



## Scheme of Delegation

**Approved By:** Board of Trustees

**Approved On:** 26 September 2018

**Review Date:** September 2019

**Responsibility for Review:** Board of Trustees

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## Introduction

As a charity and company limited by guarantee, The Yare Education Trust (“the Trust”) is governed by a Board of Trustees (the “Trustee” “Trustees”) which is responsible for, and oversees, the management and administration of the Trust and the schools run by the Trust.

This Scheme of Delegation will apply to all academies for which the Trust is responsible (the “Schools”). Any reference to “the Schools” in this Scheme of Delegation refers to all academies within the Trust.

The Members are akin to the shareholders of a company. They have ultimate control over the Trust, with the ability to appoint some of the Trustees and the right to amend the Trust’s Articles of Association.

The Trustees are accountable to external government agencies, including the Charity Commission and the Department for Education (including any successor bodies), for the quality of the education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice.

In order to discharge these responsibilities, the Trustees appoint people to serve on a board (the “Local Governing Board” or “LGB”) which has been established to ensure the good governance of the Schools.

This Scheme of Delegation explains the ways in which the Trustees fulfil their responsibilities for the leadership and management of the Schools, the respective roles and responsibilities of the Trustees and the members of the Local Governing Boards.

This Scheme of Delegation has been put in place by the Trustees from the Effective Date in accordance with the provisions of the Trust’s Articles of Association (“the Articles”).

## The Yare Education Trust - Ethos

The Yare Education Trust is a collaborative group of school communities, formally partnering each other in a Multi Academy Trust.

The Trust schools are united in their vision for education in the communities they serve. At their heart is a commitment to every child and young person from the age of three to nineteen in the area served by the schools that would ensure:

- the best possible educational experience for all students
- a culture of high aspiration
- an environment where each student is nurtured and can develop his or her full potential
- an emphasis on continuity of learning across all ages
- the celebration of the diversity and uniqueness of each individual's skills and abilities
- a climate which harnesses enthusiasm and makes learning enjoyable
- the well-being of the whole child: socially, physically, mentally, emotionally and spiritually.

Our aim is to ensure that every child within our community enjoys the best possible education. We believe that students should achieve academic success, but also that the educational experience that each child receives should include helping him or her to understand the need for respect and responsibility. Equally, we believe that a good education should include activities beyond the academic curriculum such as sport, fieldwork and educational visits.

Each of the schools in our Trust has a unique identity which we wish to retain. We also recognise that there are individual strengths within each school from which the rest of the Trust can learn. Parents can be confident that in whichever school they choose in our Trust, their child will receive an excellent, broad based education which will form a solid foundation for progression to the next stage of his or her development.

To ensure our children and young people achieve success, the Trust has a culture of reflective professional growth by every member of staff, matched with a relentless approach to staff development. This equips our team to the highest standards and ensures high expectation influences all our actions.

Our aspirational outcomes are that:

- each school is expertly led and governed
- each student is expected to make progress at least in line with, and for the majority above, national expectations
- all teachers are motivated to be self-improving and aspire to be outstanding in all they do
- learning and teaching practices are exemplary
- each school has the full support of its students, parents and the community.

In working together within and beyond the Trust, we believe in the synergy of what we can offer: that our combined experience and expertise are greater than the sum of our individual parts.

## 1. Scope and Applicability

- 1.1 This document outlines the framework for decision making within The Yare Education Trust. It applies to all Members, Trustees, Governors serving on the Local Governing Boards, and staff.
- 1.2 To aid decision making, a “Decision Matrix” is attached at Appendix 1.
- 1.3 This Scheme of Delegation shall operate from the Effective Date of 1 September 2016.
- 1.4 The Trustees will have the absolute discretion to review this Scheme of Delegation at least on an annual basis and to alter any provisions of it.
- 1.5 In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Trustees will have regard to and give due consideration of any views of the Local Governing Boards.
- 1.6 In the event that amendments are made the Trust shall notify the Chair of each Local Governing Board, who shall be expected to make other governors aware of such changes.

## 2. Members

The Trust has the following Members:

- Mr Michael Garratt
- Mr Nicholas Hancox
- Dr Bryan Slater
- Mrs Samantha Swinnerton

The Members are the guardians of the Trust’s constitution, determining the governance structure of the Trust and providing oversight and challenge of the Trustees to ensure the charitable object of the Trust is being fulfilled.

Members can appoint Trustees and remove any Trustee subject to the provisions outlined within the Articles of Association. Appendix 2 outlines the role of the Members.

## 3. Board of Trustees

The Trust Board will be constituted as follows:

The Trust has the following Trustees:

Mr Ian Clayton MBE	Mr Peter Lamble
Ms Anne Gibson	Mr Gary Leverett
Mr Alfonso Gotts	Dr Linda Steynor
Mr Peter Harwood	Mr Paul Tacon
Mr Owen Jenkins	

The Board of Trustees is responsible for the performance of the Trust.

The Board will offer support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best outcome for the Trust.

As Trustees of a charity (the Trust), the Trustees have a fiduciary duty to act in good faith in the best interests of the Trust. This duty includes a responsibility to do the following:

- to ensure compliance with any legal obligations;
- to report on the Trust's activities (the Trust must prepare accounts in accordance with the Statement of Recommended Practice for Charities, the so called "Charity SORP" and any reporting requirements of the Education Funding Agency);
- to fulfil the charitable object of the Trust as set out in its constitution (i.e. the Articles of Association) and to act in a way which is compliant with the rules of the Trust contained in the Articles;
- to act with integrity and to avoid any personal conflicts of interest and not to misuse any charity funds or assets;
- to act prudently in the financial management of the Trust, avoiding putting any assets, funds or reputation of the Trust at undue risk;
- to exercise reasonable care and skill, using personal knowledge and experience to ensure the Trust is well run and efficient; and
- to act responsibly, getting advice from others, including professional advisors, where appropriate.

The Code of Conduct, Role Description and Person Specification for Trustees are set out in Appendix 3.

Specific skills may be needed if a Trustee is to take responsibility for and lead on a specific area, or to undertake the role of the Chair of the Trust.

A regular skills audit will be undertaken and Trustees should expect to be able to articulate their contribution to the success of the Trust and the Schools.

3.1 The Chair of the Board will be appointed annually by the Board.

3.2 The Chair shall discharge the following responsibilities:

3.2.1 The Chair is responsible for the leadership of the Board therefore he/she is responsible for ensuring that:

- the necessary business is carried on efficiently, effectively and in a manner appropriate for the proper conduct of public business;
- the Board acts in accordance with the Articles of Association, Funding Agreements, other external regulatory requirements, and with the Trust's own internal rules and regulations, and should seek advice from the Company Secretary in any case of uncertainty;
- the Board exercises collective responsibility and conducts itself in accordance with accepted standards of behaviour in public life.

- 3.2.2 The Chair is responsible for overseeing the business of the Board, particularly:
- ensuring the Board exercises control over the strategic direction of the Trust and that the performance of schools is adequately assessed against relevant objectives and indicators;
  - ensuring, through liaison with the Company Secretary, that all relevant information (including regular and satisfactory management and committee reports) are presented to the Board;
  - establishing a constructive and supportive yet challenging working relationship with the CEO, recognising the proper separation between governance and executive management, and avoiding involvement in the day-to-day executive management of the Trust;
- 3.2.3 The Chair will represent the Board at external meetings, presentations and conferences and may be asked to play an agreed ambassadorial role on behalf of the Trust.
- 3.3 The Board shall hold at least three meetings in every school year. A schedule will be published by the Company Secretary in agreement with the Chair.
- 3.4 All meetings of the Board shall be convened and conducted as provided by the Articles of Association.
- 3.5 Each meeting of the Board shall, in respect of the Trust and its schools cover the following:
- 3.5.1 A report on the financial position of the Trust and its Schools
  - 3.5.2 Whether adequate financial monitoring is being undertaken
  - 3.5.3 Details of any significant matters affecting:
    - Staff
    - Students’ education and welfare
    - Assets
    - Any other matters as determined by the Board.

Role Responsibilities for Trustees and Terms of Reference for the Trust Board are outlined in Appendices 3 and 4.

#### **4. The Chief Executive Officer (CEO)**

- 4.1 The Chief Executive Officer is appointed by the Board.
- 4.2 The role description for the CEO is attached as Appendix 5.



## 5. Trust Committees

The Trust Board will establish a structure of committees as deemed appropriate. These committees will act in an advisory capacity to the Board of Trustees except where powers have been specifically delegated to them by the Trust Board.

The Trust Board will establish the following committees:

- Trust Finance Committee
- Trust Standards and Audit Committee
- Trust Staffing and Remuneration Committee

The terms of reference for these committees is in Appendices 6, 7 and 8.

The Trustees will determine the work schedule of the board and its committees in line with the demands of the organisation, regulator deadlines.

## 6. The Trust and Local Governing Boards

Local Governing Boards will be established as detailed in the Articles of Association of the Trust.

- Local Governing Boards will be established for each school as follows:
  - Dussindale Primary School
  - Hemblington Primary School
  - Hillside Avenue Primary and Nursery School
  - North Walsham Infant and Junior Schools
  - Thorpe St Andrew School and Sixth Form
- The Role Description and Person Specification for Governors are set out in Appendix 9.
- Specific skills may be needed if an individual is to take responsibility for and lead on a specific area, or to undertake the role of the Chair of the Local Governing Board. A regular skills audit will be undertaken and governors should expect to be able to articulate their contribution to the success of the Trust and the Schools for which they are responsible.

