



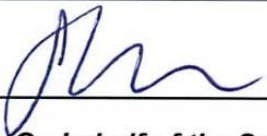

THE KEMNAL ACADEMIES TRUST

SCHEME OF DELEGATION

EFFECTIVE DATE: 2<sup>nd</sup> September 2019

*Including a revised Appendix 2 - updated March 2019*

School:	The Mill Primary Academy
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Signed: 	Print: <u>S. Gosden</u>	Date: <u>19.7.19</u>
<i>Headteacher: On behalf of the School</i>		
Signed: 	Print: <u>D.A. NIXON</u>	Date: <u>19.7.19</u>
<i>Chair of Governors: On behalf of the LGB</i>		



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## 1. INTRODUCTION AND EXECUTIVE SUMMARY

- 1.1 The Kemnal Academies Trust (referred to herein as the “**Trust**”) was established on 1<sup>st</sup> September 2010. In consequence of it entering into both a Master Funding Agreement and a number of Supplemental Funding Agreements (the “**Funding Agreements**”), the Trust is a multi-academy trust capable of operating and maintaining a number of academies (the “**Academies**”).
- 1.2 The Trust is both a company limited by guarantee, registered at Companies House (Company Number 07348231) and, by virtue of its charitable object to advance education, is also a charity. The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.
- 1.3 The Trust’s constitution is set out in its “**Articles of Association**” and this Scheme of Delegation has been put in place in accordance with the provisions of the Articles and should be read in the light of them.
- 1.4 The purpose of this Scheme of Delegation is to provide clarity as to the role and responsibilities of those who contribute to the governance and oversight of the Academies and the Trust itself. All those with governance and management responsibilities must be familiar with this Scheme of Delegation so that appropriate steps can be taken to ensure there is sufficient and proper challenge of those with leadership responsibilities, to ensure that senior leaders are held to account for the performance of the Academies and that there is financial stability within the Trust.
- 1.5 The Effective Date of this Scheme of Delegation is 17<sup>th</sup> January 2017 and has been adopted following the annual governance review undertaken by the Trustees in the 2015/16 Spring Term in line with the Department for Education’s new guidance on governance issued November 2015 ([Governance Handbook](#) November 2015). It replaces the Scheme dated 1<sup>st</sup> January 2015.
- 1.6 The new Scheme provides a clearer picture of the role of leadership and the oversight of leadership. There is a renewed focus on the core principles of governance identified in the January 2015 version, namely:
- 1.6.1 The earned autonomy of the Local Governing Body remains the principle driver for improving standards and outcomes.

- Develop and implement the strategic vision for the Academy with the Headteacher ensuring that it is in line with the overall vision and values of TKAT
- Determine budgeting and curriculum priorities with the Headteacher
- Set performance benchmarks, ratified by the local Director of Education
- Play an active part in the recruitment of the Headteacher and other senior leaders, as appropriate
- Undertake an active part in the performance management of the Headteacher
- Support, challenge and hold the leadership to account for the implementation of the Academy plan in partnership with the Local Director of Education, focussing particularly on school performance targets and progress data
- Develop and review staffing structures, with the Headteacher supported by the Director of Education
- Develop, implement and monitor strategic and operational policies with the Headteacher, supported by Director of Education
- Ensure that shared service provision, where in place, is coordinated and effectively managed with the direct support of the TKAT Executive
- Set and approve the Academy budget, subject to final approval by the local Director of Education.
- Monitor and challenge expenditure in accordance with appropriate authorisations
- Oversee any significant capital expenditure and building projects with the executive team

- Facilitate collaboration
- Develop effective links with the school community and the wider local community

1.6.2 The overarching responsibility of governance is vested in the Trustees who retain the power to direct and make changes where required.

1.6.3 Flexibility is retained to allow local variations in practice to develop where they are successful in their core purpose of driving up standards.

1.6.4 The oversight by the Trustees will be characterised by professional scrutiny and the highest standards and duty of care will be expected of all those with leadership and governance responsibilities.

1.7 A “Summary of Accountabilities and Earned Autonomy” is attached at Appendix 1.

1.8 The Trustees reserve the right (in their absolute discretion) to review and alter this Scheme of Delegation and the level of delegated responsibility at any time, noting that it is likely to be reviewed for its effectiveness at least every two years. Whilst the Scheme cannot take the form of a legally binding contract between the Trust and the Academies and is subject to the overriding duty on the Trustees of the Trust to act freely and in the best interest of the Trust and the Academies, in so far as the Trustees are able they agree to abide by the provisions of it and will consult on any significant changes.

## 2. **VISION AND VALUES**

2.1 The TKAT Vision is: Inspiring Learners, Changing Lives. The key objective of TKAT is to ensure that the life chances of all pupils in our schools are significantly improved as a result of our educational provision. TKAT is committed to providing outstanding teaching and learning to enable all students to meet the challenges of the twenty-first century. TKAT comprises a number of component Academies, each with their own identity and mission including in some cases religious designation. While each Academy will operate independently governed through a “Local Governing Body”, TKAT’s ethos is that all the TKAT Academies will work collaboratively, to enable students and staff to flourish and grow through an educational model where each

of the component parts works together, with the strong supporting the weak and the weak challenging the strong.

2.2 In fulfilling the TKAT Vision, the Trustees acknowledge the importance of respecting and nurturing each Academy's distinctiveness. Where an Academy has a religious character, TKAT is committed to fulfilling the requirements of the relevant diocesan authority and to working in partnership with them to ensure the needs of the Academy are met.

2.3 All those with governance and management responsibilities must recognise their responsibility towards the common good, not just of the Academies for whom TKAT is responsible, but of all of the families and the communities in the areas served by the Academies.

2.4 The Academies will work collaboratively with each other, sharing resources, knowledge and best practice, as may be appropriate, with the following objectives in mind, supporting each other to:

2.4.1 achieve consistently high standards of teaching and learning;

2.4.2 develop cost effective curriculum design and systems for teaching collaboration, which optimise opportunities for students and provide added value progress for them;

2.4.3 provide support building upon individual specialisms and/or areas of identified strength between the schools to improve key aspects of performance;

2.4.4 achieve best value in service delivery and resource management, especially where partnership working is more cost effective and can add value.

### 3. **ACCOUNTABILITY: GOVERNANCE AND MANAGEMENT STRUCTURES**

#### 3.1 **Overall Structure**

3.1.1 The nature of the Trust as a company running multiple academies means there are many governance and management layers.

3.1.2 The "**Members**" of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to trade or distribute profit to shareholders, the Members are best viewed as guardians of the

constitution, ensuring the charitable object is fulfilled. Each Member's liability is limited to £10 and, in view of the limited liability

and therefore scope for accountability, they have limited governance and no day to day management responsibilities.

3.1.3 The corporate management and both "trustee" and "director" responsibility for the Trust is vested in the "**Trustees**", who will also be trustees for charity law purposes and company directors registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the Academies and are accountable to the Members, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the Academies and the expenditure of public money. The Trustees are required as trustees and 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. The Trustees meet as a board of Trustees, generally known as the "**TKAT Board**". All Trustees have the same responsibility to act in the best interests of the Trust and the Academies, irrespective of their role on the Board i.e. whether appointed in an executive capacity, such as the "**Chief Executive Officer**", or nominated as a non-executive.

