

South Dartmoor Multi Academy Trust – Scheme of Delegation

The purpose of governance is to provide confident, strategic leadership and to create robust accountability, oversight and assurance for educational and financial performance.

There are three core functions of effective governance:

1. Ensuring clarity of vision, ethos and strategic direction.
2. Holding the executive to account for the educational performance of the trust, its pupils and the performance management of staff.
3. Overseeing the financial performance of the trust and making sure its money is well spent.

In order to have effective governance you need individuals who:

- Have the right skills and can focus on common goals
- Understand their role and responsibility in terms of accountability to the pupils but also the public sector
- Have integrity and strong ethical behaviour
- Are able to think strategically and analytically
- Have sound judgement and can remain objective
- Show commitment in time and preparation for meetings and school visits
- Have excellent communication skills
- Have the confidence to have courageous conversations in the interests of pupils

As a multi academy trust, the Trust Board is accountable for all major decisions about their academies. This does not mean that the Board will make every decision within the Trust, they will delegate some governance and decision-making responsibilities to:

- The CEO and Academy Leadership Team
- Trust level sub-committees
- Local Governing Bodies

The scheme of delegation is intended to be a working document that will be revised (at least annually) and adapted in response to the context and circumstances of SDMAT.

Organisation of Governance

- The Board of Directors is responsible for the three core governance functions.
- The Board of Directors appoint the chief executive (CEO), to whom it delegates responsibility for delivery of its vision and strategy and will hold the CEO to account for the conduct and performance of the trust, including the performance of the academies within the trust, and for its financial management.
- In turn, the CEO line manages other senior executives and the academies' principals, setting their targets and performance managing them.
- The board has two committees: Finance, Audit and Resources (FARC); and Performance and Standards (PSC) these look in detail at staff and pupil performance, resources and financial performance across the Trust as well as reviewing organisational risk and resilience. As board committees, at least two Directors must sit on each.

- The board delegates some of its school level monitoring and scrutinising functions to Local Governing Bodies (LGB). Directors do not need to sit on Local Governing Bodies but at least one Director will attend Chair' Forums (CF).

Roles and Responsibilities

The role of the members

The members of the trust are guardians of the governance of the trust and as such have a different status to Directors. Originally, they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association and will also approve any amendments made to the articles of association.

- Members are the custodians of SDMAT's vision
- The members appoint Directors to ensure that the trust's charitable object is carried out and so must be able to remove Directors if they fail to fulfil this responsibility.
- Members appoint the trust's auditors and receive the trust's audited annual accounts.
- There must be at least three members.

The role of the Directors

SDMAT is an exempt charitable company and so Directors are both charity Directors (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because Directors are bound by both charity and company law, the terms 'Directors' and 'directors' are often used interchangeably. The Directors are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. It is the employer of every member of SDMAT staff. The board of Directors has the right to review and adapt its governance structure at any time which includes removing delegation.

SDMAT Directors support the Executive Principal/CEO and Leadership Team in delivering the strategic vision of the Trust. They review strategic plans; ensure the operation of the Trust complies with its legal requirements and delivers a high-quality curriculum, using resources efficiently and effectively, to deliver outstanding education and outcomes for its pupils and communities. Directors meet at least once a term.

Directors are talented individuals who have the ability to work strategically and have experience of leadership at senior management or Director level.

The role of trust board committees

In line with The Academies Financial Handbook 2017, the board of Directors have a finance, audit and resources committee to which the board delegates financial scrutiny and oversight. SDMAT also have a Performance and Standards committee charged with reviewing and evaluating school performance and safeguarding across the trust. Decisions made will be deemed decisions of the trust board.

Performance and standards, and Finance, audit and resources committee

These are committees established and appointed by the Board of Directors based on skills. The Board will delegate specific powers and tasks to these committees. These committees will meet at least once per term, as frequently and often as is necessary to complete the required tasks. They will be chaired by a Director (a member of the Board of Directors) and will comprise at least two directors. Other external expertise may be co-opted on to the committees where specialist advice is needed.

The role of the chief executive officer (CEO)

The CEO has the delegated responsibility for the operation of the trust including the performance of the trust's schools and so the CEO performance manages the academy principals alongside the Local Governing Body. The CEO is the accounting officer so has overall responsibility for the operation of the academy trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money. The CEO leads the Academy Leadership Team and the Business Management Team. The CEO will delegate executive management functions either of these teams and is accountable to the trust board for the performance of them.

The role of the Local Governing Bodies (LGB)

The Directors have established LGBs to carry out some of its school level governance functions. The LGB needs to:

- understand the issues facing the school and parents of children attending the school; and
- satisfy themselves that appropriate and timely actions are being taken to deliver high quality performance in a manner that meets the Vision of the Trust.

LGBs will account to the Directors for the performance of their schools and will meet half termly. They are expected to conduct at least one monitoring visit each half term and will undertake an annual self-evaluation of the effectiveness of their governance. LGBs will receive different levels of support and intervention based on their performance and that of the school. LGBs will:

- Hold the Headteacher/Principal to account for the school's performance
- Monitor the quality of teaching and learning
- Monitor standards and performance
- Measure the impact/effectiveness of school improvement
- Engage with parents
- Report to the Board

Chairs' Forum: There will be a single Forum for all chairs of local governing bodies across the Trust. The Forum will meet termly and will focus on the training and development of chairs and be attended by the CEO and a Director to ensure strong lines of communication between the Board and LGBs.

Head Teacher Performance Review Appraisal

- The chair of each LGB will be asked to participate in the Headteacher Appraisal Process.

LGB members (“Governors”) are not responsible for operational issues. If Governors have concerns regarding the performance of the school these should be discussed by the LGB and recorded in the minutes so that they can be brought to the attention of the Trust.

Where an LGB has concerns regarding aspects of the performance of the school these shall be discussed with the Headteacher at a formal LGB meeting. If following that discussion, the LGB remains concerned, the Clerk to the LGB shall be requested to record the concerns and the reasons for them, in the minutes of the meeting which shall be brought to the attention of the Chair of Directors and the CEO. In response to those concerns the Chair of Directors and CEO shall:

- liaise with the Headteacher and the Chair of the LGB with a view to resolving the issue(s); and
- include reference to the matter in the Trust’s Summary School Risk Register for report to the next available Directors’ meeting.