Membership of the Local Governing Board shall be determined by each Local Governing Board.

- Subject to the above the membership of the LGB shall be comprised as follows:
  - a) The School Principal/Headteacher
  - b) A minimum of two Parent Governors
  - c) Up to two Staff Governors (primary) and three Staff Governors (secondary)
  - d) Co Opted Governors.

Associate Members may be appointed where the LGB or the Trustees have identified the need for additional expertise and skills to support the work of the LGB. Associate Members may attend meetings and serve on any sub-committee established by the LGB. They will hold no voting rights.

- All appointments to the LGB will be subject to the approval of the Trust Board.

The Local Governing Board may continue to act notwithstanding a temporary vacancy in its composition.

Where a School has a leadership model in excess of one Headteacher, for example two part time Headteachers or an Executive Head and Head of School, both members of staff will be members of the LGB. However, they will only have a single vote.

Trustees and /or members of the Trust executive team reserve the right to attend LGB meetings.

When a position for a Parent or Staff Governor arises, all eligible will be notified and offered the opportunity to apply. Suitable applicants will be invited to interview to ensure each Governing Board has the correct skills and experience to meet the needs of the school. Where there are two or more applications meeting the criteria, a parent or staff election will be held. Only staff working in the School will be eligible to hold the post of Staff Governor.

## **7. Governors Term of Office – LGB**

- 7.1 Any governor shall hold office and vacate office in accordance with the terms of his/her appointment (except in the case of the Headteacher) the length of his/her term of office shall not exceed four years.
- 7.2 Subject to remaining eligible to be a governor any governor may be re-appointed for consecutive periods not exceeding eight years in total. Thereafter a governor shall not be eligible for re-appointment until one year after his or her retirement, unless agreed exceptionally by resolution of the Trustees that he or she shall be eligible to serve for a further consecutive term. For the avoidance of doubt, a governor's term of office shall not include any time served as a governor of a predecessor school to the Academy.

## **8. Resignations and Removal of Governors**

- 8.1 A governor may at any time resign his/her office by giving notice in writing to the Clerk of the Local Governing Board.
- 8.2 A governor shall cease to hold office if he/she is removed by the person or persons who appointed him/her. The provision does not apply in the case of a Parent or Staff Governor.
- 8.3 The Trustees may terminate the appointment of any governor whose presence or conduct is in breach of the adopted NGA Code of Conduct (Appendix 10) or deemed by the Trustees not to be in the interests of the Trust or School. The Trustees will give due regard to and representation from the Local Governing Board.
- 8.4 The removal of a Parent Governor will be undertaken only in exceptional circumstances.
- 8.5 If any person who serves on the Local Governing Board in his or her capacity as an employee at any of the Schools ceases to work at the School then he or she shall be deemed to have resigned and shall cease to serve on the Local Governing Board automatically on termination of his or her work at the School.

8.6 Where a person who serves on the Local Governing Board is removed from office, those removing him or her, shall give written notice thereof to the Clerk to the Local Governing Board who shall inform the Chair of the Local Governing Board.

8.7 A Parent Governor shall not automatically cease to hold office solely by reason of the child (of whom that Parent Governor is a parent or carer) ceasing to be a student at the School.

## **9. Disqualification of Members of the Local Governing Board**

9.1 No person shall be qualified to serve on the Local Governing Board unless he or she is aged 18 or over at the date of his or her election or appointment.

9.2 No current student of the School shall be entitled to serve on the Local Governing Board.

9.3 A person serving on the Local Governing Board shall cease to hold office if he or she becomes incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs.

9.4 A person serving on the Local Governing Board shall cease to hold office if he or she is absent without the permission of the Chair of the Local Governing Board from all the meetings of the Local Governing Board held within a period of six months and the Local Governing Board resolves that his or her office be vacated.

9.5 A person shall be disqualified from serving on the Local Governing Board if:

9.5.1 His or her estate has been sequestered and the sequestration has not been discharged, annulled or reduced; or

9.5.2 He or she is the subject of a bankruptcy restrictions order or an interim order.

9.5.3 A person serving on the Local Governing Board shall cease to hold office if he or she would cease to be a Trustee by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

9.6 A person shall be disqualified from serving on the Local Governing Board at any time when he or she is:

9.6.1 Included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or

9.6.2 Disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or

9.6.3 Barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

9.7 A person shall be disqualified from serving on the Local Governing Board if he or she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.

- 9.8 A person shall be disqualified from serving on the Local Governing Board where he or she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.
- 9.9 After the Academy has opened, a person shall be disqualified from serving on the Local Governing Board if he or she has not complied with the Trust's Disclosure and Barring Service (DBS) policies.
- 9.10 Where, by virtue of this Scheme of Delegation, a person becomes disqualified from serving on the Local Governing Board; and he or she was, or was proposed, to so serve, he or she shall upon becoming so disqualified give written notice of that fact to the Local Governing Board.
- 9.11 This clause shall also apply to any member of any committee of the Local Governing Board who is not a member of the Local Governing Board.

## **10. Appointment of the Chair and Vice Chair to the Local Governing Board**

The Chair and Vice Chair of the Local Governing Board shall be appointed at the start of each academic year by simple election of those members of the LGB with voting rights.

Where the Trust consider that there is not a suitable Chair or Vice Chair from among the pool of Governors a member of the Trust Board or nominee shall fulfil the role until such a time as a suitable governor can be appointed.

If both the Chair and Vice Chair are absent from any meeting of the Local Governing Board a member of the Trust Board or nominee shall chair the meeting.

## **11. Appointment of Clerk to the Local Governing Board**

- 11.1 The Clerk to Governors shall be appointed by the Local Governing Board for such term, at such remuneration and upon such conditions as they may think fit; and any Clerk so appointed may be removed by them.
- 11.2 The Clerk shall not be a governor. Notwithstanding this paragraph, the governors may, where the Clerk fails to attend a meeting of theirs, appoint any one of their number or any other person to act as clerk for the purposes of that meeting.

## **12. Meetings of Local Governing Boards**

- 12.1 Subject to this Scheme of Delegation, the Local Governing Board may regulate its proceedings as the members of the Local Governing Board think fit.
- 12.2 The Local Governing Board shall meet at least once in every term, and shall hold such meetings as it deems necessary.
- 12.3 All meetings shall be convened by the Clerk to the Local Governing Board, who shall send to the governors written notice of the meeting and a copy of the agenda and supporting papers at least seven clear days in advance of the meeting.
- 12.4 A special/adhoc meeting of the Local Governing Board shall be called by the Clerk whenever requested by the Chair or at the request in writing by any three governors. Where there are matters demanding urgent consideration, the Chair or in his/her absence the Vice Chair may waive the need for seven days' notice of the meeting and substitute such notice as he or she thinks fit.
- 12.5 The convening of a meeting and the proceedings conducted shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda.

## **13. Quorum for Local Governing Board Meetings**

- 13.1 Meetings of the Local Governing Board shall be quorate if one third of members are present.
- 13.2 If the number of governors assembled for a meeting of the Local Governing Board does not constitute a quorum, the meeting shall not be held.
- 13.3 If in the course of a meeting of the Local Governing Board the number of governors present ceases to constitute quorum, the meeting shall be terminated.
- 13.4 If for the lack of a quorum a meeting cannot be held or, as the case may be, cannot continue, the Chair shall, if he/she thinks fit, determine the time and date at which a further meeting shall be held and shall direct the Clerk to convene the meeting accordingly.

## **14. Proceedings of Local Governing Board Meetings**

- 14.1 Every question to be decided at a meeting of the Local Governing Board shall be determined by a majority of the votes of the persons present and entitled to vote on the question. Every member of the Local Governing Board shall have one vote.
- 14.2 Where there is an equal division of votes, the Chair of the meeting shall have a casting vote in addition to any other vote he/she may have.
- 14.3 A governor may not vote by proxy.

- 14.4 No resolution of the governors may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.
- 14.5 Any governor who is also an employee of the Trust shall withdraw from that part of any meeting of the Local Governing Board at which his/her remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.
- 14.6 Where the Local Governing Board resolves to adjourn a meeting before all the items of business on the agenda have been disposed of, the Local Governing Board shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items. They shall direct the Clerk to convene a meeting accordingly.
- 14.7 Any governor shall be able to participate in a meeting of the governors by telephone or video conference provided that he/she has given reasonable notice to the Clerk and that the governors have access to the appropriate equipment.
- 14.8 The proceedings of the Local Governing Board shall not be invalidated by any vacancy on the Local Governing Board; or any defect in the election, appointment or nomination of any person serving on the Local Governing Board.

## **15. Minutes and Publication**

- 15.1 At every meeting of the Local Governing Board the minutes of the last meeting shall be taken as the first agenda item after any apologies, except in cases where the governors present decide otherwise, and, if agreed to be accurate, shall be signed as a true record.
- 15.2 The Clerk to the Local Governing Board shall ensure that a copy of the agenda for every meeting of the governors, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the Company Secretary.
- 15.3 The Clerk to the Local Governing Board shall ensure that a copy of the agenda for every meeting of the governors, the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available at each School to persons wishing to inspect them.