3.1.4 The Trustees oversee the management and administration of the Trust and the Academies run by the Trust and delegate authority and responsibility to others, including executive officers and school leadership teams who can undertake the day to day management of the Academies. The TKAT Board will continue to have the necessary strategic and legal oversight of the Trust and will monitor all activities; determining the strategic direction of the Trust, assessing the performance of the Academies and establishing and reviewing the policies and practices governing the life of the Academies.

3.1.5 Articles 101–104 provide for the appointment by the Trustees of committees or working groups to whom the TKAT Board may delegate certain functions and responsibilities. In addition to the committees referred to later in this Scheme of Delegation, the TKAT Board has established "**Local Governing Bodies**" for the Academies to support the TKAT Board and the leadership teams within the Academies. The Local Governing



Bodies are accountable to the TKAT Board in relation to any matter delegated to it.

3.1.6 Article 107 states that the responsibility for appointing the Chief Executive Officer and any principal, headteacher or head of school of an Academy (“**Headteacher**”) is vested in the TKAT Board and under Article 105 the TKAT Board may delegate such power and responsibility to such persons as are required for the proper management and organisation of the Trust and the relevant Academy as the case may be. All Headteachers will report to the appropriate TKAT Directors of Education who in turn report to the Chief Executive Officer, who in turn reports to the TKAT Board. Notwithstanding this, the Local Governing Bodies will play an active part in supporting the Headteacher and the Directors of Education and will liaise as appropriate with the Chief Executive Officer.

## 3.2 **Role of the Members**

3.2.1 The Members are the guardians of the 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.

3.2.2 The Department for Education recommends that the Trust has five members, but fewer may be possible and the Articles only require three.

3.2.3 The Members’ key responsibilities are:

3.2.3.1 to ensure the Objects of the Trust are met, the Annual Report should address this which will be presented to the Members either at a General Meeting of the Trust held in accordance with the Articles of Association or by other means;

3.2.3.2 to determine the Trust’s constitution and governance structure, i.e. the Articles; and

3.2.3.3 exercising either a direct power under the Articles or a statutory power under the Companies Act 2006 to appoint and remove Trustees (noting any power also of the TKAT Board to make such appointments), the latter being exercised sparingly given the management responsibility is vested in the TKAT Board.  
The Members will appoint the Chairman of the TKAT Board.

3.2.4 Notwithstanding any provision of the Articles, the Members hereby delegate to the Trustees a power and responsibility to appoint and remove Trustees, which appointments will be ratified at the next General Meeting of the Members. Any removal by the TKAT Board of a Trustee appointed by the Members shall only be undertaken with the consent of the Members.

### 3.3 **Role of the Trustees and the TKAT Board**

3.3.1 The Trustees have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the Academies (which includes taking existing schools into the Trust and opening new schools). The Trustees have the power to direct change where required.

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

3.3.2.1 to ensure compliance with any legal obligations;

3.3.2.2 to report on the charity'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);

3.3.2.3 to fulfil the charitable object of the charity 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 charity contained in the Articles;

3.3.2.4 to act with integrity and to avoid any personal conflicts of interest and not to misuse any charity funds or assets;

3.3.2.5 to act prudently in the financial management of the Trust, avoiding putting any assets, funds or reputation of the Trust at undue risk;

3.3.2.6 to exercise reasonable care and skill, using personal knowledge and experience to ensure the Trust is well run and efficient; and

3.3.2.7 o act responsibly, getting advice from others, including professional advisors, where appropriate.

3.3.3 The Trustees must act independently and in the best interest of the Trust, even if those interests conflict with those of the body or organisation that might have appointed or nominated such Trustee to serve on the TKAT Board. This will include a conflict of loyalty where there is no obvious benefit involved, as well as a conflict of interest. The TKAT Board has adopted a formal **Conflict of Interest Policy** in order to assist all those involved in the running of the Trust at every level to avoid and manage conflicts, which is available on request. Specific attention must be given to any arrangement whereby a Member or Trustee will personally benefit from an arrangement and the Conflict of Interest Policy makes reference to the EFA's guidance on "related party transactions" which all those involved in the running of the Trust must have regard to. This does recognise however the fundamental and necessary relationships between the Members, the Trustees and the Academies in both governance and management terms and that individuals may serve in a number of capacities and at numerous levels within the Trust.

3.3.4 The specific tasks and responsibilities of the TKAT Board are as follows:

3.3.4.1 to determine and fulfil the shared vision and ethos of the Trust and the Academies, acknowledging the uniqueness of each individual Academy and the needs of the communities they serve;

3.3.4.2 to develop a strategic plan for the Trust and to effectively communicate that plan so this can be implemented across the Trust and all the Academies, including deciding on any future expansion of the Trust and developing the relationship that the Trust has with the Secretary of State for Education (including also the Department for Education, the Education Funding Agency and Ofsted);

3.3.4.3 to develop and support strategic partnerships with other bodies and organisations, including service providers and government agencies, which will further the Trust's strategic plan;

3.3.4.4 o provide challenge and support to the Chief Executive Officer and the Directors of Education;

3.3.4.5 to determine and ensure the implementation of policies and procedures which it is intended will achieve a consistently high standard of education and

financial prudence across the Trust dealing with (but not limited to) the following:

- Human Resources/Employment
- Audit & Risk Management
- Financial Management
- Contingencies and Reserves
- Governance
- Health & Safety
- Safeguarding
- Standards and Educational Performance
- Operational Matters
- Data Management
- Complaints and Appeals
- Legal Compliance

3.3.4.6 to make or facilitate the making of suitable appointments of individuals who will serve on the Local Governing Bodies, including removing such individuals who fail to fulfil the expectations of them as set out in this Scheme of Delegation (Trustees are not expected to serve on a Local Governing Body but occasional overlap is permitted);

3.3.4.7 to approve the overall Trust budget and the budget priorities within the Academies;

3.3.4.8 to supervise the effectiveness of the Academies and the Headteachers, ensuring there is regular reporting through the Chief Executive Officer and proper management of outcomes and objectives, intervening if necessary in accordance with the procedures set out in this Scheme of Delegation;

3.3.4.9 to formally appoint the Chief Executive Officer, the Directors of Education and the Headteachers, supporting or undertaking their performance management by the Chief Executive Officer or Directors of Education (as appropriate) and ensuring there are programmes in place for the professional development and review of performance of all staff;

3.3.4.10 to ensure there is a comprehensive system of support in place within the Academies, emphasising the benefits of collaborative working across the

Academies and procurement efficiencies for common services and resources;

3.3.4.11 to ensure there is a proper system for the internal audit of the accounts of the Trust (including the Academies) and the financial procedures followed by the Academies, facilitating the preparation of the Trust's accounts, establishing a formal Audit **and Risk Committee** which will be responsible for reviewing the finances of the Trust and the Academies and carrying out periodic internal audits of the Academies' financial processes, procedures and accounting records;

3.3.4.12 to act as the ultimate decision maker in relation to any appeals by staff following disciplinary or grievance procedures;

3.3.4.13 to ensure proper advice is available to the Trust and the Academies in relation to legal and compliance matters;

3.3.4.14 to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and Trustee liability.

3.3.5 Trustees are expected to be able to articulate their contribution to the success of the Trust and 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.