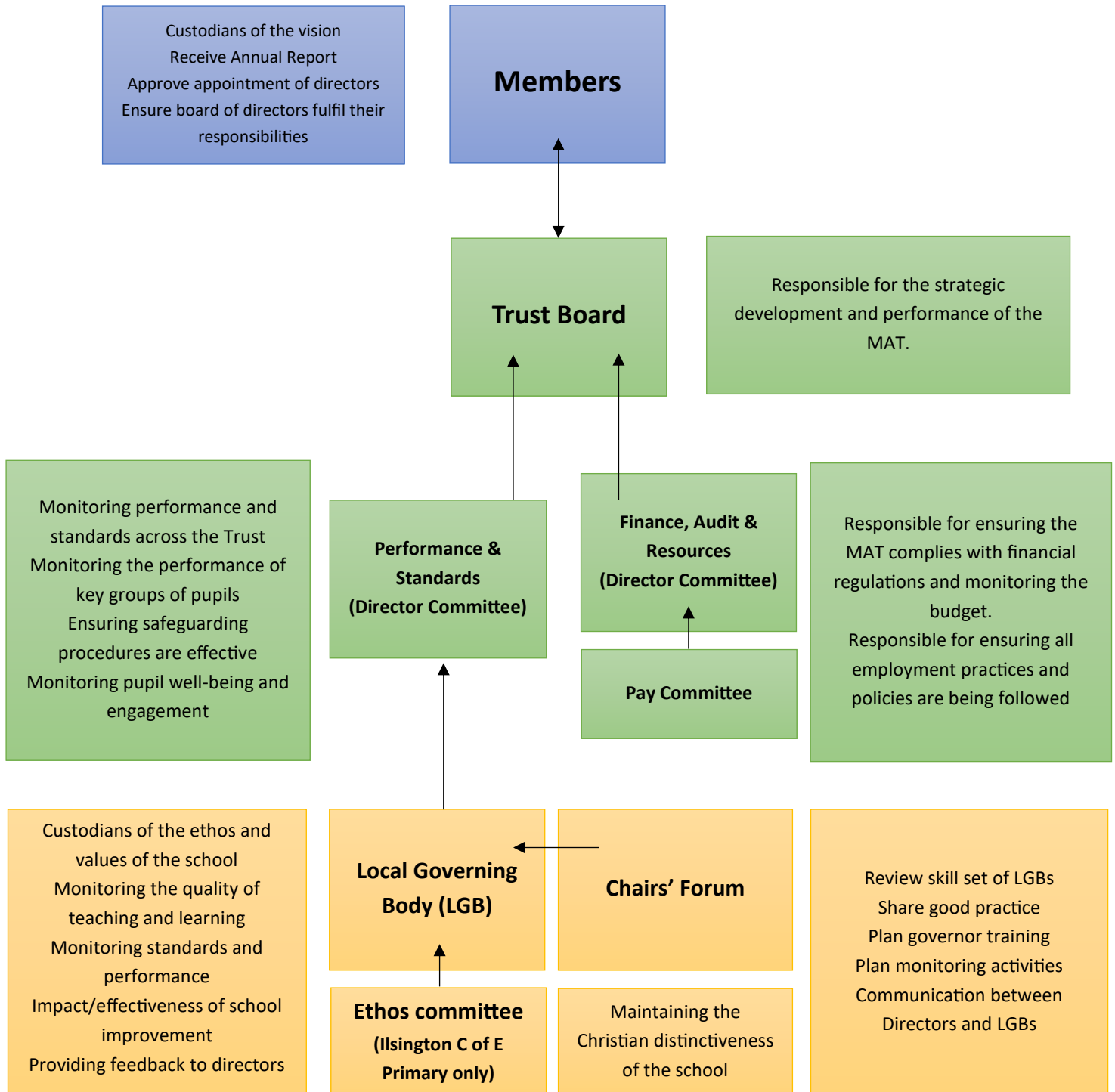
Staff Appointments - the Headteacher is authorised to appoint staff within the constraints of the budget and the staffing structure agreed by the Trust. The expectation of the Trust is that normally, non-staff LGB members will participate in the process for appointments to all permanent teaching posts.

The role of the Headteacher

(N.B. When this document refers to Headteacher this includes Headteacher, Principal and Head of School roles)

The Headteacher is responsible for the day to day management of the school and is managed by the chief executive but reports to the Local Governing Body on matters which have been delegated to it which will include monitoring and scrutiny of the school’s performance.

Structure of Governance



Scheme of Delegation

Context

The Trust Board (“the Board”) is the Governing Body of South Dartmoor Multi Academy Trust (Trust). The Board has full authority and responsibility for:

- setting strategic direction and policy governing all aspects of Trust activity. This includes strategic oversight, vision and planning for the Trust, oversight and determination of the organisational structure and of the performance and standards of each Academy and determination and oversight of the extent of provision of central services for schools (“the central Trust”); and
- governance and compliance (including the arrangements for self-evaluation of effectiveness), probity and financial management (including investment, audit and identification and management of risk), contractual relationships, management of estates and infrastructure and human resource management (as employer this includes the terms and conditions of service of all staff and related policy and procedures).

In accordance with Clause 105 of the Articles of Association(2017) of the Trust, the Board has delegated the power to carry out many of these responsibilities to Committees or, through the Chief Executive, to the Executive Team, other Senior Staff and Headteachers. This document sets out the Scheme of Delegation approved by the Board.

General Principles of the Scheme of delegation

1. All references in this Scheme to “the Board” mean the Trust Board of Directors.
2. The Board has overall responsibility and ultimate decision-making authority for all the operations of the Trust, including the establishment, performance and maintenance of Schools. The Board retains ultimate responsibility for all the powers and responsibilities that it has delegated and receives reports on actions and key powers exercised on its’ behalf. The Board may at any time withdraw or vary any delegation and request additional reports/explanation on the exercise of delegated actions and powers.
3. Subject to the direction of the Board, there shall be two tiers of Governance - the Board and its’ Committees, and Local Governing Bodies (LGBs). There shall be no duplication of governance between the two tiers. Governance shall be as close as possible to the point of impact of decision making. The relationship between the Board and Board Committees (including LGBs) is characterised as a partnership to realise a common vision and common purpose.

