pay and decisions making process and may not vote on it.

Membership

The Pay Committee shall comprise two non-staff Trustees plus the Chair of Trustees and shall be fixed at the first meeting of the Full Board of Trustees.

Appendix 3: The Pay Appeals Committee - Terms of Reference

The Committee, following advice from the Principal, and/or Chair of the Board, will consider any appeal lodged by staff following the decision of the Pay Committee.

Membership

Membership of the committee shall comprise two non-staff Trustees plus the Vice Chair of Trustees but not including any member of the Pay Committee, the Principal or the Chair of Trustees.

* In the event that the Vice Chair of the Board is also a member of the Pay Committee, then the Chair of the Student Committee will be invited to be Chair of the Pay Appeals Committee. If this Trustee is not eligible, other Trustees can be considered until an eligible Trustee can be found.

Members of the Pay Appeals Committee shall be advised whenever the Pay Committee will convene, to enable the members to take steps to avoid accidental involvement with issues which may result in an appeal being lodged by a member of staff.

Appendix 4: First and Second Committees

The Chair will be responsible for calling both the First and Second Committee together. Members of the Second (Appeals) committee will need to absent themselves from any discussions or matters arising.

First Committee

Terms of Reference

The First Committee, in the light of advice from the Principal and/or the Chair of Trustees, shall consider and make decisions about:

- (a) grievances, disciplinary matters and requests for early retirements, in accordance with the Local Authority's Grey Book of Policies and Procedures.
- (b) staff dismissal
- (c) matters where, in general, the rules of natural justice should be applied i.e. in instances where consideration by the Board of Trustees might prejudice their ability to hear or independently consider an appeal.

Membership

The First Committee shall comprise at least three Trustees not including the Principal or the Chair of the Trustees.

Second (appeals) Committee

Terms of Reference

The Second Committee shall consider and make decision about appeals following the decisions of the First Committee in respect of grievances, staff dismissals, disciplinary matters, requests for early retirement and any other such matters brought before the First Committee.

Membership

The Second (Appeals) Committee shall comprise the same number of Trustees as the First Committee, drawn from the Board of Trustees as a whole but not including any member of the First Committee, the Principal or the Chair of Trustees.

Appendix 5: Student Discipline Committee

Terms of Reference

Mindful of current legislation the Committee, having been advised by the Principal of a permanent exclusion or of an exclusion which will result separately, or in total, in a student missing more than fifteen Academy days in any one term or which will deny a student the chance to take a public examination, will convene to consider the case and make decisions accordingly.

Membership

The Student Discipline Committee shall comprise three Trustees not including the Principal or the Chair of Trustees.

Appendix 6: Appointment of Staff

A member on the interview panel will have safer recruitment training.

Key:

SL	= Shortlisting
INT	= Interview
D	= Normal Quorum of Board of Trustees
P	= Principal
ASP	= Associate Principal
BFM	= Business and Facilities Manager
*	Subject to approval of Board of Trustees. It is expected that candidates for Acting Principal post will normally be a Vice/Associate Principal.
**	Subject to approval of Board of Trustees. It is expected that candidates for Acting Associate/Vice Principal posts will be an Assistant Principal.

	MINIMUM NUMBER OF TRUSTEES			
	PERMANENT		ACTING	
	SL	INT	SL	INT
Principal	D	D	D*	D*
Associate Principal	D	D	D**	D**
Vice Principal	D	D	D**	D**
Assistant Principal	P/ASP+2	P/ASP+2	P/ASP+2	P/ASP+2

Minimum members of interview panel

	PERMANENT		ACTING	
	SL	INT	SL	INT
Teacher Plus TLR 1/2	P/ASP	P/ASP	P/ASP	P/ASP
Teacher Plus TLR 3	P/AP (Dept. involve)	P/AP (Dept. involve)	P/AP (Dept. involve)	P/AP Dept. involve)
Teacher (UPS/MPS)	P/AP (Dept. involve)	P/AP (Dept. involve)	P/AP (Dept. involve)	P/AP Dept. involve)
Associate Staff	P/BFM/Line Manager/ Dept involvement as appropriate	P/BFM/Line Manager/ Dept involvement if appropriate	P/BFM/Line Manager/ Dept involvement if appropriate	P/BFM/Line Manager/ Dept involvement if appropriate

Appointment of Supply staff delegated to the Principal.

For appointments below Assistant Principal, Governors will be advised of interview dates and will attend if possible, but interviews will proceed even if there is no availability.