#### 3.4 **Role of the Chief Executive Officer and the Executive Team**

3.4.1 The "**Executive Team**" is the executive arm of the TKAT Board, focusing on operations and resources (including HR, finance and policies) and supporting the educational performance of the Academies. The Executive Team, made up of operational and educational executives, operates under the leadership and direction of the "**Chief Executive Officer**". The Executive Team works directly with the staff in each Academy to ensure that the Trust's strategic plan (incorporating the Academies development plans) is being implemented and the required outcomes are achieved in accordance with the direction and vision of the TKAT Board.

3.4.2 The Chief Executive Officer will be the "**Accounting Officer**" for the Trust, who is personally responsible to Parliament and to the accounting officer of the EFA for the resources under the control of the Trust. The essence of the role is a personal responsibility for the propriety and regularity of the public finances for which they are answerable; for the keeping of proper accounts; for prudent and economical

administration; for the avoidance of waste and extravagance; for ensuring value for money; and for the efficient and effective use of all the resources in their charge. Essentially the Accounting Officer must be able to assure Parliament and the public of high standards of probity in the management of public funds.

3.4.3 The primary responsibilities of the Executive Team are:

3.4.3.1 to manage the processes for schools joining the Trust (including carrying out appropriate due diligence and identifying any actions required to address areas of weakness or opportunities for improvement);

3.4.3.2 to advise on and facilitate or provide (as required) the necessary operational and management support to each Academy, advising on policies in core areas of the operation in accordance with the requirements of the TKAT Board. These core areas include legal compliance, risk management, teaching and learning/standards, training (Governor and staff), finance, HR and ICT;

3.4.3.3 to specify management controls and reporting requirements, audit the associated processes, procedures and outcomes in each Academy, identify and deliver appropriate training and support and (as the Chief Executive Officer) report to the TKAT Board on progress and concerns

3.4.3.4 to provide operational and management support to the Headteachers and senior leadership teams within the Academies (including advising on expenditure and target setting), as well as assist the Local Governing Bodies in achieving the collective strategic aims and objectives;

3.4.3.5 to advise on staffing structures within the Academies, identifying areas where collaboration will lead to improvements in teaching and learning and/or efficiencies;

3.4.3.6 to implement and review systems for the benchmarking of the Academies across the group (including financial as well as educational performance), developing systems for cross fertilisation and supporting the TKAT Board in maximising the opportunities for resource sharing and collaboration;

3.4.3.7 to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and director/trustee liability;

3.4.3.8 to undertake the strategic management of the whole school estate, advising the TKAT Board on areas of risk and assessing the Trust's overall safeguarding responsibilities, including drawing up a long-term estate plan which identifies areas in need of expansion and/or development and areas likely to be surplus to requirements;

3.4.3.9 to take a lead on any capital bids and allocations, supporting the Academies' premises teams to carry out works safely and cost effectively; and

3.4.3.10 putting forward budgets for the Trust (and each of the Academies) for the TKAT Board to approve.

3.4.4 In addition to the Chief Executive Officer, the Trust has a **Finance Director**, who is also a member of the Executive Team and reports to the Chief Executive Officer. The Finance Director will fulfil the role of the

**"Chief Financial Officer"** (whose responsibilities are set out in the [Academies Financial Handbook](#)) and will supervise and facilitate the production of the Trust's accounts (both at Academy and Trust level) and the auditing of those accounts for disclosure purposes and will report on the financial activities of all the Academies to the relevant statutory bodies.

3.4.5 The cost of the functions undertaken by the Executive Team and the TKAT Board (including the Chief Executive Officer) are generally funded on a fair and equal basis by the Academies by the contribution of a percentage of the government funding provided for each Academy (the **"Central Cost Contribution"**). This contribution will be set each year against a budget for the shared costs approved by the TKAT Board. The percentage may vary according to the level of activity carried out by the Executive Team. An Academy may be asked to reimburse any thirdparty costs payable to consultants where additional support has been agreed or has been necessary.

### **3.5 The role of the Local Governing Body**

3.5.1 The role of those serving on a Local Governing Body is an important one, ensuring there is local responsibility and accountability for the performance of the Academy and that the Academy serves its community. The TKAT Board has established Local Governing Bodies for each of the Academies (following any transitional arrangements), for the most part made up of individuals drawn from the Academy's community.

3.5.2 Those serving on such Local Governing Bodies are accountable to the TKAT Board and must ensure that at all times they act in good faith and in the best interests of the Academies and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience. As with the Trustees, the members of the Local Governing Body must comply with the Trust's Conflict of Interest Policy.

3.5.3 Governors must provide a written undertaking on appointment acknowledging their responsibilities in this Scheme of Delegation. 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 Body. A regular skills audit will be undertaken.

3.5.4 The TKAT Board also recognises the role that the Academies play in their communities and the Local Governing Body is free to decide how such support and patronage is given. The Local Governing Body shall ensure that any support is not inconsistent with the objects of the Trust and the restrictions on the use of its charitable resources and any advice or restriction placed on the Trust by the Secretary of State. The Local Governing Body shall ensure that any formal collaboration or support with third parties, including with those with whom the Trust has a strategic partnership is appropriately documented and the details notified to the Chief Executive Officer to assess effectiveness and to ensure an appropriate note is made in the Trust's accounts where financial support is provided.

### **3.6 Committees and Further Delegation**

3.6.1 Subject to the provisions of the Articles of Association, in addition to the Local Governing Bodies the TKAT Board may establish any other committee or working group to advise and inform the Trustees to support them in their decision making.



3.6.2 The Local Governing Bodies are not expected to but may establish any sub-committees and/or working groups to deliver specific projects, whether in conjunction with the TKAT Board or alone, subject to the approval of the TKAT Board.

3.6.3 Provided such power or function has been delegated to the Chief Executive Officer, the Chief Executive Officer may further delegate to the Headteacher or any other holder of an executive or leadership post, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions or requirements the TKAT Board may impose and shall be consistent with any policy or statement of recommended practice issued from time to time by the TKAT Board and may be revoked or altered by the TKAT Board at any time.

3.6.4 Where any power or function of the TKAT Board is exercised by the Chief Executive Officer or the Headteacher or any other holder of an executive or leadership post (as the case may), that person shall report to the TKAT Board in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the

TKAT Board immediately following the taking of the action or the making of the decision.

#### **4. TERMS OF REFERENCE FOR THE LOCAL GOVERNING BODIES AND THE ROLE OF THE HEADTEACHER**

##### **4.1 Delegated Authority and Responsibilities**

4.1.1 Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of their authority. Any wilful disregard of the matters expressed in this Scheme and in particular the Terms of Reference for the Local Governing Body is likely to lead to a removal of delegated authority. No alteration of the Articles or change to the Scheme or removal of delegated authority shall invalidate any prior act of the Local Governing Body which would have been valid if that alteration or withdrawal had not been made.

4.1.2 As a matter of general principle, the Local Governing Body and the Academy more generally will adopt and will comply with all policies adopted by the TKAT Board and will comply with any direction issued by the TKAT Board and have regard to any advice given.