Board Chair and Chairs of Committees and Local Governing Bodies

4. The Board appoints a Chair and Vice-Chair at the first meeting in each academic year. Similarly, each Committee elects a Chair at the first meeting of each academic year. All Chairs (including the Chair of the Board) shall have the power, following consultation with the Chief Executive or his/her nominee, to act on any urgent matter within the remit of their Committee that may arise between scheduled meetings and where, in the view of the Chief Executive (or his/her nominee) delay in making that decision would seriously impede the business of the Trust.
5. The power of a Chair to act may include taking an action, consulting with members of the Board/Committee by correspondence or calling a special meeting. The power extends to the Chairs of LGBs subject to consultation with the Head Teacher (or his/her nominee). All such decisions shall be reported to the next meeting of the Board or the Committee as appropriate.
6. LGBs are in practice Committees appointed by the Board. Whilst LGBs elect their Chair and Vice Chair, the confirmation of the Trust Board of those elected is required.
- 7.

LGB removals and disqualifications

8. A Governor shall no longer serve on the LGB if he or she:
- resigns by giving notice in writing to the Chair of the LGB, who must forward a copy of the letter to the Chair of the Directors;
 - is removed by the Board of Directors, with notice given in writing. A copy of the notice is then forwarded to the Chair of the LGB;
 - is the subject of a recommendation to be removed, sent to the Board of Directors by the Chair of the Trust. He or she is then removed by the Board of Directors, with notice given in writing, and a copy of the notice is then forwarded to the Chair of the LGB;
 - becomes incapable, by reason of mental disorder, illness or injury, of managing or administering his or her own affairs;
 - is absent without the permission of the Chair of the LGB from all meetings of the LGB held within a period of six months, and the GB resolves that his or her office be vacated;
 - is a staff governor and no longer works for the Academy of which her or she is a governor;
 - is a parent governor but his or her child no longer attends the Academy of which her or she is a governor.
 - has had his or her estate sequestrated and the sequestration has not been discharged, or is subject to a bankruptcy restrictions order;
 - is subject to a disqualification order under the Company Directors' Disqualification Act 1986, or to an order made under the Insolvency Act 1986;
 - is subject to an order of the Charity Commission removing him or her from the office of charity Director, on the grounds of misconduct or mismanagement in the administration of the charity for which he or she was responsible, or to maladministration of which his or her conduct contributed;
 - is included in the list kept by the Secretary of State under Section One of the Protection of Children Act;
 - is disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000;
 - is barred from regulated activity relating to children within the meaning of the Safeguarding of Vulnerable Groups Act 2006;
 - has a direction made against him or her under section 142 of the Education Act 2002, or he or she is subject to a prohibition order which takes effect as if contained in this direction;
 - has at any time been convicted of any criminal offence excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence, except where a person has been convicted of an offence which falls under the Charities Act 1993, section 72; and
 - does not provide the Chair of the LGB with a criminal records certificate at an enhanced disclosure level.
 - In the event that the certificate discloses information which in the opinion of the Chair or the Headteacher confirms that person's unsuitability to work with children, that person shall be disqualified.

The removal and disqualification of Directors is set out in the Trust's Articles of Association.

Changes to levels of delegation

9. The Trust is ultimately responsible for all aspects of the provision of education in accordance with its legal obligations. The Trust desires to delegate many areas of decision making to individual schools but reserves the right to change the level of authority delegated in order to fulfil its legal obligations.
10. For schools Ofsted rated level 1 (Outstanding) and level 2 (Good), the Board of Directors delegates levels of

autonomy to the LGB. However, if at any time:

- a. Ofsted rate the School as a level 3 (Requires Improvement) or 4 (Inadequate);
- b. the School is predicted to have or has an in-year material deficit budget except where any such deficit is planned and has been approved in advance by the Board of Directors;
- c. an event occurs at or in relation to the School which is significantly damaging to the reputation of the Trust;
- d. the LGB does not act in a way which would be considered appropriate behaviour for a governing body; or
- e. any event analogous to the above events occurs at or in relation to the Academy, the Board of Directors may alter or revoke the authority delegated to the LGB until such time as the Board of Directors is satisfied that the event that has occurred has been rectified or ceases to cause concern.

When making such decisions, the Board of Directors shall have regard to any representations made by the LGB. In addition, the Directors will use key performance indicators (KPIs) as a tool for determining where support is required. If having identified support the schools performance continues to be of concern, the Directors may revoke delegated authority.

Principles of Delegation

11. Those to whom delegations have been granted (including Committees) are ultimately accountable to the Board.
12. Delegation of power(s) to any individual does not obviate the need for consultation with colleagues as appropriate.
13. All delegated functions must be exercised in accordance within the established policies and procedures, budgetary and financial and legal constraints of the Trust.
14. Those to whom delegations have been granted (including Committees) may elect not to exercise their delegation but to refer any matter to the Board (or in the case of other members of staff, to the Chief Executive) if in their judgement, the complexity or risk associated with any matter merits this.
15. Issues regarded as novelty or potentially precedent-setting shall be referred to the Board for consideration and decision. (For example, where an issue may become a 'test case' or, in the view of the Chief Executive, is likely to be controversial or contentious. This includes issues that may risk potential damage to reputation/public trust and confidence, key relationships and /or that may have a personal impact on Board Members and/or on senior members of staff).
16. The Scheme is not intended as an exhaustive list of all aspects of Trust activity but aims to set out the salient powers.

Matters Reserved for decision by the Board

17. The Board has reserved decisions on some key issues to itself. These are referred to in the Scheme as "Reserved Matters". The Board shall determine all reserved matters following consideration of reports and/or recommendations from Committees and/or the Chief Executive and / or members of ALT.

Committees.

