

Harrow Academies Trust: Scheme of Delegation

Key points and summary

This document outlines:

- The requirements of the Articles of Association regarding delegation;
- The principles of decision making within the academy trust;
- The scheme of delegation within the academy trust; and
- The respective roles of the Trustees, Local Governing Body, and the Headteacher(s).

The Academy Trust uses the terms:

- Members to describe individuals who have the right to vote at General Meetings held in accordance with the Articles of Association;
- Trustees to describe individuals who have the right to vote at Board meetings and who are registered as Directors at Companies House;
- Governors to describe individuals who have the right to vote at Local Governing Body meetings; and
- Headteacher rather than Principal.

Approved by:	Board of Trustees
Approved on:	Recommended to Board of Trustees on 14 July 2021 to become operational 1 September 2021
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Responsibility for review:	Pinner High School Headteacher to recommend to Board of Trustees

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1. Introduction and statement of intent

1. As a charitable company limited by guarantee, Harrow Academies Trust (“the Trust”) is governed by a Board of Trustees (the “Trustees”) who are responsible for, and oversee, the management and administration of the Trust and the schools run by the Trust. This Scheme of Delegation applies to all schools for which the Trust is responsible (the “Schools”). Any reference to “the Schools” in this Scheme of Delegation refers to all the schools within the Trust.
2. The Trustees are accountable to external government agencies including the Department for Education (including any successor bodies) for the quality of the education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice.
3. This Scheme of Delegation explains the ways in which the Trustees fulfil their responsibilities for the leadership and management of the Schools, the respective roles and responsibilities of Members, Trustees, Governors and executive postholders and the commitments to each other to ensure the success of the Trust.
4. This Scheme of Delegation has been developed and approved by the Trustees in accordance with the provisions of the Trust’s Articles of Association (“the Articles”).
5. The Academy Trust believes that:
 - a. Members of the Trust should appoint effective Trustees and hold them to account for the performance of the Trust;
 - b. The Board of Trustees should focus upon strategy and policies for the overall trust that would enhance student performance, operational efficiency, or learning between academies;
 - c. Strategic / policy decisions affecting an individual academy should be taken by Local Governing Body;
 - d. Operational and managerial decisions should be delegated to the Headteacher of each academy; and
 - e. Headteachers should delegate operational decisions among their staff with a view to keeping decision making as close as possible to the operational impacts as possible

2. Scope and applicability

6. This policy outlines the framework for decision making within the Academy Trust. It applies to all Trustees, governors, and staff.
7. This document is reviewed annually for approval at the Board meeting in July, with further revisions during an academic year if required.

3. The Articles of Association

8. Appendix One details the relevant articles from the Articles of Association regarding delegations and committees.
9. The Academy Trust uses the terms:
 - Trustees to describe individuals who have the right to vote at Board meetings and who are registered as Directors at Companies House;
 - Governors to describe individuals who have the right to vote at Local Governing Body meetings; and
 - Headteacher rather than Principal.

4. Responsibilities under the policy

10. Appendix Five outlines the expectations of Members, Trustees, and Governors.

Members

11. The key roles of the Members are to:

- Ensure that the Members individually and collectively have the skills, expertise and involvement to fulfil their role, and remove / appoint Members as required (in accordance with Appendix 5) to enable Members to make effective decisions – complying with the expectations set out in Appendix 5;
- Appoint (and if necessary remove) Trustees who have the skills, knowledge and experience to enable the Board to fulfil its obligations effectively; and
- Hold the Chair of Trustees to account for the performance of the Board, and expect the Chair to manage the other Trustees effectively.

Board of Trustees

12. In accordance with Article 93, the Board of Trustees is able to exercise all of the powers of the Academy Trust. It is responsible for the performance of the Trust.

13. The responsibilities for Trustees / Directors under charity and company law are to:

<p>Trustee responsibilities are to:</p> <ul style="list-style-type: none">• ensure the charity is carrying out its purposes for the public benefit;• comply with the charity's governing document and the law;• act in the charity's best interests;• manage the charity's resources responsibly;• act with reasonable care and skill; and• ensure the charity is accountable	<p>Director responsibilities are to:</p> <ul style="list-style-type: none">• act within their powers;• promote the success of the company;• exercise independent judgment;• exercise reasonable care, skill and diligence;• avoid conflicts of interest;• not to accept benefits from third parties; and• declare any interest in proposed transactions or arrangements.
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Committees and sub-committees

14. The Board of Trustees shall establish the following committees in accordance with the Articles of Association:

- a. An Audit and Compliance Committee;
- b. A Local Governing Body for Pinner High School; and
- c. A Local Governing Body for Harrow View Primary School once an opening date is agreed.

15. The Pinner LGB shall establish two sub-committees:

- a. A Students, Standards and Achievement Committee; and
- b. A Finance and Resources Committee.

16. The terms of reference for each committee is outlined in Appendix Two. Appendix Three outlines Panels that will be convened as required. Appendix Four outlines the annual meeting cycle and key agenda items.