## 4.2 **Strategy**

4.2.1 The Local Governing Body will monitor how the Academy fulfils the vision and ethos of the Trust in so far as it relates to the Academy and achieves the aims and ambitions it has for its pupils, having regard in particular to the benefits of being part of a family of schools which stresses the importance of collaboration and mutual support.

## 4.3 **School Budget**

4.3.1 The Local Governing Body shall oversee the exercise of the following powers which have been delegated to the Headteacher and the Academy's senior leadership team, namely:

4.3.1.1 to expend the funds of the Trust approved by the TKAT Board in such manner as the Local Governing Body shall consider most beneficial for the running of the Academy; and

4.3.1.2 to enter into contracts on behalf of the Trust in so far as they relate to the Academy and are within the scope of the Headteacher's and/or Local Governing Body's responsibility as set out in this Scheme of Delegation

subject to compliance with the policies and procedures set out in the "**Scheme of Financial Authorisations**" annexed to this Scheme of Delegation as Appendix 2, which amongst other things deals with the following:

- (a) authorisations for expenditure;
- (b) procurement and approval of contracts;
- (c) policies for the safeguarding of funds and assets; and
- (d) the management of claims and losses.

4.3.2 Each Academy will have its own bank account, into which the Academy's **General Annual Grant (GAG)** will be paid. Subject to compliance with the Scheme of Financial Authorisations and provided the Academy is meeting its targets set out in its annual development plan approved by the TKAT Board, the Academy will have broad control of its budget. All cheques, BACS and orders for the payment of money from such account shall be

signed by or authorised in accordance with the Scheme of Financial Authorisations.

4.3.3 No Trust monies (whether or not authority to expend has been devolved to the Academy) shall be paid into any bank account other than a bank account authorised by the TKAT Board.

4.3.4 The Trust's accounts shall be the responsibility of the TKAT Board but the relevant Headteacher shall provide such information about the Academy, as often and in such detail and format as the Chief Financial Officer (and/or the Audit and Risk Committee) shall reasonably require, in order to carry out an internal audit or review of the Academies' finances (paying particular regard to the requirements of the Academies Financial Handbook). Without prejudice to the above, the Headteacher shall provide management accounts in an approved format to the Chief Financial Officer (and/or the Audit and Risk Committee) at least once per term (three times per year) or as requested by the Audit and Risk Committee.

4.3.5 The Local Governing Body shall monitor how the Academy follows the Trust's controls, policies and procedures to ensure the safeguarding of funds and assets, satisfying the requirements of the Academies Financial Handbook and the obligations on the Trust in the Funding Agreements as well as any requirements and recommendations of the Chief Financial Officer and/or the Audit and Risk Committee and the Education Funding Agency.

4.3.6 The TKAT Board acknowledges the Local Governing Body's right and intention to use any voluntary (i.e. non-grant) funds (including any restricted funds) raised by the Academies for the purposes for which they have been raised and otherwise solely at the discretion of the Local Governing Body provided this is within the charitable object of the Trust. Proper accounts will be kept by the Headteacher showing the receipt and use of such funds and the extent to which such funds are restricted, in the light of the obligation on the Trust to note these funds separately in the Trust accounts.

4.3.7 The TKAT Board also acknowledges that from time to time the Academies themselves may seek to generate additional funds by undertaking certain activities, such as: lettings, the provision of sporting and recreational facilities, running a nursery and/or providing childcare, teacher training, providing and supporting ICT and other administrative services. In some

cases and particularly where such activities do not fall within the charitable object of the Trust, these may need to be channelled through a trading subsidiary, decisions about which will be made by the TKAT Board. Any income generated from such activities will be reported separately and retained centrally for the benefit of all the Academies in the Trust (except as otherwise agreed from time to time by the TKAT Board).

4.3.8 The Local Governing Body acknowledges that sufficient funds will be retained centrally (either as a consequence of any direct grant made by the Education Funding Agency or to be levied of each Academy) to allow the Trust to put in place insurance or risk protection cover as is necessary to protect the Academy and the Trust from loss and other risks that shall include (but shall not be limited to) the following, such insurance or risk protection cover to be placed either with a reputable insurance company or through the Education Funding Agency as directed by the TKAT Board:

4.3.8.1 land, buildings and contents;

4.3.8.2 public, employer's and hirer's liability;

4.3.8.3 trustees'/directors' and governors' liability and professional indemnity;

4.3.8.4 personal accident and school journeys;

4.3.8.5 terrorism and business interruption;

4.3.8.6 money and fidelity;

4.3.8.7 legal expenses, libel and slander;

4.3.8.8 engineering.

The Local Governing Body will ensure the Headteacher fulfils any requirements of the TKAT Board and notifies the Chief Financial Officer (or as directed) as soon as reasonably practicable following the occurrence of an event where loss has been suffered or is threatened. The responsibility for notifying the insurers or the EFA (as the case may be) is with the Headteacher. The Chief Financial Officer and the Headteacher will provide each other with all necessary information and assistance as may be helpful in the management of any claims.

#### 4.4 **Curriculum and Standards**

4.4.1 The Chief Executive Officer shall be responsible for the setting and review of the Trust's development plan incorporating the education plan outlining the curriculum priorities for the Academies in recognition of the TKAT Board's obligation to the Secretary of State to provide a broad and balanced curriculum.

4.4.2 Whilst the Headteacher shall be responsible for the standards achieved by the Academy and the pupils attending the Academy, the Local Governing Body shall challenge and support the Head of Academy in setting targets and reviewing the performance data, both following such advice and determination of the Chief Executive Officer as he or she

might issue from time to time in relation to benchmarking and locally agreed priorities.

4.4.3 The Headteacher will be responsible for the curriculum on a day to day basis and for implementing any strategic plan for the improvement of standards and attainment at the Academy, with the challenge and support of the Local Governing Body.

4.4.4 The Headteacher shall develop and with the support of the Chief Executive Officer implement any action plan designed to address any area in need of improvement in the Academy and the Local Governing Body shall support the Headteacher, promoting any necessary action and helping to communicate messages to staff and parents as need be.

4.4.5 The Local Governing Body will develop appropriate links with other local schools or education organisations to promote best practices in learning and development and to facilitate peer to peer review and support. The Local Governing Body will also promote and develop links with local businesses and community organisations which are designed to enrich the school life of pupils and foster citizenship.

#### 4.5 **Personnel**

4.5.1 The formal power to appoint all staff, including the Headteacher of each Academy, is vested in the TKAT Board, who will delegate appointment decisions to the Chief Executive Officer, involving the Local Governing Body for Headteacher appointments, the relevant Headteacher for

Academy staff or further delegating appointment decisions to the Headteacher where agreed.

4.5.2 The TKAT Board may delegate such powers and functions as they consider are required by the Headteacher and Local Governing Body for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the TKAT Board for the direction of the teaching and learning and curriculum at the Academy, and the development and review of staffing structures).

4.5.3 The appraisal and performance management of the Headteacher will be undertaken by the Chief Executive Officer or her delegate in conjunction with the Chair of the Local Governing Body. Any disciplinary action or capability review will be undertaken by the TKAT Board (at the request of the Chief Executive Officer and with his or her involvement).

4.5.4 The appraisal and performance management of all other staff will be undertaken by the Headteacher, with the support of the Local Governing Body and/or Chief Executive Officer as directed. Any disciplinary action or capability review will be undertaken by the Chief Executive Officer (or his or her delegate) in conjunction with the Headteacher (with a right of appeal to the TKAT Board).