18. The Constitution, Membership, terms of reference and delegations to all Committees shall be determined and reviewed annually (or such other frequency as may be agreed) by the Board.
19. Any member of the Board who is not a member of a Committee shall have the right to attend any meeting of any Committee, and at the discretion of the Chair, to speak on any matter included on the agenda.
20. The Chair of the Board or of a Committee may, through the Clerk to the Board or Committee, call a special meeting of the Board/Committee at any time, provided the purpose of the meeting is specified in the agenda for the meeting.

Clerking

21. The Clerk to the Board and to Board Committees (including LGBs) shall:
 - consult with the Chair of the Board/Committee on the content of the agenda for meetings;
 - ensure that the agenda and papers for meetings are sent to members of the Board/Committee a minimum of seven days before the day of the meeting;
 - ensure that minutes of all meetings are prepared in a timely manner and approved by the Chair prior to circulation to Board/Committee members. (Following approval by the Chair, minutes shall be submitted to all Board/Committee members and shall also be submitted to the next available meeting of the Board/Committee for noting/approval. The Minutes of all Committees (other than LGBs) shall be submitted in full to the Board unless the Board has agreed that a summary report will suffice).
 - agree, in consultation with ALT and Chairs, an annual programme of meetings for the Board and its' Committees, together with supporting annual business plans.

SDMAT SCHEME OF DELEGATION

Functions are categorised as follows:

1. Education
2. Resources and Operations
3. Strategy and Quality
4. Estates and Technology
5. Finance

R	Responsible: Those responsible for the task and ensures it is done
A	Accountable: Those ultimately answerable for the correct and thorough completion of the deliverable or task, and the one who delegates the work to those responsible
S	Support: Resources allocated to responsible. Unlike consulted, who may provide input to the task support can help complete the task
C	Consulted: Those whose opinions are sought and with whom there is two-way communication
I	Informed: Those who are kept up-to-date on progress

Function	No		Directors	CEO/Executive	LGB	Head Teacher
Education						
Education (Development and Operational)	1	To propose targets for pupil achievement	A	S	S	R
	2	To agree targets for pupil achievement	A	R	C	C
	3	To establish a behaviour policy	A	C	R	S
	4	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions	A	I	R	S
	5	To direct reinstatement of excluded pupils	A	I	I	R
	6	Production of the School Improvement Plan	A	C	S	R
	7	Agree the School Improvement Plan	A	I	R	S
	8	Produce SIAMs evaluation (Church schools only)	A	C	S	R
	9	Post-Inspection action plan	A	C	S	R
	10	To develop a safeguarding policy in line with statutory requirements and best practice	A	R	I	S
	11	To decide to offer additional activities and to decide what form these should take i.e. breakfast club	A	C	S	R
	12	To put into place any additional services to be provided	A	S	I	R
	13	To ensure delivery of services offered	A	S	I	R
	14	To implement the Trust's safeguarding policy	A	S	S	R
	15	Maintain accurate and effective and secure pupil records in partnership with the LGB	A	I	S	R
	16	Set monitoring and evaluation cycle	A	R	I	S
	17	Assemble data for pupil assessment and other returns	A	C	I	R
	18	To develop a curriculum policy	A	C	C	R

Function	No		Directors	CEO/Executive	LGB	Head Teacher
Education						
Education (Quality of Education)	19	To implement curriculum policy	A	I	S	R
	20	To prohibit radicalisation, and promote equality and diversity, and tolerance and ensuring the balanced treatment of political issues	A	S	S	R
	21	Ensuring provision of RE in line with school's basic curriculum	A	I	S	R
	22	To discharge duties in respect of pupils with special educational needs and disabilities	A	I	S	R
	23	Quality of teaching	A	S	S	R
	24	Quality of individual child's education	A	I	S	R
	25	Pupil outcomes (progress and attainment)	A	S	S	R
	26	To ensure that all pupils take part in a daily act of collective worship	A	I	S	R
	27	To ensure provision of free school meals to those pupils meeting the criteria	A	R	I	S
	28	To decide how to use Pupil Premium Grant	A	I	C	R
	29	To decide how to use Sports Premium	A	I	C	R
	30	To decide how to use Year 7 Catch up funding	A	I	C	R
	31	Monitor effective use of school grants (Pupil premium, sports, Yr 7 catch up)	A	I	R	S
	32	Ensure Christian Distinctiveness is maintained through the curriculum (Church Schools only)	A	I	S	R
	33	Provision of sex education - to establish and keep up to date a written policy	A	I	S	R

Function	No		Directo rs	CEO/ Executi ve	LGB	Head Teache r
HR & Operations						
HR & Operations (Appraisal)	34	To ensure that an approved appraisal policy in place	A	R	I	I
	35	To secure the statutory appraisal of Principal	A	R	I	I
	36	To review annually the performance management policy	A	R	I	S
	37	Maintain accurate and effective and secure employee records	A	I	I	R
	38	To secure the statutory appraisal of all academy staff	A	I	I	R
	39	Agreeing the vision for the Trust	A	R	S	S
HR & Operations (Governance)	40	To draw up governing documents and any amendments thereafter	A	R	I	I
	41	Developing the Trust strategic plan	A	R	I	I
	42	To appoint (and remove) the chair of the LGB	R	S	I	I
	43	To appoint and dismiss the clerk to the LGB	R	S	I	I
	44	To hold a full LGB meeting at least three times in a school year or a meeting of the temporary governing body as often may require	A	I	R	S
	45	To appoint, and actively seek members of the LGB	A	S	R	S
	46	To remove members of the LGB other than the chair	A	S	R	I
	47	To set up a register of LGB members' Personal Interests	A	I	R	I
	48	To appoint an interim executive board and disband an ineffective governing body	R	S	I	I
	49	To approve and set up a governors' Expenses Scheme	R	S	I	I
	50	To consider whether or not to exercise delegation of functions to individuals/ committee	R	S	I	I