- 15.4 There may be excluded from any item required to be made available, any material relating to:
- 15.4.1 a named teacher or other person employed, or proposed to be employed, at the School;
  - 15.4.2 a named student at, or candidate for admission to, the School; and
  - 15.4.3 any matter which, by reason of its nature, the Local Governing Board is satisfied should remain confidential.

## **16. Delegation of Functions and Committees**

Subject to these terms of reference the Local Governing Board may establish such committees as are necessary to carry out its responsibilities, as determined by the Local Governing Board and/or the Trust.

- 16.1 Subject to these terms of reference, the constitution, membership and proceedings of any committee shall be determined by the governors.
- 16.2 The establishment, terms of reference, constitution and membership of any committee of the Local Governing Board shall be reviewed at least once in every twelve months.
- 16.3 The membership of any committee of the Local Governing Board may include persons who are not governors, provided that a majority of members of any such committee shall be governors. No vote on any matter shall be taken at a meeting of a committee of the Local Governing Board unless the majority of members of the committee present are governors.
- 16.4 Except where it is otherwise constrained within its terms of reference, a Committee may invite attendance by persons who are neither governors nor committee members where such attendance is considered by the members of the Committee to benefit its deliberations.
- 16.5 Copies of the minutes of Committee meetings are to be circulated to all governors and those who are entitled to attend Local Governing Board meetings.
- 16.6 Each committee will elect a chair from among its number. The Chair of the committee must be a voting member of the LGB.
- 16.7 The LGB will appoint an appropriate clerk to committees.
- 16.8 The LGB will determine the appropriate schedule of work for committees.

The functions and proceedings of the committees are subject to regulations made by the Trustees from time to time.

## **17. Conflicts of Interest**

- 17.1 The income and property of the School must be applied solely towards the provision of the Objects as detailed in the Articles. The restrictions which apply to the Trustees with regard to having a Personal Financial Interest shall also apply to the governors.
- 17.2 The procedure detailed at articles 97-98 of the Articles shall apply to the Local Governing Board always provided that, in the case of a Personal Financial Interest for a governor who is not also a Trustee, the Local Governing Board may meet to authorise the benefit.
- 17.3 All governors shall complete a Declaration of Interests form on joining the Local Governing Board and at the start of each academic year.
- 17.4 Any governor who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his duties as a governor shall disclose that fact to the governors as soon as he/she becomes aware of it and notify the Chair at the start of any meeting where that conflict relates to an agenda item. A governor must absent himself/herself from any discussions of the governors in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the School and any duty or personal interest (including but not limited to any Personal Financial Interest).

## **18. Indemnity**

Subject to the provisions of the Companies Act 2006 every member of the Local Governing Board or other Officer or Auditor of the Company acting in relation to the School shall be indemnified out of the assets of the Company against any liability incurred by him or her in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Company.



## Appendix 1

### Decision Matrix

*The master decision matrix is detailed below.*

*A reduced delegation decision matrix will be reviewed when required in order to meet the needs of an individual school.*

## September 2017

A = Accountable = The body/person answerable for the decision

R = Responsible = The body/person who will complete the task

Scheme of Delegation		Members	Trust Board	Trust Chief Executive Officer (CEO)	Local Governing Board	School Principal/ Headteacher	Chief Financial Officer (CFO)
<b>GOVERNANCE AND STRATEGY OF THE TRUST</b>							
1.1.	Overall Strategy and Vision of Trust including setting of key performance indicators and milestones to measure performance		A	R			R
1.2	Admission of new academies/schools into Trust		A	R			R
1.3	Entering into Funding Agreements		A	R			R
1.4	Entering into leases or other legal arrangements on behalf of the Trust including Acquisitions		A	R			R
1.5	Articles of Association agree, review and amend	A and R					
1.6	Approval of school development and improvement plans, including the setting of vision and key performance indicators to measure progress			A	R	R	
1.7	Appointment and removal of Members	A and R					
1.8	Appointment and Removal of Trustees	A and R					
1.9	Establish and review Trust Governance structures annually		A and R				
1.10	Establishing and approval of terms of reference for Board Sub Committees		A and R				

1.11	Appointment / removal of Chair and Vice Chair of Board		A and R				
1.12	Appointment of Board Committee Chairs		A and R				
1.13	Appointment / removal of Co-opted Board members		A and R				
1.14	Agreement of annual schedule of business for Trust Board		A and R				
1.15	Approval of Terms of Reference for LGBs		A		R		
1.16	Recruitment procedures for LGBS		A		R		
1.17	Appointment of LGB members		A		R		
1.18	Appointment of Chair of LGB		A		R		
1.19	Appointment of Vice Chair of LGB		A		R		
1.20	Removal of LGB members		A		R		
1.21	Appointment of Associate members to LGBs				A and R		
1.22	Appoint and remove Clerk to the Board of Trustees		A and R				
1.23	Appoint and remove Clerk to LGB				A and R		
1.24	Agreement of annual schedule of business for LGB				A and R		
1.25	Establishing Committees / working groups including terms of reference				A and R		
1.26	Authorised to approve / amend organisational scheme of delegation		A and R				
1.27	Register of all business and pecuniary interests for Members, Trustees, Governors and publication on website		A and R		R		
1.28	Entering into, or withdrawing from, a formal partnership		A	R	R	R	

1.29	Making changes of significance to provision of any school in the Trust, for example age range change		A and R				
<b>STATUTORY POLICIES</b>							
2.1	Child Protection and Safeguarding				A	R	
2.2	Early Years Foundation				A	R	
2.3	Allegations of Abuse Against Staff		A	R	R		
2.4	Supporting Children with Medical Conditions		A	R	R		
2.5	Special Educational Needs				A	R	
2.6	Sex Education				A	R	
2.7	Discipline and Grievance		A	R			
2.8	Data Protection		A	R			
2.9	Health and Safety		A	R			
2.10	Admissions				A	R	
2.11	Accessibility and Action Plan				A	R	
2.12	Behaviour				A	R	
2.13	Recruitment and Vetting		A	R			
2.14	Complaints		A	R			
2.15	Freedom of Information		A	R			
2.16	Equality Information and Objectives		A	R			
2.17	School Information Published on a Website		A		R		
2.18	Acceptable Use		A	R			
2.19	Whistleblowing		A	R			
<b>CURRICULUM</b>							
3.1	Approval and monitoring of Trust and school targets for student achievement and attendance		A	R	R	R	
3.2	Approval and monitoring of Trust and school targets for quality of teaching and learning		A	R	R	R	
3.3	Approval and monitoring of Trust and		A	R	R	R	

	school targets around student wellbeing						
3.4	Post-Ofsted School Action Plan sign off			A	R	R	
3.5	Curriculum: planning, implementation and review			A	R	R	
3.6	Sign off of educational policies (for example, off site visits, RE provision, Collective worship etc)				A	R	
3.7	Sign off of local school educational policies and procedures (for example, extra curricular activities, examinations, behaviour, marking policies)				A	R	
3.8	School term dates			A	R	R	
3.9	Length / organisation of school day			A	R	R	
3.10	Fixed term exclusions			A	R	R	
3.11	Permanent exclusions			A	R	R	
3.12	Exclusion appeals			A	R	R	
3.13	Admission appeals			A	R	R	
<b>FINANCE</b>							
<b>STATUTORY REPORTING</b>							
4.1	Appointment of external auditors	A and R					
4.2	Completion and approval of annual report, annual accounts and reports to funding and regulatory bodies		A	R			R
4.3	Completion and submission of other accounting returns to maintain compliance		A	R			R
4.4	Completing annual and periodic financial reports to Board and/or DfE (including income/expenditure, cash flow, projections etc)		A	R			R
4.5	Authorised to complete			A			R

	PAYE returns						
4.6	Authorised to complete VAT returns			A			R
<b>SYSTEMS OF INTERNAL FINANCIAL CONTROL</b>							
4.7	Approval of Internal financial regulations in accordance with DfE / EFA requirements		A	R			R
4.8	Assurance over adequacy of systems of internal financial control		A	R			
4.9	Trust Charging and Remission Policy		A	R			R
4.10	Appointment of internal auditors, and response to Audit reports		A and R	R			R
4.11	Approving of Lettings Policy				A		R
4.12	Investigating issues of financial irregularity		A	R			
<b>BUDGET AND MANAGEMENT REPORTING</b>							
4.13	Approval of annual budget for Trust		A	R	R	R	R
4.14	Receipt and review of management accounts		A	R			R
4.15	Approval of Trust central budget and school contributions to the Trust		A	R			R
4.16	Authority to make budget virements			A		R	R
<b>PURCHASING AND PROCUREMENT</b>							
4.17	Ensuring that all procurement processes and resulting contracts and agreements conform with the financial procedures			A		R	R
4.18	Placing orders for goods and services, entering into contracts			A		R	R
4.19	Authorisation of Payments on receipt of invoice in accordance with internal policy			A		R	R
4.20	Purchasing - authorised to create vendors on accounting system			A			R