4.5.5 The Local Governing Body will monitor the Headteacher ensuring that he or she will:

4.5.5.1.1 implement and comply with all policies dealing with staff issued by the TKAT Board from time to time;

4.5.5.1.2 take account of any pay terms set by the TKAT Board;

4.5.5.1.3 adopt any standard contracts or terms and conditions for the employment of staff issued by the TKAT Board;

4.5.5.1.4 adopt appropriate and transparent procedures for the recruitment of staff in line with policies adopted by the TKAT Board;

4.5.5.1.5 manage any claims and disputes with staff members having regard to any advice and recommendations

given by the Executive Team and/or the Trust's insurers or the EFA;

4.5.5.1.6 bring to the attention of the Chief Executive Officer and, if required, the Trust's insurers and/or the EFA without delay any claims or disputes with staff that may require a hearing by a panel of members of the Local Governing Body or the TKAT Board where escalation is necessary;

4.5.5.1.7 seek the advice of the Chief Executive Officer where any significant cost is contemplated either in

relation to the appointment or resignation of a member of staff, including in relation to ill health retirement or the settlement of any claims or grievances.

4.5.5.2 The Headteacher shall put in place procedures for the proper professional and personal development of staff taking into account any training and support available from or procured by the Executive Team.

#### **4.6 Admissions and Exclusions**

4.6.1 The Headteacher shall be responsible for the setting and review from time to time of the Academy's admissions policy provided that no material change will be made to the admissions criteria without the approval of the TKAT Board.

4.6.2 Any decision to expand the Academy shall be that of the TKAT Board but who shall have regard to the views of the Headteacher, the Local Governing Body and the Chief Executive Officer.

4.6.3 Any appeal against admissions shall be heard by an independent appeal panel established and authorised by the TKAT Board, with the support of the Local Governing Body.

4.6.4 The Local Governing Body shall consider any decision by the Headteacher to exclude any pupil and will be the appropriate body for reconsidering any decision to readmit required by any independent panel hearing.

#### **4.7 Premises**

4.7.1 The day to day maintenance and care of the buildings and facilities used in respect of the Academy is the responsibility of the Local Governing body, who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Trust (and/or any others) as owner of such buildings and facilities.

4.7.2 The Headteacher shall support the Executive Team in developing a long-term estate management strategy that will identify the suitability of building and facilities in light of long term curriculum needs and the need

for and availability of capital investment to meet the Trust's legal responsibility to ensure the buildings and facilities used by each Academy are maintained to a good standard. The Local Governing Body will support the Headteacher in the implementation of the agreed strategy and will monitor its effectiveness, advising on any change in circumstances which might necessitate a review by the TKAT Board. For those Academies operating under Private Finance Initiative (PFI) contracts, the Headteacher shall be responsible for monitoring the performance of the contractor under these arrangements with the support of the Local Governing Body.

4.7.3 Short term lettings and day to day uses of the school buildings and playing fields will be the responsibility of the Local Governing Body but managed by the Headteacher.

4.7.4 The responsibility for any disposals or acquisitions of land to be used by the Academy will be that of the TKAT Board who will delegate management responsibility to the Executive Team.

#### **4.8 Policy, Health, Safety and Welfare**

4.8.1 The Local Governing Body shall appoint a governor other than the Headteacher who will have a particular focus on health, safety and welfare matters.

4.8.2 The Local Governing Body shall appoint a Fire Safety Officer for the Academy to act as the "responsible person" in law for the effective local management of fire safety on the Academy premises.

4.8.3 The Local Governing Body shall ensure that periodic inspections of; health, safety and welfare are conducted within the Academy.



4.8.4 The Local Governing Body shall contribute to the development and review of any Academy policies which the TKAT Board has indicated should be formulated at Academy level

#### **4.9 Community Activities and Community Engagement**

4.9.1 Whilst the undertaking of any activities which would be described as part of the Academy's "extended schools agenda" or any activities designed

to generate business income, will be the responsibility of the Headteacher, this shall only be undertaken in a manner consistent with any policy set by the TKAT Board and having regard to the viability of such activities, the impact on the Academy's activities and any financial implications, such as the threat of taxation in light of the Trust's charitable objects and any threat to funding provided by the Secretary of State. The financial implications are noted above.

4.9.2 The Local Governing Body is responsible for all community engagement and consultation and will acknowledge and reinforce the vision of the Trust in all communications. The importance of building and maintaining good relations with other local schools, businesses and organisations is acknowledged.

### **5. SUPERVISION AND INTERVENTION - RISK MANAGEMENT**

#### **5.1 Supervision and Reporting**

5.1.1 Notwithstanding the level of delegated responsibility, the Trustees remain legally responsible for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies. The Trust has adopted a Risk Management Policy, which is available on request.

5.1.2 The Local Governing Body has been established to advise the Trustees and provide support to the Chief Executive Officer and Headteacher. It will advise on any risks in the operation of the Academy at such times and adopting such format specified by the TKAT Board from time to time.

5.1.3 Particular emphasis is given to circumstances which might lead to prosecution or other litigation or public criticism or adverse publicity or damage to the reputation of the Trust. In such events and in order to minimise risk, the Chair of the Local Governing Body or the Headteacher will immediately advise the Chief Executive Officer or other deputy acting on behalf of the TKAT Board. These events will include the following (but shall not exclude any other event that falls within the generality of the circumstances described above):

5.1.3.1 any event leading to loss of life or critical injury on the premises of the academy or during an event off the premises organised or supervised by Academy staff;

5.1.3.2 any sexual or violent or illegal act against a child committed by any adult while on the premises of the Academy or by a member of staff or governor under any circumstances;

5.1.3.3 the suspension or summary dismissal of any member of staff;

5.1.3.4 any safeguarding issue;

5.1.3.5 any matter or circumstance which involves or might reasonably involve the authorities, including the police, the Counter Terrorism Unit (or any similar body) the local authority and/or the Secretary of State for Education;

5.1.3.6 any event that requires a report to the Health and Safety Executive (RIDDOR) or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;

5.1.3.7 any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations.

## 5.2 **Intervention**

5.2.1 The TKAT Board is accountable for the performance of the Academies, but the responsibility for oversight of the Academies' senior leadership team is shared with the Local Governing Body who play an important part in monitoring performance and supporting the senior leadership team.

5.2.2 In the event that intervention is either formally threatened or is carried out by the Secretary of State or the Academy is failing to meet the targets set out in the Academy's action plan (either specifically in the action plan or more generally in the Academy's development plan), the TKAT Board expressly reserves the unfettered right to review or remove any power or responsibility conferred on the Local Governing Body under this Scheme of Delegation in such circumstances.

5.2.3 The TKAT Board and the Local Governing Body acknowledge the value of maintaining a good working relationship and agree to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State and to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, including involving the Chief Executive Officer and Headteacher who will support and advise on steps to be taken and facilitate additional support if needed.

## 6. **FUNCTIONING OF THE LOCAL GOVERNING BODY**

### 6.1 **Constitution of the Local Governing Body**

6.1.1 A Local Governing Body shall be established for each of the Academies, appointed by the TKAT Board in accordance with any policy adopted from time to time. A Local Governing Body may have responsibility for more than one Academy.

