

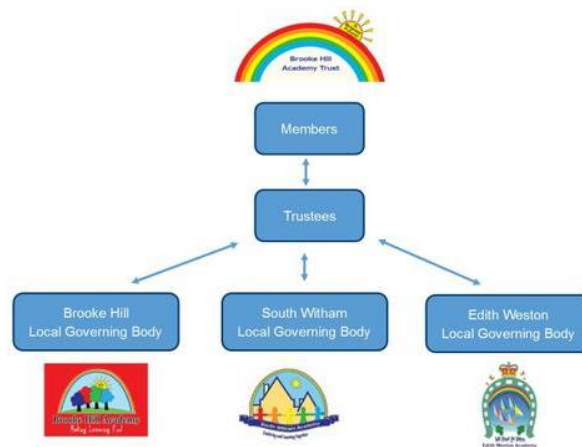


## **SCHEME OF DELEGATION, TERMS OF REFERENCE AND DECISION PLANNER 2022/2023**

Brooke Hill Academy Trust is a Multi Academy Trust established in January 2016 (the Trust) with responsibility for three primary schools, Brooke Hill Academy and Edith Weston Academy in Rutland and South Witham Academy in Lincolnshire. The overall aim of the Trust is to ensure all children receive a good quality education through:

- Provision of a safe and secure learning environment
- Maintaining standards by challenging and monitoring the performance of the Academies
- Managing the Trust's finances and property in line with the **Funding agreement** set out by the Secretary of State for Education
- Maintain a full complement of teaching and support staff
- Ensure that the schools and the Trust comply with both charity and company law

The Governance of the Trust is managed through 3 levels of governance (see the diagram below) and is in place to ensure the overall aims of the Trust are met. This document sets out the terms of reference and delegated responsibilities for each level of governance:



### **MEMBERS**

The Members have ultimate responsibility for the performance of the schools in particular:

- Appointment of a board of Trustees to set the vision and strategic direction of the Trust and to manage the day-to-day business of the Trust
- Ensure the financial conduct of the trust in compliance with the **Master Funding agreement** and **Academy's Financial Handbook**
- Adherence to the Articles of Association of the Trust

Members usually meet once a year at the Trust's AGM.

Terms of reference for the Members is at Appendix A and the Eligibility Criteria for Members is at Appendix D (Articles 12-15 of the Trust's Articles of Association).



## **BOARD OF TRUSTEES**

The Board of Trustees is appointed by the Members and is responsible for setting the strategic direction of the Trust and is directly accountable for the standards and financial management of the Trust and the individual schools. In particular:

- ☐ Defining and communicating a Vision for the Trust and its schools
- ☐ Financial management in accordance with the **Master funding agreement** through the setting of budget for each school and monitoring the financial performance
- ☐ Setting and monitoring of standards for achievement of the Vision of the Trust
- ☐ Employment of staff in accordance with the strategy
- ☐ Management of the premises of the schools to ensure the continued provision of a safe and secure learning environment for children and staff

The Board of Trustees comprises of a minimum of 3 Trustees and will meet at least 3 times per year. The Executive Head Teacher of the Trust will be a Trustee. A Chair and Vice Chair of the Board of Trustees will be appointed annually.

The Board will delegate to 6 committees to fulfil the responsibilities of the Board namely, the Accounts Scrutiny Committee, the Performance Management Committee, the SEND Committee, the local governing bodies for each school and such other committees as the Board may determine from time to time, for example: a Complaints Committee.

Terms of reference for the Board of Trustees is at Appendix B and the Eligibility Criteria for Trustees is at Appendix D (Articles 68-80 of the Trust's Articles of Association).

## **Local Governing Bodies**

Each school shall have a Local Governing Body with responsibility for supporting the management and staff in implementing the overall aims of the Trust. In particular:

- Delivery of the curriculum & monitoring performance/standards
- Ensuring that school specific policies are implemented and highlighting areas for improvement
- Safeguarding and SEND
- Local review of finances, including premises and H&S

Membership of the Local Governing Bodies is to be made up of the Head of School, a minimum of 2 parents and 2 members of staff (1 x Teacher and 1 x Support Staff), and such other Trustees or community governors as the Trust may decide from time to time, with at least 8 governors in total.

Terms of reference for the Local Governing Bodies is at Appendix C and Eligibility Criteria for Parent Governors is at Appendix D.

## **Accounts Scrutiny Committee**

The Board of Trustees delegates responsibility for the financial management of the Trust's finances in accordance with the Master funding agreement and monitoring the financial performance of the Trust and each school to the Accounts Scrutiny Committee.



The Committee will usually meet once a month throughout the school year.

Membership of this Committee will be made up of the Executive Head Teacher, the Chair of the Board of Trustees, the Chair of Finance and at least one other Trustee.