Function	No		Directo rs	CEO/ Executi ve	LGB	Head Teache r
HR & Operations						
HR & Operations (Governance)	51	To determine the development needs of governors and put in place an appropriate programme	A	S	R	I
	52	To provide to SDMAT, on an annual basis, copies of all school current policies and procedures and a schedule for their review, to review and update policies where allocated to the academy	A	I	R	I
	53	To produce an annual cycle of meetings and monitoring visits	A	I	R	S
	54	To appoint a principal (through a selection panel) including pre-recruitment checks	A	R	S	I
HR & Operations (Staffing)	55	To appoint a Deputy Principal (through a selection panel)	A	R	S	I
	56	To agree a pay policy for academy staff	R	S	I	C
	57	To provide a Complaints Procedure policy	R	I	I	I
	58	To exercise pay discretions	A	S	C	R
	59	Establishing disciplinary/capability procedures Dismissal of Principal	A	R	C	I
	60	Suspension of Principal	A	R	C	I
	61	Ending of suspension of Principal	A	R	C	I
	62	Formulation of Employment Policies	R	I	I	C
	63	Formulation of Staff Handbook	A	I	I	R
	64	To appoint teachers other than Principals and SLT	A	C	S	R
	65	To appoint non-teaching staff	A	C	S	R
	66	Appointment of members of SLT	A	S	S	R
	67	Dismissal of staff other than Principals	A	S	C	R
	68	Suspension of staff	A	S	C	R

Function	No		Directo rs	CEO/ Executi ve	LGB	Head Teache r
HR & Operations						
	69	Ending of suspension of other staff	A	S	C	R
	70	Determining staff complement within agreed budget	A	S	C	R
	71	Determining dismissal payment/early retirement of the Headteacher	R	S	C	I
	72	Determining dismissal payment/early retirement of others	A	S	C	R
	73	Staff appraisals (excluding the Headteacher)	A	I	S	R
	74	To determine the scope of central services to be delivered by SDMAT	A	R	I	I
Strategy and Quality						
Strategy and Quality (Services)	75	To identify additional services to be procured on behalf of the school	A	I	I	R
	76	To ensure centrally produced services provide value for money	R	S	I	C
	77	To set the times of school sessions and the dates of school terms and holidays	R	S	I	C
Strategy and Quality (Compliance)	78	To ensure that the school meets the statutory requirement for [380] sessions in a school year	A	I	R	C
	79	To consider requests from other schools to join the Trust	R	S	I	C
	80	To determine, on an annual basis, those policies which will be developed by SDMAT and mandatory for all SDMAT schools	R	S	I	C
	81	To consult before setting / amending an admissions policy	A	C	C	R
	82	Admissions: application decisions	A	I	C	R
	83	If appropriate to appeal against LA directions to admit pupil(s)	A	I	C	R
	84	To ensure school website is fully compliant	A	S	S	R
		To implement a health and safety policy	A	S	C	R

Function	No		Directo rs	CEO/ Executi ve	LGB	Head Teache r
Estates and Technology						
Estates and Technology	85	Ensure health and safety regulations are followed	A	S	S	R
	86	Buildings insurance and public liability	A	R	I	C
	87	Developing academy buildings and facilities estate long term strategy or master plan	A	R	I	I
	88	Producing and maintaining buildings, including developing properly funded maintenance plan	A	S	S	R
	89	Premises security	A	S	S	R
	90	Premises management	A	S	S	R
	91	GDPR Compliance	A	S	S	R
	92	To develop and propose the individual school budget	A	S	C	R
	93	To recommend the first formal budget plan each financial year	A	C	R	I
Finance						
Finance	94	To plan, manage and monitor monthly expenditure and financial reports, and identify actual or potential items of budget overspend/underspend	A	C	I	R
	95	To approve any amount to be transferred between budget headings and/or likely budget overspends	R	S	I	I
	96	To establish financial decision levels and limits	R	S	I	I
	97	To establish a charging and remissions policy for the academy	R	S	I	I
	98	Agreeing miscellaneous financial expenditure outside the agreed budget	R	S	I	I

Function	No		Directors	CEO/Executive	LGB	Head Teacher
Finance						
Finance	99	To enter into additional contracts which exceed the agreed annual budget allocation within limits specified in the Financial Regulations Manual	R	S	I	I
	100	To authorise acquisition of assets within limits specified in the Financial Regulations Manual	A	I	R	S
	101	To authorise disposal of assets within limits specified in the Financial Regulations Manual	A	I	R	S
	102	To appoint internal and external auditors	R	S	I	I
	103	To make payments within agreed financial limits	A	I	I	R
	104	To collect income due to the academy	A	I	I	R
	105	To ensure proper financial records are maintained for the academy	A	R	I	I
	106	To ensure monthly accounts are prepared for the academy	A	R	I	I
	107	To monitor compliance with approved financial procedures	A	R	I	I
	108	To develop risk management strategies	A	R	I	I

South Dartmoor Multi Academy Trust – Terms of reference

Trust Board of Directors

Appointment and Consultation

The Constitution and Membership of the Trust Board shall be determined by the Directors. There shall be a minimum of five members of the Board, excluding the Chief Executive.

Quorum

Any three members of the Board shall constitute a quorum.

Chair

The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.

Frequency of Meetings

The Trust Board shall meet at least three times a year.

The Chair of the Board, through the Clerk to the Board, may call a special meeting of the committee at any time, provided the purpose of the meeting is specified in the agenda for the meeting.

Attendance

The CEO will normally attend Board meetings. Other staff may attend at the discretion of the Chair.

Reserved Matters Generally

Matters referred to the Board shall take account of the Board Risk Register and shall include any proposal for new initiatives and/or policies and any developments which may impact on the strategic direction of SDMAT in terms of finance, policy, service delivery, reputational risk or organisational structure.

Any issue regarded as novelty or potentially precedent-setting shall be referred to the Board for consideration and decision. (For example, where an issue may become a 'test case' or, in the view of the Chief Executive, is likely to be controversial or contentious. This includes issues that may risk potential damage to reputation/public trust and confidence, key relationships and /or may have a personal impact on Board Members and/or on senior members of staff).

Specific Reserved Matters

Strategic oversight, vision and planning

Approval of:

- Trust Vision, values and ethos, promotion and protection of this and the integrity and reputation of the organisation;
- the overall strategic direction of the Trust within available resources and review and/or variation of agreed strategy and plans. This includes, on recommendation of the Chief Executive:
 - the Strategic Plan for the Trust and its' Academies and any proposed amendments thereto; and
 - proposals for entering into formal strategic partnerships;
- matters referred to the Board by the Chief Executive and on which:
 - the Board has indicated it wishes to be kept informed and/or requires early warning or dialogue; and
 - the Chief Executive requires a steer or input from the Board.