6.1.2 Any vacancy on a Local Governing Body will trigger an appropriate appointment or election in accordance with any policy adopted by the TKAT Board from time to time.

6.1.3 All persons appointed or elected to or by the Local Governing Body shall give a written undertaking to the TKAT Board to uphold the object and mission of the Trust and to commit to a code of conduct expected of a member of a TKAT Local Governing Body. The form of the **Governors Written Undertaking and Code of Conduct** is set out in Appendix 3.

6.1.4 There is no power to co-opt members to the Local Governing Body but advisers (including other members of staff in the Academy) may attend meetings provided they do not take part in any decision making.

## **6.2 Term of office**

6.2.1 The term of office for any person serving on the Local Governing Body shall be 4 years, save that this time limit shall not apply to the Headteacher or any post which is held ex officio, who will serve for as long as he or she remains in office. Any person serving on the Local Governing Body may be re-elected or reappointed when their term of office expires and there are no limits as to the number of times a person may be re-elected or reappointed.

## **6.3 Resignation and Removal of members of the Local Governing Body**

6.3.1 A person serving on the Local Governing Body shall cease to hold office if he or she resigns his or her office or is removed by the TKAT Board (which the Trustees reserve the power to do without the need to provide any reasons for removal).

6.3.2 Any person who would not be eligible to be a Trustee in accordance with the Trust's Articles of Association will not be eligible for appointment or election to the Local Governing Body.

6.3.3 If any person who serves on the Local Governing Body in his or her capacity as an employee ceases to be employed and/or work at the Academy, then he or she shall be deemed to have resigned and shall cease to serve on the Local Governing Body automatically on termination of his or her work at the Academy.

6.3.4 Where a person who serves on the Local Governing Body resigns his or her office or is removed from office, that person or, where he or she is removed from office, those removing him or her, shall give written notice thereof to the Chair of the Local Governing Body.

## **6.4 Appointment of the Chair and Vice-Chair**

6.4.1 The members of the Local Governing Body shall each school year, at their first meeting in that year, subject to the approval of the TKAT Board, elect a Chair and a Vice-Chair from among their number except any person who is employed by the Trust to work at any of the Academies. Where the Local Governing Body is unable to elect a Chair, the TKAT Board will appoint one.

6.4.2 The role of the Chair of the Local Governing Body is an important one, demanding yet worthwhile. Whilst the Chair is elected by the members of

the Local Governing Body, because of the vital link and the importance of maintaining a strong and effective relationship between the Local Governing Body and the TKAT Board, the appointment following election is subject to the approval of the TKAT Board. The Chair must be approachable, readily accessible and ready to take issues and ideas raised by the Local Governing Body seriously.

6.4.3 The Chair's specific duties are to:

6.4.3.1 provide a clear lead and direction for the Local Governing Body, understanding the aims of the Academy, the roles played by all those involved and the vision of the Trust in relation to its Academies;

6.4.3.2 build an effective team, attracting individuals to the Local Governing Body with necessary skills and experience, promoting equality and diversity, 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;

6.4.3.3 work closely with the Headteacher and the Chief Executive Officer to ensure there is proper challenge and encouragement;

6.4.3.4 ensure that school improvement is the focus of all Local Governing Body responsibilities, reminding the members of the Local Governing Body of this as often as necessary;

6.4.3.5 hold the members of the Local Governing Body to account, ensuring the business of the Local Governing Body is conducted efficiently and effectively, chairing meetings ensuring all members have the opportunity to contribute and are listened to with clear decisions being made when necessary

6.4.3.6 be available when there is a need to act quickly, taking or supporting the Head of Academy in taking urgent action and making decisions, subject to subsequent ratification by the Local Governing Body (or the TKAT Board as the case may be).

6.4.4 The Chair or Vice-Chair may at any time resign his office by giving notice in writing to the Local Governing Body. The Chair or Vice-Chair shall cease to hold office if:

6.4.4.1 he or she ceases to serve on the Local Governing Body;

6.4.4.2 he or she is employed by the Trust whether or not at the Academy, except in exceptional circumstances;

6.4.4.3 he or she is removed from office in accordance with this Scheme of Delegation; or

6.4.4.4 in the case of the Vice-Chair, he or she is elected in accordance with this Scheme of Delegation to fill a vacancy in the office of the Chair.

6.4.5 Where by reason of any of the matters referred to in paragraph 6.4.4, a vacancy arises in the office of Chair or Vice-Chair, the members of the Local Governing Body shall at its next meeting elect one of their number to fill that vacancy.

6.4.6 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.

6.4.7 Where in the circumstances referred to in paragraph 6.4.6. the ViceChair is also absent from the meeting or there is at the time a vacancy in the office of Vice-Chair, the members of the Local Governing Body shall elect one of their number to act as a chair for the purposes of that meeting.

6.4.8 The clerk to the Local Governing Body shall act as chair during that part of any meeting at which the Chair is elected.

6.4.9 Any election of the Chair or Vice-Chair which is contested shall be held by secret ballot.

6.4.10 The Chair or Vice-Chair may be removed from office by the TKAT Board at any time.

## 6.5 **Meetings**

6.5.1 The minutes of the proceedings of a meeting of the Local Governing Body shall be drawn up and entered into a book (electronic or otherwise) kept for the purpose by the person authorised to keep the minutes of the Local Governing Body and shall be signed (subject to the approval of the members of the Local Governing Body) at the same or next subsequent

meeting by the person acting as chair thereof. The minutes shall include a record of:

6.5.1.1 all appointments of officers made by the Local Governing Body;  
and

6.5.1.2 all proceedings at meetings of the Local Governing Body and of committees of the Local Governing Body including the names of all persons present at each such meeting.

6.5.2 The Chair shall ensure that copies of minutes of all meetings of the Local Governing Body shall be provided to the Chief Executive Officer (or his or her delegate) as soon as reasonably practicable after those minutes are approved.

6.5.3 Subject to this Scheme of Delegation and provided the Local Governing Body complies with any requirements of the TKAT Board regarding specific business to be conducted, the Local Governing Body may regulate its proceedings as it sees fit, provided at all times that there is openness and transparency in matters relating to the Local Governing Body. The Local Governing Body is expected to meet once a term.

6.5.4 Meetings of the Local Governing Body shall be convened by the clerk to the Local Governing Body.

## 6.6 **Quorum for meetings**

6.6.1 The quorum for a meeting of the Local Governing Body, and any vote on any matter thereat, shall be three, excluding Staff Governors and the Headteacher

6.6.2 The Local Governing Body may act notwithstanding any vacancies on its board, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or reporting to the TKAT Board.

6.6.3 Subject to this Scheme of Delegation, every question to be decided at a meeting of the Local Governing Body 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 Body shall have one vote, with the Chair having a casting vote in the event of a tie.

6.6.4 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the Local Governing Body, shall be valid and effective as if it had been passed at a meeting of the Local Governing Body duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the Local Governing Body and may include an electronic communication by or on behalf of the member indicating his or her agreement to the form of resolution providing that the member has previously notified the Local Governing Body in writing of the email address or addresses which the member will use.