The Chair of Finance will chair this Committee.

### **Performance Management Committee**

The Board of Trustees delegates its responsibilities for reviewing the performance of the Leadership Group to a sub-committee comprising a trustee and the Executive Head Teacher in relation to the performance review for the Heads of School and the Chair of the Board of Trustees and another trustee for the performance review of the Executive Head Teacher, supported by an external adviser.

The Committee will meet for the performance reviews in Term 1 and in Term 3 (mid-year review), in accordance with the Trust's performance management policy.

### **SEND Committee**

The Board of Trustees delegates its responsibilities to children with special educational needs and disabilities under the Children and Families Act 2014 (as amended or updated from time to time) to the SEND Committee.

Membership of this Committee will be made up of the Executive Head Teacher, the Chair of the Board of Trustees, the Heads of School, the Chairs of the Local Governing Bodies, the SENDCos for each school and any governors with responsibility for SEND from the Local Governing Bodies.

A Chair of this Committee will be elected annually.



## THE TRUST'S DECISION PLANNER 2022/23

(Incorporating Brooke Hill Academy, Edith Weston Academy and South Witham Academy)

### Term Dates 2022/23

Term 1	1 <sup>st</sup> Sept 2022 – 14 <sup>th</sup> Oct 2022	Term 2	31 <sup>st</sup> Oct 2022 – 16 <sup>th</sup> Dec 2022
Term 3	4 <sup>th</sup> Jan 2023 – 10 <sup>th</sup> Feb 2023	Term 4	20 Feb 2023 – 31 <sup>st</sup> Mar 2023
Term 5	17 <sup>th</sup> April 2023 – 26 <sup>th</sup> May 2023	Term 6	5 <sup>th</sup> June 2023 – 21 <sup>st</sup> July 2023

People							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Appoint/remove Members	✓						
Appoint/remove Trustees	✓						
Agree role descriptions for Chair of Trustees and Chair of LGBs		T6					
Ensure vacancies for Trustees, Trustees and Governors are filled		✓					✓
Appoint / Remove Chair of Trustees, Chair of Trust committees & Vice Chair of Trustees		T1	T1		T1		
Appoint /remove LGB Chairs and Governors – review annually		T6					
Appoint/remove Clerk to Board of Trustees & LGBs		T1					
Confirm Audit Committee		T1					

Systems and Structures							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Articles of Association	✓						
Establish governance structure (LGBs and committees) for the Trust and review annually		T6					
Agree Scheme of Delegation and Terms of Reference for LGBs		T6					T1
Complete and analyse skills audit annually		T1					T1
Carry out annual self-review of effectiveness of Board of Trustees, LGBs and board committees		T6					T6
Establish a succession plan and review annually		T5	T5	T5	T5		
Prepare an annual schedule of business for the board of trustees, board committees and LGBs		MEETING PLANNER TO FORM AGENDAS EACH TERM					



Reporting							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Ensure publication on Trust and Schools' websites of all required details on governance arrangements		✓				✓	✓
Prepare and publish Annual Report on educational and financial performance of the Trust		T5					
Submit annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money	T2	T2	✓				
Regular report of work of LGBS		✓					

Being Strategic							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Determine policies as per Policy Schedule		✓					
Adopt policies as per Policy Schedule							✓
Engagement with stakeholders		Via LGB report					✓
Determine the vision and strategy of the MAT		T1					
Agree annually key priorities and KPI to monitor progress towards achieving the vision		T1					
Appoint and dismiss Executive Head Teacher	✓						
Appoint and dismiss Heads of School		✓					
Budget plan to support delivery of key priorities for the Trust and individual schools		T6	T5				
Agree staffing structure for the Trust and individual schools staffing		T6	T5				



Holding to Account							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Agree auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment)		✓	✓				
Undertake performance management of the Executive Head Teacher		T1		T1 T3			
Undertake performance management of Head of School				T1 T3			
Trustees to ensure GIAS compliance		T2					
Trustees to ensure Companies House compliance (responsibility of Clerk to Trust)		T2					
Ensure that the audited accounts are circulated to all Trust members and a robust audit trail is kept		T3					

Ensure Financial Probity							
Decision	DELEGATION						
	MEMBERS	TRUSTEES	Accounts Scrutiny	Performance Management	SEND	EXEC HEAD	LGBS
Appoint Finance Manager/Trustee for delivery of the Trust's detailed accounting processes			✓				
Establish and review the Trust's scheme of financial delegation			✓				
Receive and respond to External auditors' report		T2	T1				
Agree pay award for the Executive Head Teacher		T2	T1				
Agree pay award for the Head of School			T1			✓	
Review and agree staff appraisal procedure and pay progression		✓	✓			✓	
Ensure robustness of benchmarking and Trust wide value for money			T3				
Develop, review and approve Trust wide procurement strategies and efficiency savings programmes		✓	✓				
Provide Supplementary Audit Report to all Trustees		T2					



## **Appendix A: Terms of reference for Members**

Terms of reference for Members is set out in the Articles of Association of the Trust.