<b>BANKING AUTHORITY AND CASH MANAGEMENT</b>							
4.21	Approval to borrow money		A	R			R
4.22	Cashflow management, Treasury and investment decisions		A	R			R
4.23	Approval of applications for Purchasing Cards		A	R			R
4.24	Open a bank account and approve signatories		A	R			R
<b>TRANSACTION PROCESSING</b>							
4.25	Payroll - starters, leavers and amendments			A			R
4.26	Payroll - administration			A			R
4.27	Establishing policy and procedures for Trustees and staff to claim expenses			A			R
4.28	Control account reconciliation			A			R
4.29	Write-off bad debts in line with agreed controls and policy			A			R
<b>FIXED ASSETS</b>							
4.30	Management of capital projects in accordance with agreed financial procedures			A			R
4.31	Establish and maintain Asset Register in accordance with financial procedures			A			R
4.32	Ensure the disposal of assets complies with agreed controls		A	R			R
4.33	Management of Trust risk; establish register, review and monitor		A	R			R
4.34	Management of School risk; establish register, review and monitor				A	R	
<b>INSURANCES</b>							
4.35	Ensure appropriate insurance arrangements are in place to protect the assets of the Trust			A			R
<b>HUMAN RESOURCES</b>							
5.1	Approval of overall staff establishment for the Trust		A	R			R

5.2	Approval of staffing establishment for individual school in the Trust			A	R	R	
5.3	Authorised to increase School / Organisational Headcount within existing staffing budget (replacement only)			A		R	
5.4	Job Description sign off and agreement of terms of employment including appropriate grading				A	R	
5.5	Authorised to agree/vary employment Terms and Conditions			A		R	
<b>RECRUITMENT AND APPOINTMENT OF STAFF</b>							
5.6	Appointment of CEO		A and R				
5.7	Appointment of CFO		A and R				
5.8	Appointment of Executive Team Members and School Principals			A and R	R		
5.9	Appointment of Deputy or Vice Principal			A	R	R	
5.10	Appointment of other Senior Leaders			A	R	R	
5.11	Appointment of other Teaching Staff				R	A and R	
5.12	Appointment of Associate Staff			A		R	
5.13	Recruitment processes and compliance with policy		A	R			
5.14	Signing of employment contracts			A		R	
<b>PAY POLICY</b>							
5.15	Annual approval of pay policy, including pay awards, pay point values, etc		A	R			
5.16	Determination of pay ranges		A	R			
5.17	Appointment outside range in salary structure		A	R			
5.18	Allocation of TLR / SEN values			A	R		



5.19	Value of other discretionary allowances			A	R	R	
5.20	CEO appraisal and any subsequent remuneration		A and R				
5.21	School Principal appraisal and subsequent remuneration		A	R	R		
5.22	CFO Appraisal and subsequent remuneration		A	R			
5.23	Teaching staff objective setting and performance appraisal			A		R	
5.24	Associate staff objective setting and performance appraisal			A		R	
5.25	Performance management appeals School Principals and CFO		A and R				
5.26	Performance Management appeals all staff			A	R		
<b>PENSION POLICY AND DISCRETIONS</b>							
5.27	Handling of all pension matters (teachers and associate staff)			A			R
<b>OPERATION OF POLICIES</b>							
5.28	Approval of Trust employment policies		A	R			
5.29	Approval of formal restructure plans		A	R	R	R	R
5.30	Approval of severance or redundancy agreements		A	R	R	R	R
5.31	Authority to issue warnings or other disciplinary measures except dismissal			A		R	
5.32	Authorisation of settlement agreements		A and R				
5.33	Suspension of staff			A	R	R	
5.34	Reinstatement of staff			A	R		
5.35	Dismissal of staff		A	R			
5.36	Dismissal suspension reinstatement of CEO		A and R				
5.37	Dismissal suspension		A	R			

	reinstatement of CFO						
5.38	Appeals		A	R			
<b>TRUST INFRASTRUCTURE</b>							
6.1	To establish and implement premises development and maintenance plan		A	R		R	R
6.2	Ensuring compliance of health and safety practice throughout Trust meeting legislative requirements		A	R		R	
6.3	Critical incident planning		A	R	R	R	
6.4	General monitoring and action plans in relation to safety of sites including buildings condition		A	R	R		

## Appendix 2

### Role Description and Responsibilities for Members

**Role Title:** Member

**Hours:** Annual General Meeting and additional meetings in accordance with the requirements as set out in article 20 of the Articles of Association  
Remote involvement via email/telephone

**Salary Range:** Voluntary

### Role Purpose

- Determine the ethos and purpose of the Trust (for example, the provision of education) and the way it is governed (as per the Articles of Association).
- To appoint Trustees in accordance with the requirements as set out in the Articles of Association.
- To receive the Trustees' Annual Report and Accounts and to attend general meetings of the Trust.

### Legal Responsibilities of Members

Members of companies limited by guarantee are responsible only for contributing to the Trust's capital on winding up, to the limit of the guarantee set out in the Articles of Association.

Members provide an additional layer of accountability and can scrutinise the actions of the Trustees.

## Appendix 3

### Role Description, Person Specification and Role Responsibilities for Trustees

**Role Title:** Trustee

**Hours:** Up to three Trust Board meetings a year  
Remote involvement via email/telephone  
Regular review of reports and documentation

**Salary Range:** Voluntary

**Term of Office:** Four years

**Role Purpose:** The Trustees oversee the management and administration of the Trust and the Schools run by the Trust

#### Role Description

##### Governance

The corporate management and trustee responsibility for the Trust is vested in the Trustees, who will also be the company Trustees registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the Schools and are accountable to the Members of the Trust, the Secretary of State for Education and the wider community for the quality of the education received by all students of the Schools and the expenditure of public money.

The Trustees are required pursuant to the Funding Agreements to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust.

##### Specific Responsibilities of the Trust Board and the Trustees

The role of the Trust Board and the Trustees collectively is to:

- Determine the strategic vision and overarching strategic plan of the Trust;
- Provide strategic leadership and governance;
- To develop effective links within the School's community, communicating openly and frequently as appropriate and ensuring that the Schools meet their responsibilities to the community and serve the community's needs in relation to the safeguarding and education of its students;
- Provide challenge and support to senior leaders including the CEO;
- Develop and decide strategic and operational policies;
- Facilitate collaboration between the Schools to actively seek opportunities for the Schools to work together either with the aim of improving economic efficiencies within the Trust or identifying and implementing best practice across all Schools;
- Co-ordinate and oversee shared services and resources;
- Develop and oversee the implementation of School action plans focussing on School improvement;
- Set and monitor performance benchmarks;

- Determine curriculum priorities;
- Set the overall Trust budget and approval of School budgets;
- Monitor expenditure in accordance with appropriate authorisations;
- Develop and implement a risk management strategy;
- Ensure the Trust and the Schools comply with their legal obligations;
- Determine the Trust's reserves/contingency policy;
- Ensure appropriate insurance or risk cover is put in place;
- Undertake recruitment and performance management of headteachers and other senior leaders;
- Develop staff training programmes and opportunities for professional development;
- Support the development and building of leadership and governance capacity at School level;
- Approval of site and asset management strategies;
- Oversee any significant capital expenditure and building projects;
- Approval of all funding applications;
- Act as decision maker for all appeals.

### Core Competencies

The following core competencies and skills expected of the Trustees are that they will:

- Work as a team;
- Attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- Be respectful of the views of others and to be open to new ideas and thoughts;
- Treat all confidential information confidentially;
- Act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy;
- Develop a deep understanding of the vision and ethos of the Trust and its Schools and the roles played by all individuals in fulfilment of the Trust's mission;
- Understand the policies and procedures of the Trust and how these flow down to the Schools;
- Support the Trust in public and act as an ambassador of the Trust and the Schools;
- Commit to training and skills development;
- Be ready to ask questions;
- Be focussed on problem solving and be ready to learn from past experiences;
- Adhere to the Nolan Principles in their conduct.

## Person Specification

### Personal Qualities and Values:

- A desire to create positive change for young people;
- A commitment to the aims and objectives of The Yare Education Trust;
- A willingness to devote time and effort;
- An ability to work effectively as a team while contributing an independent perspective;
- An ability to build productive and supportive professional relationships;
- A commitment to the Nolan's seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- A commitment to equal opportunities and anti-discriminatory practice;
- A commitment to Safeguarding young people;
- Reliability and integrity.

### Education and Training:

- A record of continuous professional development;
- Educated to higher level in professional area of expertise.

### Experience:

- Experience of driving positive change;
- Experience in leadership and management;
- Professional experience in education / accountancy / finance / business / HR / marketing / law.

### Knowledge:

- An understanding and acceptance of legal duties, responsibilities and liabilities of trusteeship;
- An understanding of the use of attainment and other data to assess the progress, strengths and weaknesses of an educational environment;
- An understanding of financial and workforce data.

### Skills:

- Strategic vision;
- An ability to think creatively;
- Good, independent judgement;
- An ability to use financial and workforce data to inform decision-making.

### Legal Requirements:

Individuals who are not able to make the following declarations may not serve as a Trustee:

- I am not disqualified from acting as a charity trustee;
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as “spent”);
- I have not been involved in tax fraud or other fraudulent behaviour including misrepresentation and/or identity theft;
- I have not used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance;
- I am not an undischarged bankrupt;
- I have not made compositions or arrangements with my creditors from which I have not been discharged;
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity;
- I have not been disqualified from serving as a company Trustee;
- I am not included in the list kept by the Secretary of State for Education under s1 of the Protection of Children Act 1999 (or equivalent) or have ever been disqualified from working with children or serving on a Governing Board of a school;
- I am able to provide a valid Disclosure and Barring Service Certificate under the Protection of Freedoms Act 2012 which does not disclose any reason why I should be unsuitable for working with children.