6.6.5 Subject to paragraph 6.6.6, the Local Governing Body shall ensure that a copy of:

6.6.5.1 the agenda for every meeting of the Local Governing Body;

6.6.5.2 the draft minutes of every such meeting, if they have been approved by the person acting as chair of that meeting;

6.6.5.3 the signed minutes of every such meeting; and

6.6.5.4 any report, document or other paper considered at any such meeting,

are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.

6.6.6 There may be excluded from any item required to be made available in pursuance of paragraph 6.6.5, any material relating to:

6.6.6.1 a named teacher or other person employed, or proposed to be employed, at the Academy or the Trust;

6.6.6.2 a named pupil at, or candidate for admission to, the Academy; and

6.6.6.3 any matter which, by reason of its nature, the Local Governing Body is satisfied should remain confidential or that the TKAT Board has requested should remain confidential.





## Earned Autonomy a Policy for Local Governing Bodies

The 2016 Scheme of Delegation states:

“1.6.1 The earned autonomy of the Local Governing Body remains the principle driver for improving standards and outcomes.”

The Board is committed to earned autonomy because a one-size fits all approach to delegated responsibility is ineffective. Earned autonomy:

- gives greater freedom to the Trust’s most successful schools allowing it to provide greater support where it is needed
- recognises and therefore acts as a motivator for success
- enables distinctiveness, creativity and innovation at the local level

Earned autonomy is the level of responsibility given to a school by the Trust to make decisions relating to:

- strategic direction
- the nature of educational provision
- how financial resources are allocated

The level and area(s) of earned autonomy will be informed by the RAG assessments of schools undertaken by the executive team three times a year and verified by the Audit and Risk Committee. Schools are RAG rated according to their academic performance, OfSTED readiness, financial probity and policy compliance. Whilst the RAG assessment will be used to determine the Local Governing Bodies level of earned autonomy, the TKAT Board or the Local Governing Body may also commission an internal or external review of Governance.

As well as giving school greater freedom over what they can do, a high level of earned autonomy will mean the school will be subject to less scrutiny. For example, a school rated red for academic performance will have six formal monitoring visits a year instead of the usual three light touch visits for a green rated school.

Directors of Education will inform and update Chairs of Governors about their schools RAG rating, and their level of earned autonomy (see attached grid). Where a Local Governing Body has an issue that they are unable to resolve with the Director of Education they can refer the matter to the Senior Director of Chief Executive as appropriate.

This Policy expands on the Scheme of Delegation illustrating levels of responsibility based on the RAG rating of the school.

## Earned Autonomy Flow Chart

All Academies are RAG rated 3 times a year by Education Executive for: Education Performance, OfSTED Readiness, Finance and Policy compliance (particularly Health and Safety)

RAG ratings are verified by the Audit and Risk Committee

Headteacher and LGB are informed of RAG ratings

Where all RAG ratings are green the LGB is deemed to have earned autonomy

Where one or more ratings are not green, the Executive will decide whether and in which areas it is still appropriate for the LGB to have Earned Autonomy

The Executive will inform the LGB of the areas where it has earned autonomy

The Executive will decide if it is appropriate to conduct an internal review of Governance

The Executive and LGB will agree whether the LGB has to enable LGB to regain their earned the capacity to exercise some autonomy or all its earned autonomy

The Executive will work with the LGB to enable them to exercise their earned autonomy

### ACCOUNTABILITIES AND EARNED AUTONOMY

Members Accountabilities	TKAT Board Accountabilities	Local Governing Body Earned Autonomy
<ul style="list-style-type: none"> <li><input type="checkbox"/> determine constitution oversee the Trustees</li> <li><input type="checkbox"/> recognise any strategic partnerships</li> <li><input type="checkbox"/> delegate governance and management responsibility to the Trustees (appointing and removing Trustees where necessary)</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> hold governance accountability develop and implement strategic vision provide strategic leadership and governance provide challenge and support to senior leaders develop and decide strategic and operational policies</li> <li><input type="checkbox"/> facilitate collaboration co-ordinate and oversee shared services and resources develop and oversee the implementation of the Trust's development plan and the Academy action plans</li> <li><input type="checkbox"/> set performance benchmarks determine curriculum priorities set overall Trust budget and approve of Academy budgets</li> <li><input type="checkbox"/> monitor expenditure in accordance with appropriate authorisations</li> <li><input type="checkbox"/> develop and implement a risk management strategy determine the Trust's reserves/contingency policy ensure appropriate insurance or risk cover is put in place</li> <li><input type="checkbox"/> undertake recruitment and performance management of head teachers and other senior leaders develop staff training programmes and opportunities for professional development approve of site and asset management strategy oversee any significant capital expenditure and building projects approve of all funding applications decision maker for all appeals</li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Develop and implement the strategic vision for the Academy with the Headteacher ensuring that it is in line with the overall vision and values of TKAT</li> <li><input type="checkbox"/> Determine budgeting and curriculum priorities with the Headteacher</li> <li><input type="checkbox"/> Set performance benchmarks, ratified by the local Director of Education</li> <li><input type="checkbox"/> Play an active part in the recruitment of the Headteacher and other senior leaders, as appropriate</li> <li><input type="checkbox"/> Undertake an active part in the performance management of the Headteacher</li> <li><input type="checkbox"/> Support, challenge and hold the leadership to account for the implementation of the Academy plan in partnership with the Local Director of Education, focussing particularly on school performance targets and progress data</li> <li><input type="checkbox"/> Develop and review staffing structures, with the Headteacher supported by the Director of Education</li> <li><input type="checkbox"/> Develop, implement and monitor strategic and operational policies with the Headteacher, supported by Director of Education</li> <li><input type="checkbox"/> Ensure that shared service provision, where in place, is coordinated and effectively managed with the direct support of the TKAT Executive</li> <li><input type="checkbox"/> Set and approve the Academy budget, subject to final approval by the local Director of Education.</li> <li><input type="checkbox"/> Monitor and challenge expenditure in accordance with appropriate authorisations</li> <li><input type="checkbox"/> Oversee any significant capital expenditure and building projects with the executive team</li> <li><input type="checkbox"/> Facilitate collaboration</li> <li><input type="checkbox"/> Develop effective links with the school community and the wider local community</li> <li><input type="checkbox"/></li> </ul>

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## APPENDIX 2

### SCHEME OF FINANCIAL AUTHORISATIONS

This Scheme of Financial Authorisations defines the **minimum** operational requirements of an

Academy. These provisions are repeated in the procurement procedures. The Local Governing Body may impose one or more stricter requirements at its discretion and is advised, if applicable, to refer to the Academy Finance Committee. Any revisions by the Local Governing Body to this Scheme of Financial Authorisations should be reflected in local terms of reference and shall be advised to the TKAT Board and the TKAT Operations and Education Executives by inclusion in the minutes of a meeting of the Local Governing Body.