Finance

Approval (on recommendation of the Chief Executive or the appropriate Committee) of:

- the financial management and investment policies and decisions of the Trust (and any proposed amendment thereto) including the funding model to be adopted across the Trust and the Academies. (This includes funding models for individual Academies developed in consultation with them by the Chief Financial Officer (CFO));
- actions relating to the effective and appropriate management and use of Trust finances;
- subject to prior consultation with LGBs (to be co-ordinated by the CFO) the extent of the central services to be provided to each Academy by the Trust and the allocation or apportionment of the costs of those services;
- the annual revenue budget for the Trust including the annual budget of each Academy as recommended by CFO;
- variations to approved budgets and/or actions that may be necessary to ensure that the expenditure of the Trust remains within agreed limits; and
- appointment of internal and external auditors.

Governance and compliance

Approval of:

- the governance arrangements of the Trust to ensure the highest standards of governance that command the confidence of staff and stakeholders;
- the Scheme of Delegation and any amendments thereto;
- the report and recommendations (if any) of the Chair following the annual Board self - review of effectiveness (this to include review of the effectiveness of the Board and its' Committees, the Chair and individual members of the Board);
- procedures for the appointment and/or removal of Directors, members of the Board and its' Committees and Local Governing Bodies (LGBs);
- the role of the Chair of the Board and Succession Planning for Board members;
- Director, Board and Governor Code of Conduct and any actions required in relation to breaches thereof;
- Staff Code of Conduct and any actions required in relation to breaches thereof;
- arrangements for training and evaluation of Directors, Board and Committee members and Governors;
- appointment or dismissal of the Chief Executive and of the Clerk to the Board; and
- the Governance Handbook and amendments thereto.

Organisational structure

Monitoring and Approval of:

- establishment and appointment of Board Committees;
- on recommendation of the Chief Executive, the overall structure and staffing of the Trust and any proposed amendments thereto;
- the extent of central services provided to Academies by the central Trust;

Performance, targets and standards including Pupil outcomes

- performance targets and key performance indicators (KPI's) for the Trust and its' Academies;
- the overall performance and standards of the Trust and its' Academies against agreed targets and KPIs and, through the reports and recommendations of the Performance and Standards Committee and/or the Chief Executive, consideration and approval of actions recommended in relation to School Improvement and performance. This includes actions recommended where Academy Improvement Plans and/or improvement actions have not been implemented or have not had the desired impact in terms of improved performance and pupil outcomes;
- the performance of the Chief Executive, ALT and others to whom responsibilities have been delegated. This includes holding them collectively and individually to account for the overall performance of the Trust (and/or of individual academies) against agreed targets and KPI's, the exercise of their delegated powers and delivery against the targets, plans, and budgets approved by the Board.

Policy

Approval of

- all policies and substantive amendments thereto developed by ALT for the effective management, administration and operation of the Trust and for adoption by Academies. This includes policies for Safeguarding and Child Protection, Director and Trust Board Confidentiality, Trust Board, Director, Governor and Staff Conflict of Interest and procedures relating thereto and Director, Board Member and Governor expenses and remuneration.

Finance and Resources Committee

Purpose

The purpose of the Committee is to:

- hold to account and constructively challenge the ALT as to the effectiveness and impact of policy, proposals and practice in relation to the management and deployment of Trust resources;
- review benchmarking data in relation to the overall performance of the Trust in comparison to regional and national standards and to the performance of other comparable Trusts;
- provide oversight and assurance to the Trust Board as to the effective and appropriate management and use of Trust resources and to make recommendations to the Board in relation to these matters; and
- consider and review detailed reports on the financial sustainability, human resource and estate management performance, practices and resources of the Trust.

Constitution and Membership

The Committee shall comprise a minimum of three suitably qualified and experienced persons appointed by the Trust Board (excluding the Chief Executive).

The person(s) appointed by the Board to have oversight of Safeguarding and SEN shall be entitled to attend and draw the attention of the Committee to any safeguarding implications arising from reports and/or proposals brought to the Committee.

Chair

The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.

The Chair of this Committee is not eligible for appointment to Audit and Risk Committee.

Quorum

Any two members of the Committee shall constitute a quorum.

Frequency of Meetings

The Committee shall meet at least once each term.

Attendance

The CEO, Chief Finance Officer, HR Officer and Business Development lead will attend each meeting.

Authority and Delegated Functions

Finance

To make recommendations to the Board on:

- the approval of the annual budget for the Trust as recommended by the CFO
- any other financial matter referred to the Committee by the Trust Board

To approve:

- the financial management and investment policies of the Trust (and any proposed amendment thereto)
- procurement policies and associated arrangements
- financial regulations, delegations and proposed amendments thereto

To Monitor and provide assurance to the Board as to:

The overall financial performance and sustainability and resource requirements/use of the Trust (including performance against approved budgets) through consideration of:

- the Management Accounts to be submitted to each meeting of the Committee by the CFO. This shall include the range of financial information and projections required by the Committee for the Trust as a whole and for individual academies, financial projections and material variances, capital requirements and expenditure, revenue balances, pupil number projections, staffing costs and any other details required by the Committee)
- the monitoring of financial efficiencies and economies of scale
- Draft the annual accounts for the Directors of the Trust, to be sent to the Secretary of State, Companies Registry and Charities Commission

Human Resources

To consider, keep under review and where the Committee consider necessary make recommendations to the Board on:

- the impact and implementation of any Trust-wide strategies and policies for human resources and organisational development
- the effectiveness of the measures in place to ensure compliance with and promote equality and diversity in employment
- the details of proposed Trust restructuring proposals
- the impact and implementation of Trust-wide strategy and policy in all matters relating to the recruitment, reward, retention, motivation and development of the Academy Trust staff
- compliance with General Data Protection (GDPR)

Estates

- to consider and make recommendations to the Board regarding the strategic development and maintenance of the Trust estate
- to monitor compliance and performance across the Trust regarding Health and Safety

Safeguarding

- to take into account and where the Committee considers necessary make recommendations to the Board on the safeguarding implications (if any) of all issues within the remit of the Committee.