## Appendix 4

### Terms of Reference for the Trust Board

#### 1. Membership

The membership of the Board will be not less than three and subject to a maximum as outlined in the Articles of Association.

#### 2. Quorum

Quorum for meetings is in accordance with article 117 and is subject to the requirements of article 119.

Quorum will be any three trustees, or where greater any one third (rounded up to a whole number) of the total number of trustees holding office at the date of the meeting, who are in each case present at the meeting and entitled to vote on the matters being resolved.

#### 3. Meetings

- a) Subject to the Articles of Association, the Trustees may regulate their proceedings as they think fit.
- b) The Board shall hold at least three meetings each year in accordance with article 109.
- c) The Board has determined that a calendar of meetings will be agreed at the start of each academic year.

#### 4. Chair and Vice Chair

- a) The Chair and Vice chair will be elected by the Board on an annual basis at its first meeting of the academic year.
- b) Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice Chair shall act as the Chair for the purposes of the meeting.
- c) No Member of the Trust will act as the Chair of the Board.

#### 5. Responsibilities

The business of the Trust shall be managed by the Board who may exercise all the powers of the Trust as set out in the Articles of Association. This will include but not be limited to:

##### Setting the Strategic Direction

- To ensure that the Trust's vision and values underpin the way in which the Trust and its schools' work.
- To determine the educational character, religious ethos and mission of the Trust.
- To approve the Trust's appropriate strategic plans and review annually.



### **Ensuring High Standards of Achievement and Improved Performance**

- To ensure that all schools in the Trust are effectively challenged and supported to maximise outcomes of children and young people who attend Trust schools.
- To receive reports from the Standards and Audit Committee at every board meeting in order to review regularly outcomes and impact against key performance indicators as identified in the Trust's strategic plan.
- To challenge and support the Trust's senior officers and School leaders to achieve best value in terms of impact, outcomes, quality and cost.

### **Ensuring Sound Financial Practices**

- To approve the Trust's annual budget and keep it under regular review by receiving a report from the Trust's Finance Committee at every board meeting.
- To approve and review each Trust/School's annual budget and review this annually.
- To agree the scheme of financial delegation to Trust schools and review this annually.
- To receive the Annual Report from the Trust's auditors and take appropriate actions.

### **Ensuring Strong and Robust Governance**

- To ensure compliance with the Trust's duties under company law and charity law and agreements made with the Department for Education (DfE) including Master Funding Agreement and Supplemental Funding Agreements.
- To ensure the continued charitable status of the trust, and compliance with the charitable objects as set out in the Articles of Association.
- To approve the Trust's accountability and delegation framework and review regularly.
- To approve the terms of reference for agreed committees
- To approve the Trust's policy framework
- To take timely action to address decisions for which there is a legal requirement for board approval.
- To ensure effective consultation and communication with all stakeholders of the Trust.
- To review the effectiveness of governance structures and take appropriate steps to improve its performance.

## Appendix 5

### Role Description, Person Specification and Role Responsibilities for the Chief Executive Officer

**Role Title:** Chief Executive and Accounting Officer

**Reporting to:** The Members

**Time and Salary:** Initial expectation of one day per week

#### Scope

The Chief Executive and Accounting Officer will:

- Work with the Members (as a Board member) to establish the vision, strategic and operational direction of the Trust.
- Be accountable to the Trust for standards and finance within the Trust, holding the schools in the Trust to account for these areas within their own school.
- Be the substantive Head/Principal of one of the Trust schools.
- Manage the day to day operation of the Trust to achieve its goals and building the Trust's reputation within the community and wider.
- Constantly encourage an ethos of high expectations and achievement for every child/young person within the Trust schools and a culture of personal responsibility and professional self-review and development in all Trust employees.
- Deliver the requirements of the Accounting Officer as set out by the Department for Education.
- Be a Trustee of the Partnership.

#### Principal Responsibilities and Accountabilities

##### 1. Strategic Leadership

- Provide strong, dynamic and effective leadership to ensure all schools in the Trust deliver high quality education to all our children/young people.
- Produce, with the Trustees, a strategic and annual Trust Improvement and Development Plan, holding colleagues to account to ensure its effective delivery.
- Seek to develop the Trust to ensure it delivers the maximum impact for every child/young person and that each school effectively supports the community which it serves.
- Where agreed with partner schools, ensure areas of joint delivery of service provide greater benefits to member schools.
- Establish, where appropriate, policies and procedures needed across the Trust (for example, HR, Management Information Systems).

- Provide reports, as required by the Members, and ensure they are supported to allow them to undertake their role.
- Ensure the Trust meets its legal and educational law responsibilities.

## **2. Quality of Teaching and Associate Staff Delivery**

- Encourage outstanding delivery in all aspects of Trust staff work within and on behalf of students.
- Inspire innovation and change to raise standards still further across the Trust.

## **3. Educational Performance**

- Draw together comprehensive reports for the Board (via the Standards and Audit Committee) of educational standards within each element of the Trust.
- Celebrate academic success within the Trust and constantly seek ways to further improve for the benefit of every student.
- Ensure that any issues in school performance are identified and analysed with prioritised solutions developed and delivered to achieve whole school effectiveness.

## **4. Manage Internal and External Relationships**

- Ensure effective communication exists between the Trustee Board and the Local Governing Boards of member schools.
- Maintain effective communication and working between the Headteachers/Principals of member schools.
- Ensure effective communication and working with the Department for Education, Regional Schools Commissioner, Norfolk Children's Services, other Multi Academy Trusts and professional associations and unions.

## **5. Finance and Premises**

- Advise the Trust Board (via the Finance Committee) on budget plans and monitoring, taking action as necessary to ensure delivery and improvement.
- Ensure a strategic plan exists for the premises of all Trust schools and that funding bids are made to support both need and development.

This is not a comprehensive statement of all duties and responsibilities of this post.

*Accompanying document:*

Responsibilities of the Accounting Officer (Academies Handbook).

## **Appendix 6**

### **Terms of Reference for the Standards and Audit Committee**

#### **Membership**

The Committee will be appointed by the Trust Board and will comprise no more than seven and no fewer than three members, all of whom will be Trustees. Staff employed by the Trust cannot be members of the Committee but may attend to provide information and participate in discussion.

The Trust Board will appoint one of the members of the Committee as its Chair.

The Committee will elect a Clerk to the Committee.

#### **Attendance**

The Committee may ask the Standards Lead and any other senior executive to attend meetings of the Committee either regularly or by invitation, in order to provide information.

#### **Voting**

The quorum for each meeting shall be one half of the numbers of the Committee rounded up. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

#### **Meetings**

The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven working days prior to the date of the meeting.

#### **Minutes**

The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.

Minutes of each Committee meeting will be sent to all members of the Committee and the Trust Board within seven working days of the meeting.

## Authority

The Committee is authorised by the Trust Board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to cooperate with any request made by the Committee.

The Committee is authorised by the Board to obtain outside legal or other independent professional advice and to secure the attendance of any person at any Committee meeting with relevant experience and expertise if it considers this necessary.

## Duties

The duties of the Committee shall be:

### *Educational Standards*

- to ensure that the highest possible standards are set and maintained across the Trust
- to receive a termly report on standards and performance against key performance indicators
- to identify any areas of concern in respect of standards and performance and to implement an action plan
- to ensure that the Trust's curriculum is balanced and broadly based
- to ensure that effective processes are in place for the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Trust
- to support the Chief Executive Officer in the creation, implementation and monitoring of the Trust's self-evaluation development plan and any post-Ofsted action plan
- to advise the Trust Board with respect to targets for student achievement across the Trust
- to ensure that effective arrangements are in place across the Trust for pupil/student support and representation, for monitoring attendance and for pupil/student discipline

### *Financial Standards*

- to set the remit for the internal audit, review subsequent findings and remedial action proposed.
- to review and monitor financial controls and take appropriate action to mitigate risk for the Trust and all Schools through effective audit controls
- prepare the financial statement to form part of the Annual Report
- maintain oversight and monitor the accuracy of all returns submitted to the Education Funding Agency or Department for Education in relation to financial matters of the Trust and all constituent schools/academies.

*General*

- to review, on a regular basis, its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness
- to undertake a termly review of the Trust's Risk Register
- to scrutinise and review Trust policies for recommendation to the Trust Board.

## **Appendix 7**

### **Terms of Reference for the Finance Committee**

#### **Membership**

The Committee will be appointed by the Trust Board and will comprise no more than seven and no fewer than three members (including the Chief Executive Officer), all of whom will be Trustees.

The Board will appoint one of the members of the Committee as its Chair.

The Committee will elect a Clerk to the Committee.

#### **Attendance**

The Committee may ask the Director of Schools, the Chief Finance Officer and any other senior executive to attend meetings of the Committee either regularly or by invitation, to provide information.

The Committee will have at least one annual meeting, or part of one meeting, with each of the external auditor and the head of internal audit without the senior executives being present.