*Extract from Procurement Procedures*

#### Appendix 1

#### Procurement Procedures Delegations and Authorisations

<b>Estimated Value</b>	<b>Authorisation of Requirements to commence procurement must be in accordance with the Scheme of Delegation</b>	<b>Form of Contract</b>	<b>Authorisation to commence procurement and award the contract</b>
Up to £5,000 works, supplies, services	Reasonable means of selection with supporting evidence for example one written quote as a minimum which meets your specified requirements. Other quotes should be sought if possible.	TKAT Purchase Order with standard terms and conditions	Budget Holder
£5,001 - £25,000 works, supplies, services	Completion of the 'Procurement Template' to evidence value for money. Minimum of 3 written competitive quotes sought with supporting evidence which meets your specified requirements.	TKAT Purchase Order with standard terms and conditions	Academy - Budget Holder and Headteacher Corporate – Budget Holder

£25,001 - £75,000 works, supplies, services	Completion of the 'Procurement Template' to evidence value for money. Minimum of 3 written competitive quotes sought, with supporting evidence (if not advertised in Contracts Finder) which meets your specified requirements.	TKAT Standard Contract terms and conditions for supplies and services. Works – refer to T KAT Estates Manager and / or	Academy - Budget Holder, Headteacher and Director of Finance Corporate – Budget Holder and Director of Finance and Operations
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	Advertise in Contracts Finder (as appropriate to the requirement). Seek advice from the Procurement & Contracts Manager with regard to advertising in Contracts Finder.	Procurement & Contracts Manager	
£75,001 – PCR 2015 threshold works, supplies, services	Completion of the 'Procurement Template' to evidence value for money. Invitation to Tender process and seek advice from the Procurement & Contracts Manager	TKAT Standard Terms and Conditions for suppliers and services.  Works – refer to TKAT Estates Manager speak to and / or Procurement & Contracts Manager	Academy - Budget Holder, Headteacher and Director of Finance and Operations* Corporate – Budget Holder and Director of Finance and Operations*
Exceed PCR 2015 threshold Works, Supplies, Services and up to £500,000	Completion of the 'Procurement Template' to evidence value for money. PCR 2015 compliant Invitation to Tender process	Speak to Procurement & Contracts Manager Potentially bespoke TKAT Terms and Conditions may be required and to be signed as a Deed.	Academy and Corporate - Director of Finance and Operations and Chief Executive Officer (CEO)
Exceed £500,001	Completion of the 'Procurement Template' to evidence value for money. PCR 2015 compliant Invitation to Tender process	Speak to Procurement & Contracts Manager Potentially bespoke TKAT Terms and Conditions may be required and to be signed as a Deed.	TKAT Board on the recommendation of the Director of Finance and Operations and Chief Executive Officer (CEO)

Notes: \* Director of Finance and Operations to notify CEO of intention to award.



### APPENDIX 3

#### GOVERNOR UNDERTAKING AND CODE OF CONDUCT

<b>Role:</b>	Governor serving on the Local Governing Body of a TKAT Academy
<b>Location:</b>	Local Governing Body meetings will be held at the relevant Academy Site visits to other TKAT Academies as necessary Attendance at Governor Training courses held either at The Atkins Centre or at one of the TKAT Academies
<b>Hours:</b>	At least three Local Governing Body meetings a year Remote involvement via email/telephone Regular review of reports and documentation
<b>Salary range:</b>	Voluntary
<b>Term of office:</b>	Four years Appointments to the Local Governing Body will be made by the TKAT Board in accordance with the Trust's policy on appointments.
<b>Purpose:</b>	The Local Governing Body for an Academy plays an active part in supporting the Headteacher and ensuring there is local responsibility for the performance of the Academy and that the Academy serves its community.

<b>Role Responsibilities</b>
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### **Vision**

The TKAT Vision is: Inspiring Learners, Changing Lives. The key objective of TKAT is to ensure that the life chances of all pupils in our schools are significantly improved as a result of our educational provision. TKAT is committed to providing outstanding teaching and learning to enable all students to meet the challenges of the twenty-first century. TKAT comprises a number of component Academies, each with their own identity and mission including in some cases religious designation. While each Academy will operate independently governed through a “Local Governing Body”, TKAT’s ethos is that all the TKAT Academies will work collaboratively, to enable students and staff to flourish and grow through an educational model where each of the component parts works together, with the strong supporting the weak and the weak challenging the strong.

### **Governance Support and Local Responsibility**

Those serving on the Local Governing Body are accountable to the TKAT Board and must ensure that at all times they act in good faith and in the best interests of the Academy and the Trust, exercising reasonable care and skill having particular regard to personal knowledge and experience.

Governors support the Director of Education and the Headteacher and staff within the Academy generally and are responsible for the performance of the Academy.

### **Specific responsibilities of a Governor**

The specific tasks and responsibilities of Governors are as follows, to:

- Develop and implement the strategic vision for the Academy with the Headteacher ensuring that it is in line with the overall vision and values of TKAT
- Determine budgeting and curriculum priorities with the Headteacher
- Set performance benchmarks, ratified by the local Director of Education
- Play an active part in the recruitment of the Headteacher and other senior leaders, as appropriate
- Undertake an active part in the performance management of the Headteacher
- Support, challenge and hold the leadership to account for the implementation of the Academy plan in partnership with the Local Director of Education, focussing particularly on school performance targets and progress data
- Develop and review staffing structures, with the Headteacher supported by the Director of Education
- Develop, implement and monitor strategic and operational policies with the Headteacher, supported by Director of Education
- Ensure that shared service provision, where in place, is co-ordinated and effectively managed with the direct support of the TKAT Executive
- Set and approve the Academy budget, subject to final approval by the local Director of Education.
- Monitor and challenge expenditure in accordance with appropriate authorisations
- Oversee any significant capital expenditure and building projects with the executive team
- Facilitate collaboration



Develop effective links with the school community and the wider local community

More detail can be found in the TKAT Scheme of Delegation which all Governors must be familiar with.

### **Core Competencies**

The following are the core competencies and skills expected of a Governor:

- to work as a team;
- to attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- to be respectful of the views of others and to be open to new ideas and thoughts;
- to treat all confidential information confidentially;
- to act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy
- to develop a deep understanding of the vision and ethos of the Trust and its Academies 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 Academies;
- to support the Trust in public and act as an ambassador of the Trust and the Academies;
- to commit to training and skills development
- to be ready to ask questions;
- to be focussed on problem solving and be ready to learn from past experiences;
- to 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.

### **Personal qualities and values:**

- A desire to create positive change for young people
- A commitment to the aims and objectives of the 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 (desirable):**

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

### **Experience(desirable):**

- Experience of driving positive change

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

**Knowledge (desirable):**

- 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

**Commitment:**

As a Governor, I acknowledge I am expected to be able to commit to and satisfy the core competencies and skills of a Governor, as set out above and to be able to articulate my contribution to the success of the Academy. I agree to undertake training where necessary to support my development as a Governor and to ensure my effectiveness. As a Governor, I agree to submit to a regular skills assessment.

**Confidentiality Undertaking:**

I understand that all information in whatever form (written, verbal, electronic or other) which is received by me in my capacity as a TKAT Governor is confidential.

I confirm that I will keep this information safe and secure and will not disclose it outside the Trust and the Academy except as agreed in advance by a minuted vote of the Local Governing Body or written agreement of the Chair of the Local Governing Body.

**Legal Declarations**

All Governors must be able to provide the following legal declarations to qualify and serve as a Governor:

- 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 director;
- 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 body 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.

By agreeing to be a Governor, I acknowledge what is expected of me and commit to meeting these expectations and abiding by the terms of this code of conduct.

Sign: .....

Print:.....

Academy name(s):.....

Date:.....