Reporting Procedures

Reporting to the Trust Board

Minutes of the meeting will be sent to all Directors and the director attending the committee will provide a summary at board meetings.

Pay Committee – Terms of reference

Purpose

The purpose of the Committee is to:

- consider and determine terms and conditions including salary of the EMT and annual PRP awards for Headteachers; and
- make recommendations to the Board regarding the pay policy and the terms and conditions of service of the Trust.

Constitution and Membership

The Committee shall comprise a minimum of two board members plus the chair of the relevant LGB

Chair

The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.

Quorum

Any two members of the committee shall constitute a quorum.

Frequency of Meetings

The Committee shall meet at least twice a year. (Normally in September and March)

The Chief Executive and Deputy Chief Executive shall normally attend meetings of the Committee and shall withdraw if requested to do so by the Chair and/or if any item relating to their terms and conditions of service are to be discussed.

Authority and Delegated Functions

Any decision with resource implications for which provision has not been made in the budget shall be subject to recommendation to the Board. Subject to this the Pay Committee has full delegated authority in relation to:

Performance appraisal and salaries

- to undertake the annual performance appraisal of and target setting for the Chief Executive, subject to appointment by the Committee in agreement with the Chief Executive of an independent external adviser;
- determine and annually review the salary ranges of each member of the ALT (i.e. the Chief Executive, Headteachers, Chief Finance Officer). The annual salary review shall take account of the recommendations of the independent external adviser;
- determine, on recommendation of the Director of the Trust, annual PRP awards for Headteachers*.

*Any appeal against a decision of this Committee shall be considered by the Trust Appeal Panel.

Staff related procedures

- determination of compromise agreements above £10,000 (subject to a report from the Chief Executive).

Performance and Standards Committee – Terms of reference

Purpose

The Committee is responsible for providing assurance to the Trust Board on:

- the standards and performance of all Academies within the Trust;
- the effectiveness of the Trust Quality Assurance process; and
- that each school is promoting and upholding the SDMAT Vision, Values and ethos.

Constitution and Membership

The Committee shall comprise a minimum of three suitably qualified and experienced persons appointed by the Trust Board (excluding the Chief Executive).

The person(s) appointed by the Board to have oversight of Safeguarding and SEN shall be entitled to attend and draw the attention of the Committee to any safeguarding implications arising from reports and/or proposals brought to the Committee.

Chair

The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year.

Quorum

The Committee has no decision - making role therefore there are no requirements as to minimum attendance.

Frequency of Meetings

The Committee shall meet at least once each term.

Authority and Delegated Functions

The Committee is required by the Board to achieve it's delegated functions for all schools within the Trust through:

- constructively challenging Headteacher/Principal/Head of School as to the effectiveness and impact of the school improvement work;
- reviewing benchmarking data in relation to individual schools and to the overall performance of Trust in comparison to regional and national standards and to other comparable Trusts;
- in depth review/scrutiny of schools in Special Measures and/or Requiring Improvement and/or which are causing concern including those that are slow to improve. (Schools assessed as Good or better shall be subject to summary assurance report only);
- drawing the attention of the Trust Board to any concerns arising from the standards and performance of schools and/or the QA process;

Safeguarding

- the Committee shall have particular regard to safeguarding compliance and effectiveness in all schools within the Trust and shall draw the attention of the Board to any safeguarding concerns arising from the termly review of school performance. (The agenda for each meeting of the Committee is to include a standing item on Safeguarding).

Reporting Procedures

Reporting to the Trust Board

The Committee shall provide a termly report* to the Trust Board summarising the overall performance of the Trust and of individual schools within the Trust and drawing attention to any schools or issues of concern. The minutes of meetings of the Committee shall be made available to all members of the Trust Board.

*this may be via the minutes of the meeting.

Local Governing Body – Terms of reference

Purpose

The purpose of the LGB is to:

- ensure that the core principles of SDMAT are adhered to and, within the delegations agreed by the MAT Board provide oversight of and challenge to the performance of the school
- represent the educational and related interests of pupils and the voice of parents and the community
- satisfy themselves that appropriate and timely actions are being taken to deliver high quality performance in a manner that meets the Vision of the Trust.

Constitution and Membership

- A maximum of 3 parent representatives (elected by the parent body in their school)
- Up to 6 coopted members – appointment subject to approval by the board
- Up to 2 staff representatives (elected by staff in the school)
- 1 school leader (ex officio)

Minimum number of members: 6 (NB The number of employees on the LGB, including the Headteacher, cannot exceed one third of the total number of governors on the LGB).

In the case of the church schools, foundation governors will be appointed. The foundation governors will have special care for the church schools' Christian character.

Chair

The Committee shall appoint a Chair at the first scheduled meeting of each Academic Year and the chair will be expected to attend termly Chair Forums.

Quorum

Any three members provided that Staff members (including the Headteacher) do not form the majority of those present.

Frequency of Meetings

The Committee shall meet at least once each half term. Once a term these meetings will be formal and minuted by the clerk. Additional meetings may take place at the discretion of the LGB.

Attendance

The Headteacher will attend meetings half termly. At the discretion of the Chair, other members of staff (non LGB members) may attend and may participate in/present to the meeting. The Executive Principal/CEO may attend and report to any LGB meeting.

All formal meetings of the LGB will be formally minuted by the Clerk who will attend throughout the meeting.