#### **Voting**

The quorum for each meeting shall be one half of the members of the Committee rounded up. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

#### **Meetings**

The Committee shall meet termly on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven working days prior to the date of the meeting.

#### **Minutes**

The Clerk will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.

Minutes of each Committee meeting will be sent to all members of the Committee and the Trust Board within seven working days of the meeting.

## Authority

The Committee is authorised by the Trust Board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to cooperate with any request made by the Committee.

The Committee is authorised by the Trust Board to obtain outside legal or other independent professional advice and to secure the attendance of any person at any Committee meeting with relevant experience and expertise if it considers this necessary.

## Duties

The duties of the Committee shall be to:

- develop a financial strategy for the Trust and consider policies, procedures or plans required to realise such strategy
- consider the Trust's indicative funding, once notified by the Education Funding Agency, and to assess its implications for the Trust, in consultation with the Chief Executive Officer and the Chief Finance Officer, in advance of the financial year, drawing any matters of significance or concern to the attention of the Trustees
- consider and recommend acceptance/non-acceptance of the Trust's budget to the Trustees
- monitor and address any variances from the budget and ensure the Education Funding Agency is notified as required
- receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year, including the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the development priorities set out in the Trust Development Plan
- liaise with and receive reports from the Standards and Audit Committee and then to make recommendations about the financial aspects of matters being considered by them
- monitor and review income and expenditure on a regular basis and ensure compliance with the overall financial plan for the Trust, drawing any matters of concern to the attention of the Trust Board
- monitor and review procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and, where appropriate to make recommendations for improvement
- maintain oversight and monitor the accuracy of all returns submitted to the Education Funding Agency or Department for Education in relation to financial matters of the Trust and all constituent schools/academies



- to review and monitor financial controls and take appropriate action to mitigate risk for the Trust and all schools through effective audit controls
- prepare the financial statement to form part of the Annual Report
- ensure the Trust's commercial and fundraising activities are carried out effectively
- examine and review new initiatives for financial development, including fundraising
- oversee significant investment and capital financing decisions
- approve and keep under review the Trust's investment policy
- approve and keep under review the Trust's reserves policy
- promptly notify the Trust Board of all financial matters of which the Committee has knowledge and which may materially affect the current or future position of the Trust
- advise generally on the provision of resources and services to the Trust
- to review, on a regular basis, its own performance, constitution and terms of reference to ensure it is operating at maximum effectiveness.

## Appendix 8

### Terms of Reference for the Staffing and Remuneration Committee

#### Membership

The Committee will be appointed by the Trust Board and will comprise no more than seven and no fewer than three members (including the Chief Executive Officer), all of whom will be Trustees.

The Trust Board will appoint one of the members of the Committee as its Chair.

The Committee will elect a Clerk to the Committee.

#### Voting

The quorum for each meeting shall be one half of the members of the Committee rounded up. Decisions of the Committee shall be taken by a simple majority of those present and voting. The Chair will have a casting vote on an equality of votes.

#### Meetings

The Committee shall meet on such dates as shall be determined by the Committee from time to time and at such other time as the Clerk shall specify at the request of any member of the Committee.

Unless otherwise agreed, notice of each meeting confirming the venue, date and time together with an agenda shall be sent to each member of the Committee and any other person invited or required to attend no fewer than seven working days prior to the date of the meeting.

#### Responsibilities

- Annually appoint a Chair.
- Strategic oversight of staff appointed to the central team of the Trust, including decisions relating to remuneration.
- Annually confirm the arrangements for the appraisal of the central team and all Trust Principals / Headteachers in line with the Scheme of Delegation.
- Strategic oversight of the Trust's relationship with its HR provider and Trust HR policies.

## Appendix 9

### Role Description, Person Specification and Role Responsibilities for Governors (including specific responsibilities of the Chair)

<b>Role Title:</b>	Governor serving on a Local Governing Board
<b>Hours:</b>	Up to three full Local Governing Board meetings a year and Committee meetings, as required Remote involvement via email/telephone Regular review of reports and documentation
<b>Salary Range:</b>	Voluntary
<b>Term of Office:</b>	Four years
<b>Role Purpose:</b>	The Local Governing Board for a School or Schools plays an active part in supporting the Headteacher/Principal of the School, liaising as appropriate with the Trust's Chief Executive Officer and the Trust Board more generally in relation to the oversight of the Schools and the Schools' Leadership Teams.  Appointments to the Local Governing Board will be made by the Local Governing Board itself, subject to any ratification by the Trustees of The Yare Education Trust.

### Role Description

#### Governance Support and Local Accountability

The role of those serving on a Local Governing Board is an important one, ensuring there is local accountability for the performance of the Trust and the Schools and that the Schools serve their communities. Those serving on a Local Governing Board are accountable to the Trust Board and must ensure that at all times they act in good faith and in the best interests of the Schools and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience.

#### Specific Responsibilities

The specific tasks and responsibilities for governors are as follows:

- Ensure implementation of the strategic vision of the Trust and the Schools in particular;
- Support the Trust Board in developing and maintaining effective links within the Schools' communities, communicating openly and frequently as appropriate and ensuring that the Schools meet their responsibilities to the community and serves the community's needs in relation to the safeguarding and education of its students;
- Oversee and support the School's Leadership Team;

- Ensure the School works within its budget and implements the Trust's risk and financial management policies;
- Support the School's Leadership Team in the development and review of an appropriate staffing structure;
- Where appropriate, support the Headteachers in the recruitment and performance management of strategic personnel;
- Promote collaboration with the other Trust Schools, actively seeking opportunities for the Schools to work together either with the aim of improving economic efficiencies within the Trust or identifying and implementing best practice across all Schools;
- Review delegated local School policies;
- Provide advice and feedback to the Trustees and reporting on all matters, responsibility for which has been passed to the Local Governing Board;
- Support the School's Leadership Team in relation to curriculum and budgeting priorities, determining any local priorities;
- Support the School's Leadership Team in monitoring student progress and analysing performance data, having regard to the performance benchmarks determined by the Trust across all Schools;
- Ensure the implementation of any School plan, focussing particularly on School performance targets;
- Undertake all and any appropriate community consultation;
- Provide a point of contact for parents, carers and other members of the local community;
- Maintain effective links with the local community.

### **Core Competencies**

The following core competencies and skills expected of governors are to:

- Work as a team;
- Attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- Be respectful of the views of others and to be open to new ideas and thoughts;
- Treat all confidential information confidentially;
- Act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy;
- Develop a deep understanding of the vision and ethos of the Trust and its Schools and the roles played by all individuals in fulfilment of the Trust's mission;

- Understand the policies and procedures of the Trust and how these flow down to the Schools;
- Support the Trust in public and act as an ambassador of the Trust and the Schools;
- Commit to training and skills development;
- Be ready to provide challenge;
- Be focussed on problem solving and be ready to learn from past experiences;
- Act in accordance with any authority delegated to him or her, including complying with any regulation or requirement of those from whom delegated authority is received;
- Adhere to the Nolan Principles in their conduct.

## Person Specification

### Personal Qualities and Values:

- A desire to create positive change for young people
- A commitment to the aims and objectives of The Yare Education Trust
- A willingness to devote time and effort
- An ability to work effectively as a team while contributing an independent perspective
- An ability to build productive and supportive professional relationships
- A commitment to the Nolan seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- A commitment to equal opportunities and anti-discriminatory practice
- A commitment to Safeguarding young people

### Education and Training:

- A record of continuous professional development
- Educated to higher level in professional area of expertise

### Experience:

- Experience of driving positive change
- Experience in leadership and management
- Professional experience in education / accountancy/ finance / business / HR / marketing / law

### Knowledge:

- An understanding and acceptance of legal duties, responsibilities and liabilities of trusteeship
- An understanding of the use of attainment and other data to assess the progress, strengths and weaknesses of a school
- An understanding of financial and workforce data

### Skills:

- Strategic vision
- An ability to think creatively
- Good, independent judgement
- An ability to use financial and workforce data to inform decision-making

### Legal Requirements:

Individuals who are not able to make the following declarations may not serve on the Local Governing Board:

- I am not disqualified from acting as a charity trustee
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as “spent”)
- I have not been involved in tax fraud or other fraudulent behaviour including misrepresentation and/or identity theft
- I have not used a tax avoidance scheme featuring charitable reliefs or using a charity to facilitate the avoidance
- I am not an undischarged bankrupt
- I have not made compositions or arrangements with my creditors from which I have not been discharged
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity
- I have not been disqualified from serving as a company Trustee
- I am not included in the list kept by the Secretary of State for Education under s1 of the Protection of Children Act 1999 (or equivalent) or have ever been disqualified from working with children or serving on a Governing Board of a school
- I am able to provide a valid Disclosure and Barring Service Certificate under the Protection of Freedoms Act 2012 which does not disclose any reason why I should be unsuitable for working with children

**The Chair's Specific Duties are to:**

- Provide a clear lead and direction for the governors, understanding the aims of the Schools, the roles played by all those involved and the vision of the Trust in relation to its Schools;
- Build an effective team, attracting governors with necessary skills and experience promoting equality and diversity and ensuring priority is given to those who can make a positive contribution to driving school improvement and supporting their development to maximise the benefit of their contribution;
- Work closely with the Headteachers and the Leadership Team to ensure there is proper challenge and encouragement;
- Ensure that School improvement is the focus of all policy and strategy for the Schools, reminding governors of this as often as necessary;
- Hold governors to account, ensuring the business of the Local Governing Board is conducted efficiently and effectively, chairing meetings and ensuring all members have the opportunity to contribute and are listened to with clear decisions being made when necessary.