## **Appendix B: Terms of reference of Board of Trustees (also referred to as Trustees)**

### **Membership**

- The Trustees are appointed to the Board by the Members.
- The Board of Trustees will be made up of at least 3 Trustees including the Executive Head Teacher.
- The Trustees shall elect a Chair and Vice Chair annually at the first meeting of the school year.
- Membership of the Trust committees shall be defined by the Board of Trustees and reviewed annually at the start of each school year.
- The Board of Trustees will be supported by a Clerk who shall issue the agenda and record minutes of meetings
- School Leaders will be invited to attend meetings as appropriate.
- Term of office for Trustees is 4 years. Trustees may be re-appointed by the Members at the end of their period of office.

### **Meetings**

- The Board of Trustees shall meet at least 3 times per year.
- Trust Committees shall meet as often as required.
- Additional, extraordinary meetings may be called at short notice if there are urgent issues that need board discussion and/or a board decision. Where possible 7 days' notice will be provided ahead of meetings. However, in special circumstances agreed by the Executive Head and Chair of the Board of Trustees, this notice period may be waived.
- A quorum of at least 3 Trustees is necessary for the Board of Trustees and Trust committee meetings.
- Agenda items shall be circulated at least 7 days ahead of meetings.
- Minutes of meetings will be posted on a dedicated area of the Trust's website as soon as reasonably possible.
- Trustees may make decisions on urgent matters outside regular trustee meetings by using email or other electronic messaging facility, as long as more than 50% of the Trustees making up the Board of Trustees at the relevant time confirm their agreement to the proposal.

## **Appendix C: Terms of reference of the Local Governing Body (LGB)**

### **Membership**

- Membership of the LGB is made up of at least 8 Governors and will include:
- Head of school
- 2 Staff governors chosen by election (1 x teacher and 1 x support staff)
- A minimum of two Parent governors appointed by democratic election. (Parent Governors must be a parent of a child at the local Academy at the time of election)
- Other governors (Trustees or people from the community (Community Governors)) appointed by the Board of Trustees to ensure the LGB has necessary skills and represents the local community
- The Local Governing Body shall have a Chair appointed by the Trustees. A Vice Chair will be elected annually by the LGB.
- The LGB may delegate duties to subcommittees and/or working groups if appropriate. Membership of these committees may include non-governors. However, decisions made must be agreed by the full local governing body
- Trustees and School Leaders may be invited to attend meetings



- Term of office for Governors is 4 years but they may be re-appointed by the Trust at the end of their period of office. Staff and Parent Governors may also stand for re-election at the end of their period of office.

### **Meetings**

- The Local Governing body shall meet at least 3 times per year.
- Additional, meetings may be called at short notice if there are urgent issues that need consideration by the Governors. Where possible 7 days' notice will be provided ahead of meetings. However, in special circumstances agreed by the Head of School and Chair, this notice period may be waived.
- A quorum of at least 3 Governors is necessary for the Local Governing Body Meetings.
- Agenda items shall be circulated at least 7 days ahead of meetings.
- Minutes of meetings will be posted on the Governor zone of the Trust website as soon as is reasonably practical.

## **Appendix D: Eligibility criteria**

### **Members: Article 12-15 of the BHAT Articles of Association**

### **Trustees: Article 68-80 of the BHAT Articles of Association**

#### **Parent Governors**

In addition to the above a person is disqualified from election or appointment as a parent governor of a school if they are an elected member of Rutland County Council or Lincolnshire County Council, or if they work at the school for more than 500 hours in any consecutive 12-month period (at the time of election or appointment). If a serving parent governor subsequently starts to work at the school for more than 500 hours in a consecutive 12-month period, they would serve out their term of office.

#### **Membership at more than one level within the governance structure**

To mitigate the risk of conflict of interest within the governing bodies it is important there is separation between the different levels of the governance within the MAT.

- Individuals may not operate at more than 2 levels of the governance structure (except on a fixed term, temporary basis)
- No more than 2 Members may be appointed to the Board of Trustees
- Members may not be employees of the Trust

**Each person appointed as a Member, Trustee or Governor is subject to a DBS check upon appointment.**

#### **Failure to attend meetings**

This paragraph applies to any governor or Trustee who is not a Head of School, Head Teacher or Executive Head Teacher.

A governor or Trustee, who, without the consent of the local governing body or Board of Trustees, has failed to attend meetings of the governing body for a continuous period of six months, beginning with the date of the first missed meeting, is, on the expiry of that period, liable for disqualification from office.