Authority and Delegated Functions

Vision and Accountability

- ensuring that the school promotes the vision and values of the Trust in a way appropriate to the specific qualities and community characteristics of their school

Monitoring of the school's activities

The LGB will challenge the school leadership to account for:

- the safety and well-being of staff and pupils, including attendance
- the attainment and progress of pupils
- the quality of teaching and learning
- the range and quality of the curriculum
- the appointment, development and performance management of staff
- the quality of leadership and management
- the effective deployment of funds and resources (pupil premium, sports grant, Yr 7 catch up funding)
- engaging effectively with parents and the local community

The LGB will be required to:

- maintain a risk register to be shared with the Pupils and Standards Committee
- plan an annual cycle of meetings and monitoring linked to the school improvement priorities
- ensure school-based policies are reviewed in line with academy requirements
- ensure they have a named Governor for safeguarding, disadvantaged pupils, SEND, Looked After Children and Health and Safety. (NB a local governor can hold more than one of these roles)

Headteacher/Principal/Head of School Performance Review Appraisal

Each LGB is expected to nominate 2 governors to be part of the Performance Review Appraisal cycle for their school leader. These Governors are expected to complete the relevant training and will be joined by at least one director and the CEO. The LGB representatives will be expected to meet with the school leader termly to evaluate their progress towards meeting their targets and they will be expected to provide information on the performance of the school leader across the year to the appraisal panel.

1. Local Governors are not responsible for operational issues. In the event that Local Governors have concerns regarding the performance of the school these should be discussed by the LGB and recorded in the minutes so that they can be brought to the attention of the Trust.
2. Staff Appointments -the Headteacher/Principal/Head of School is authorised to appoint staff within the constraints of the budget and the staffing structure agreed by the Trust. The expectation of the Trust is that normally, non-staff LGB members will participate in the process for appointments to all permanent teaching posts.
3. Where an LGB has concerns regarding aspects of the performance of the school these shall be discussed with the Headteacher at a formal LGB meeting. If following that discussion, the LGB remains concerned, the Clerk to the LGB shall be requested to record the concerns and the reasons for them, in the minutes of the meeting which shall be brought to the attention of the Executive Principal/CEO. In response to those concerns the CEO:
 - liaise with the Headteacher and the Chair of the LGB with a view to resolving the issue(s); and
 - include reference to the matter in the School Risk Register for report to the next available meeting of the Performance and Standards Committee which shall, if necessary, draw the attention of the matter to Trust Board.

Safeguarding

- the LGB shall have particular regard to safeguarding compliance and effectiveness in their schools shall draw the attention of the Board to any safeguarding concerns arising from the termly Governor meeting with the Designated Safeguarding Lead. (The agenda for each meeting of the LGB is to include a standing item on Safeguarding).

Reporting Procedures

The Chair of the LGB is expected to report any areas of concern to the wider trust board. This can be done through initial contact with the Chair of Directors. Each school will have a director who receives their LGB minutes and is responsible for feeding back any significant issues to the board.

The Chair of the LGB will attend termly Chairs' Forums with the CEO and director to ensure that information flows well between the LGB and the Trust Board.

Appendix 1

Local Governing Body – Sample Agenda

1. Welcome and introductions *
2. Update on performance
 - a. Pupil progress (all year groups) including interventions *
 - b. Predicted outcomes update *
 - c. Pupil performance vulnerable groups *
 - d. Pupil premium, year 7 catch up/sports funding
 - e. Pupil attendance (including persistent absence and pupil groups) *
 - f. Pupil behaviour (including exclusions)
3. Curriculum and standards
 - a. Quality of teaching *
 - b. Internal monitoring reports/evaluations
 - c. Staffing updates
 - d. Assessment updates
 - e. Curriculum ethos and delivery
4. Safeguarding
 - a. Pupil/student welfare *
 - b. Safeguarding Governor report *
 - c. Health and safety report
 - d. Condition of premises
 - e. Pupil behaviour (bullying/incident logs) *
 - f. Community issues
 - g. Admission issues *
5. Strategic planning
 - a. School self-evaluation update *
 - b. School development plan update *
 - c. AAB Monitoring visits *
 - d. External monitoring reports/evaluations
 - e. Capital and maintenance updates
6. Minutes and actions from last meeting *

NB – The chair may choose to focus on key parts of the agenda in meetings but there is an expectation that all areas would be covered every term.

* Must be on every agenda each half term

Appendix 2

Code of Conduct

All Members, Directors and Local Governors within South Dartmoor Multi Academy Trust will adhere to the national code of conduct for School Governors.

The governing board has the following core strategic functions:

Establishing the strategic direction, by:

- Setting and ensuring clarity of vision, values, and objectives for the school(s)/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the lead executive/headteacher (where delegated)
- Monitoring the educational performance of the school/s and progress towards agreed targets
- Performance managing the lead executive/headteacher (where delegated)
- Engaging with stakeholders
- Contributing to school self-evaluation

Overseeing financial performance, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring money is well spent and value for money is obtained
- Ensuring risks to the organisation are managed

As individuals on the board we agree to the following:

Role & Responsibilities

- We understand the purpose of the board and the role of the executive leaders.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.
- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing board.
- We will actively support and challenge the executive leaders
- We will accept and respect the difference in roles between the board and staff, ensuring that we work

collectively for the benefit of the organisation;

- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements;
- We agree to adhere to the school's rules and policies and the procedures of the governing board as set out by the relevant governing documents and law
- When formally speaking or writing in our governing role we will ensure our comments reflect current organisational policy even if they might be different to our personal views;
- when communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation

Commitment

- We acknowledge that accepting office as a governor/Director/academy committee member involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/s well and respond to opportunities to involve ourselves in school activities.
- We will visit the school/s, with all visits arranged in advance with the senior executive leader/headteacher and undertaken within the framework established by the governing board.
- When visiting the school in a personal capacity (i.e. as a parent or carer), we will maintain our underlying responsibility as a governor/Director/academy committee member.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/Directors/academy committee members will be collected and logged on the DfE's national database of governors (Edubase).

Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/Directors/academy committee members, the clerk to the governing board and school staff both in and outside of meetings.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the executive leaders, staff and parents, the

trust, the local authority and other relevant agencies and the community.

Confidentiality

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.
- We will ensure all confidential papers are held and disposed of appropriately.

Conflicts of interest

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

Ceasing to be a governor/Director/academy committee member

- We understand that the requirements relating to confidentiality will continue to apply after a governor/Director/academy committee member leaves office

Breach of this code of conduct

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

The seven principles of public life

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

Selflessness - Holders of public office should act solely in terms of the public interest.

Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty – Holders of public office should be truthful

Leadership – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.