## Appendix 10

# Code of Conduct for Trustees/Governors

This code sets out the expectations on and commitment required from Trustees and Governors in order for The Yare Education Trust to properly carry out its work within the Trust, its schools and the community.

**The Local Governing Board has the following core strategic functions delegated to them through the Scheme of Delegation:**

Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties.

Ensuring accountability, by:

- Monitoring progress towards targets
- Performance managing the headteacher
- Engaging with stakeholders
- Contributing to school self-evaluation.

Ensuring financial probity, by:

- Monitoring spending against the budget
- Ensuring value for money is obtained
- Ensuring risks to the organisation are managed.

## As individuals we agree to the following:

### Role and Responsibilities

- We understand the purpose of the Trustee Board/Governing Board and their roles.
- We accept that we have no legal authority to act individually, except when the Trustees/Governing Board has given us delegated authority to do so, and therefore we will only speak on behalf of the Trustees/Governing Board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the Trustees/Governing Board or its delegated agents. This means that we will not speak against majority decisions outside the Trustees/Governing Board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of The Yare Education Trust. Our actions within the Trust and the local community will reflect this.
- In making or responding to criticism or complaints affecting the Trust we will follow the established procedures.
- We will actively support and challenge the headteacher(s).

### Commitment

- We acknowledge that accepting office as a Trustee/Governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the Trust/Governing Board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the Trust/school(s) well and respond to opportunities to involve ourselves in Trust/school activities.
- We will visit the schools only when arranged in advance with the staff and undertaken within the framework established by the Trust/Governing Board and agreed with the headteacher(s).
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training.
- We accept that in the interests of open government, our full names, date of appointment, terms of office, roles on the Trustee/Governing Board, attendance records, relevant business and pecuniary interests, category of Trustee/Governor and the Board responsible for appointing us will be published on the Trust/school's website.

## Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other Trustees/Governors.
- We will support the Chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other Trustees/Governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the headteacher(s), staff and parents, the local authority, other relevant agencies and the community.

## Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or students, both inside or outside the Trust/school.
- We will exercise the greatest prudence at all times when discussions regarding Trust/school business arise outside a Trustee/Governing Board meeting.
- We will not reveal the details of any Governing Board vote.

## Conflicts of Interest

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the Trust/Governing Board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time. We accept that the Register of Business Interests will be published on the Trust/school's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the Trust as a whole and not as a representative of any group.

## Breach of this code of conduct:

- If we believe this code has been breached, we will raise this issue with the Chair and the Chair will investigate; the Trustee/Governing Board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the Chair that we believe has breached this code, another Trustee/Governor, such as the Vice Chair will investigate.

### The Seven Principles of Public Life

(Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).

**Selflessness** - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** - Holders of public office should promote and support these principles by leadership and example.

### Undertaking:

As a member of the Trustee/Governing Board I will always have the well-being of the children and reputation of the Trust/school at heart; I will do all I can to be an ambassador for the Trust, publicly supporting its aims, values and ethos; I will never say or do anything publicly that would embarrass the Trust, the Governing Board, the headteacher(s) or staff.

Signed.....

Print Name.....

Date.....

## **Appendix 11**

Each Local Governing Board will review the Committee Terms of Reference on an annual basis.

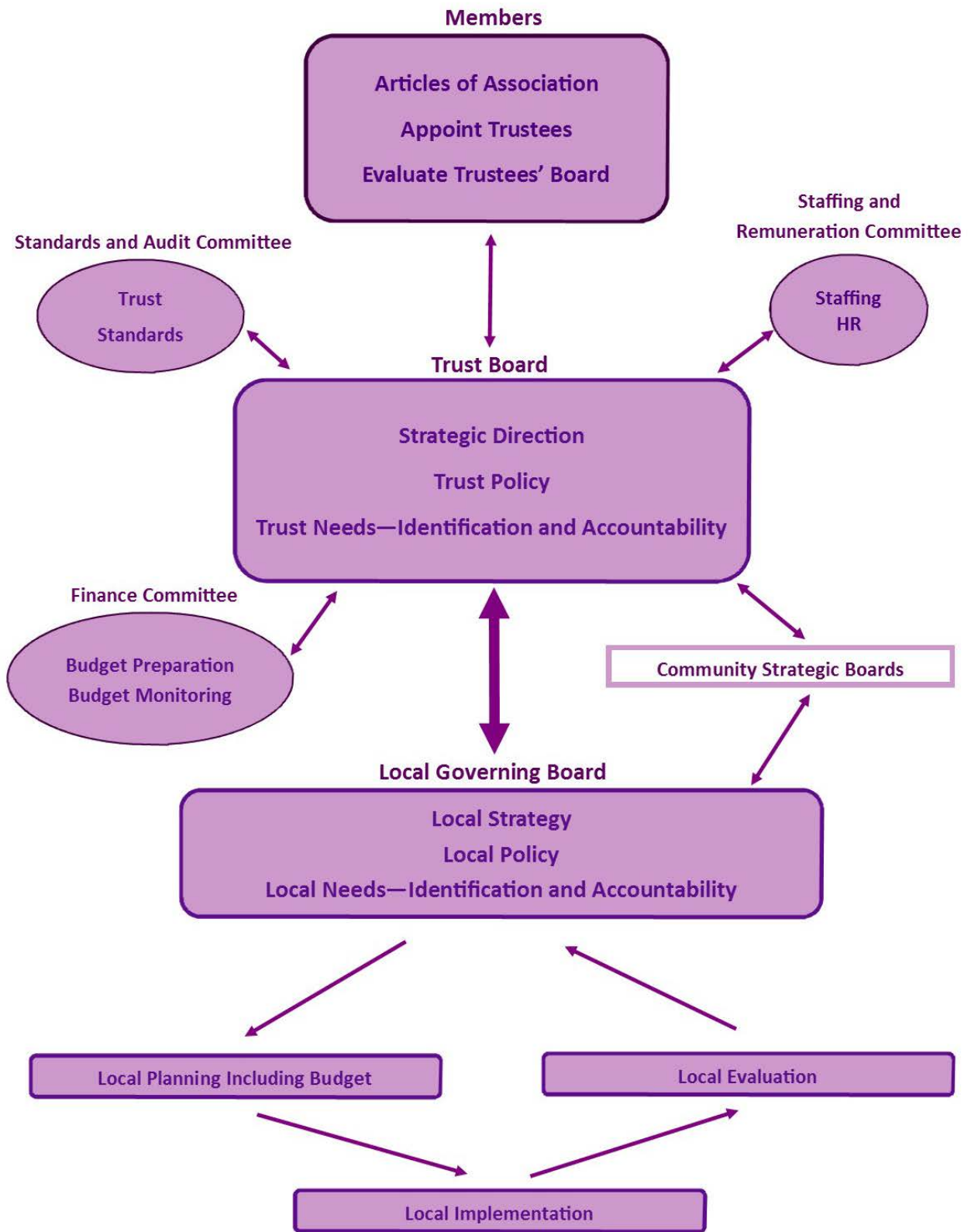
## Appendix 12

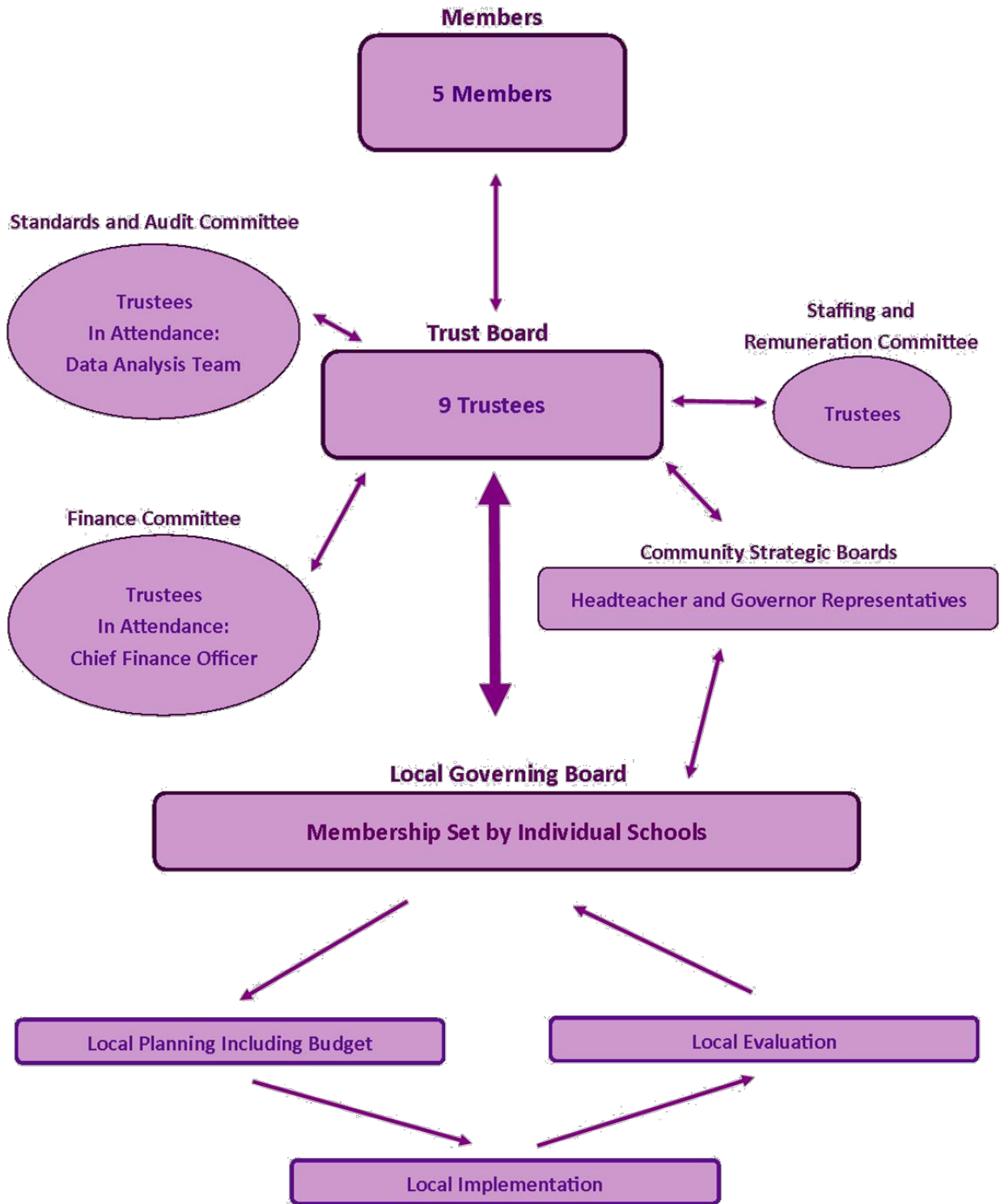
### National Governors Association Skills Audit 2015

Experience, skills and other attributes	Level of experience/skill: rate on a scale of 1 (none) to 5 (extensive). Do remember to think about all the situations in which you may have developed/used these skills				
	1	2	3	4	5
<b>Essential for all governors/trustees</b>					
Commitment to improving education for all pupils					
Ability to work in a team and take collective responsibility for decisions					
Willingness to learn					
Commitment to the school's vision and ethos					
Has basic literacy and numeracy skills					
Has basic IT skills (i.e. word processing and email)					
<b>Should exist across the governing board</b>					
<b>Understanding/experience of governance</b>					
Previous experience of being a board member in another sector or a governor/trustee in another school					
Experience of chairing a board/ governing board or committee					
Experience of professional leadership					
<b>Vision and strategic planning</b>					
Understanding and experience of strategic planning					
Ability to analyse and review complex issues objectively					
Ability to identify problems					
Ability to propose and consider innovative solutions					
Experience reviewing the impact of new ideas and initiatives					
Ability to learn from failure					
Ability to make difficult decisions in the best interests of pupils					
Change management (e.g. overseeing a merger or an organisational restructure, changing careers)					
Understanding of current education policy					
<b>Holding the head to account</b>					
Communication skills, including being able to discuss sensitive issues tactfully					
Ability to analyse data					
Ability to question and challenge					
Experience of project management					
Performance management/ appraisal of someone else					
Experience of being performance managed/appraised yourself					
<b>Financial oversight</b>					
Financial planning/management (e.g. as part of your job)					
Experience of procurement/purchasing					
Experience of premises and facilities management					
<b>Knowing your school and community</b>					
Links with the community					
Links with local businesses					
Knowledge of the local/regional economy					
Working or volunteering with young people (e.g. teaching/social work/youth work/sports coaching/health services for young people)					
Understanding of special educational needs					

# Appendix 13

## Trust Structure







## Appendix 14

### Financial Limits and Education Funding Agency Delegations

#### Authorisation Limits - PRIMARY

These limits are taken from the Financial Regulations that were approved by the Board: **September 2016**

#### Expenditure Limits

Headteacher	up to	£5,000		
Chair of Local Governing Board	from	£5,001	to	£30,000
Board	from	£30,001		

#### Cheque Signatories

One signatory	up to	£500		
Two signatories (and all staff reimbursement)	from	£501	to	£30,000

#### Virement

No limits proposed

#### Writing Off Bad Debts

Local Governing Board	up to	£100		
Board	from	£101		

#### Disposal of Assets

Headteacher	up to	£100		
Local Governing Board	from	£101	to	£500
Board	over	£500		

#### Other Limits

Mileage Allowances	HMRC			
Petty Cash	£20	per transaction		
Safe Cash Limit	In line	with insurance arrangements		

#### Ordering

Three competitive quotations	from	£5,000	to	£30,000
Board	over	£30,001		

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/484497/PPN\\_1815\\_New\\_Thresholds\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484497/PPN_1815_New_Thresholds_2016.pdf)

#### Asset Register

Capitalisation

**Authorisation Limits - SECONDARY**

These limits are taken from the Financial Regulations that were approved by the Board: **September 2016**

**Expenditure Limits**

Site Manager (emergency minor building repairs)	up to	£500		
Business Manager/Director of Finance	up to	£5,000		
School Principal	from	£5,001	to	£30,000
Local Governing Board	from	£30,001		

**Cheque/BACS Signatories**

Two signatories from authorised list for all payments

**Virement**

Business Manager/Director of Finance	up to	£500		
School Principal	up to	0.25%	of budget share	

**Writing off Bad Debts**

School Principal	up to	£100		
Local Governing Board	over	£100		

*Prior approval of Education Funding Agency for writing off and losses over delegated limits (per Academies Financial Handbook)*

**Disposal of Assets**

School Principal	up to	£100		
Local Governing Board	from	£101	to	£500
<i>(and where sale not by public auction/competitive tendering)</i>				
Board	over	£500		

**Other Limits**

Mileage Allowances	HMRC			
Petty Cash	£20	Excluding department float top-up		
Safe Cash Limit	In line with insurance arrangements			

**Ordering**

3 competitive quotations wherever practical	from	£5,000	to	£50,000
Tendering and Specification	over	£50,000		
Tendering and OJEU	Limits as per current EU Legislation			

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/484497/PPN\\_1815\\_New\\_Thresholds\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484497/PPN_1815_New_Thresholds_2016.pdf)

**Asset Register**

Capitalisation

**Authorisation Limits – MULTI ACADEMY TRUST**

These limits are taken from the Financial Regulations that were approved by the Board: **September 2016**

**Expenditure Limits**

Site Manager (emergency minor building repairs)	up to	£500		
Chief Finance Officer	up to	£5,000		
Chief Executive Officer	From	£5,001	to	£30,000
Board	Over	£30,000		

**Cheque Signatories**

Two signatories from authorised list for all payments

**Virement**

Business Manager/Director of Finance	up to	£500		
Chief Executive Officer	From	£501	to	£5,000
Board	Over	£5,001		

**Writing Off Bad Debts**

Chief Executive Officer	up to	£500		
Board	Over	£500		

*Prior approval of Education Funding Agency for writing off and losses over delegated limits (per Academies Financial Handbook)*

**Disposal of Assets**

Chief Executive Officer	up to	£500		
Board	Over	£500		

*(and where sale not by public auction/competitive tendering)*

**Other Limits**

Mileage Allowances	HMRC			
Petty Cash	£20			
Safe Cash limit	In line with insurance arrangements			

**Ordering**

3 competitive quotations	From	£5,000	to	50,000
Tendering and Specification	Over	£50,000		
Tendering and OJEU	Limits as per current EU Legislation			

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/484497/PPN\\_1815\\_New\\_Thresholds\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484497/PPN_1815_New_Thresholds_2016.pdf)

**Asset Register**

Capitalisation

## Education Funding Agency Delegations

Subject	Detail	Delegation	Financial Handbook reference
Novel and contentious	Novel and contentious transactions	EFA agreement required	3.3
Borrowing	Bank or sponsor loan, overdraft	EFA agreement required	3.4
	Credit cards (for business use only)	Trust discretion	3.4
Leasing	Taking up finance lease	EFA agreement required	3.9.3
	Taking up a leasehold on land and buildings	EFA agreement if lease term 7 years or more	3.9.3
	Taking up operating leases	Trust discretion	3.9.2
	Granting a lease on land and buildings	EFA agreement required	3.9.3
Write Offs and Liabilities (£250,000 ceiling)	Writing of debts and losses	EFA consent required if transactions exceed 1% of annual income or £45 000 individually; or 2.5% or 5% of annual income cumulatively. Subject to £250,000 limit)	3.6
	Entering into guarantees, indemnities or letters of comfort		
Special Payments	Staff severance	EFA agreement required if payment £50,000 or more	3.7.6 and 3.7.10
	compensation		
	ex gratia	EFA agreement required	3.7.15
Acquisition and Disposal of Assets	Acquiring a freehold on land and buildings	EFA agreement required	3.8.1
	Disposing of a freehold on land and buildings	EFA agreement required	3.8.1
	Disposing of heritage assets	EFA agreement required	3.8.1
	Disposal - not land, buildings or heritage	Trust discretion	3.8.2
GAG	Pooling by multi academy trusts	No limits if trust eligible	3.10.5
	GAG carry forward	No limits if trust eligible	3.10.2