Headteachers and staff

17. The Board must designate a named individual as its accounting officer. The accounting officer is responsible to the Board for the overall management of the Trust and personally responsible to Parliament for the resources under their control. Chris Woolf shall be the Accounting Officer.
18. In accordance with the requirements of the Academies Financial Handbook, the Trust shall appoint a Chief Finance Officer (CFO) to lead the Finance Department. Claire Tarling shall be the CFO.
19. The Headteachers are responsible for the internal organisation, management and control of their academy, for advising on and implementing the Trust's strategic framework, for the implementation of all policies approved by the Trustees or LGB and for the direction of the teaching and the curriculum within the trust. For these purposes the Trustees shall delegate those powers and functions required by the Headteachers; these are set out in Appendices 1, 2, and 3.
20. The Headteachers will work together to recommend trust-wide strategy and policy to the Trustees and to ensure that the trust fulfils its charitable objects.
21. The Headteacher will formulate aims and objectives and policies and targets for the LGB and Trustees to consider, and to report to the LGB on progress at each meeting in accordance with a schedule drawn up annually with the Chair of the LGB. The Headteacher will work closely with the senior management team to this end.
22. The Headteachers and staff are accountable to governors and Trustees for the academy's performance, and governors and Trustees will be prepared to explain their decisions and actions to anyone who has a legitimate interest. This may include staff, pupils and parents as well as the local authority or the Secretary of State.
23. The Headteachers will comply with any reasonable direction by the LGB or Board when acting on the Trust's behalf.
24. The Headteachers will agree and monitor appropriate delegations of authority with other staff.

5. Performance and Risk based approach to delegation

25. The Academy Trust believes that delegation of functions and levels of delegation should relate to the performance and risk associated with the delegation. High performing schools, with strong and stable leadership, should have the higher levels of delegation.
26. Accordingly, Appendix Six includes 'standard' delegations and 'variable' delegations. Schools that are performing well and with normal levels of risk will receive the 'standard' delegation. If schools are not performing as well, or are considered higher risk, they may have reduced delegation in specified areas to reflect their current situation.
27. The Board may vary the level of financial delegation from the 'standard' delegation that is set out in Appendixes Six and Seven.
28. The Board will determine the appropriate levels of delegation for each LGB or postholder.
29. The Board will make its decisions based upon any or all of the following:

- a. External evaluations, which may be of educational performance (such as Ofsted), financial management (such as audit processes or the ESFA), or operational management (such as Health and Safety inspections).
- b. Information available within the academy trust, such as student progress, financial monitoring, staffing information etc
- c. Changes in staffing at a school, in particular of its senior leadership

30. The table below details the current areas of 'variable delegation' applying to each school. These will be reviewed as appropriate, and at least annually through the review of this Scheme of Delegation.

School	Areas of variable delegation
Pinner High School	None
Harrow View Primary School	None

6. Appendices

Appendix One: Articles of Association

Appendix Two: Committee Terms of Reference

Appendix Three: Panels

Appendix Four: Annual cycle of meetings and key agenda items

Appendix Five: Requirements of Members, Trustees, and Governors

Appendix Six: Decision and Responsibility Matrix

Appendix Seven: Summary of financial delegations

Appendix Eight: Policy Grid

Appendix One: Articles of Association

The following are the relevant clauses from the Articles of Association that outline what can, and cannot, be delegated.

- Article 93: “Subject to provisions of the Companies Act 2006, the Articles and to any directions given by special resolution, the business of the Company shall be managed by the Trustees who may exercise all the powers of the Company.”
- Article 100: “Subject to these Articles, the Trustees:
 - may appoint committees to be known as Local Governing Bodies for each Academy (and the same Local Governing Body may be appointed for more than one Academy); and
 - may establish any other committee.”
- Article 101: “Subject to these Articles, the constitution, membership and proceedings of any committee shall be determined by the Trustees. The establishment, terms of reference, constitution and membership of any committee of the Trustees shall be reviewed at least once in every twelve months. The membership of any committee of the Trustees may include persons who are not Trustees, provided that (with the exception of the Local Governing Bodies) a majority of members of any such committee shall be Trustees. Except in the case of a Local Governing Body, no vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of members of the committee present are Trustees.”
- Article 105: “The Trustees may delegate any of their powers or functions (including the power to sub-delegate) to any Trustee, committee (including any Local Governing Body), the Chief Executive Officer or Principals or any other holder of an executive office. Any such delegation shall be made in writing and subject to any conditions the Trustees may impose, and may be revoked or altered.”
- Article 105A: “A Trustee, committee (including any Local Governing Body), the Chief Executive Officer, the Principals or any other holder of an executive office to whom a power or function of the Trustees is delegated under Article 105 may further sub-delegate those powers or functions (or any of them) to a further person. Where any power or function of the Trustees is sub-delegated by any person to whom it has been delegated, that person must inform the Trustees as soon as reasonably practicable which powers and functions have been further delegated and to whom, and any such sub-delegation shall be made subject to any conditions the Trustees may impose, and may be revoked or altered.”
- Article 106: “Where any power or function of the Trustees has been exercised by any committee (including any Local Governing Body), any Trustee, the Chief Executive Officer or Principals or any other holder of an executive office, or a person to whom a power or function has been sub-delegated under Article 105A, that person or committee shall report to the Trustees in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Trustees immediately following the taking of the action or the making of the decision.”
- Article 107: “The Trustees shall appoint the Chief Executive Officer and the Principals of the Academies. The Trustees may delegate such powers and functions as they consider are required by the Chief Executive Officer and the Principals for the internal organisation, management and control of the Academies (including the implementation of all policies approved by the Trustees) and for the direction of the teaching and curriculum at the Academies.”

Appendix Two: Committee Terms of Reference

General notes

All committees have the following responsibilities. To:

- receive reports about matters relating to any of the issues listed in their terms of reference;
- contribute to, monitor and evaluate relevant parts of the academy or Trust self-assessment and improvement / development plans;
- contribute to, monitor and evaluate the policies allocated to them, reporting or making recommendations to the LGB or Board of Trustees as appropriate;
- consider recommendations from relevant external reviews for example audit, Ofsted or local authority review, to agree the actions needed to address any issues identified and to monitor and evaluate regularly the implementation of any plan agreed, reporting or making recommendations to the LGB or Board of Trustees as appropriate;
- consider the views of students when these have been sought;
- consider the impact on equality, and act with regard to the equality duty at all times;
- act in accordance with the requirements of the Articles of Association, Funding Agreements, statutory DfE guidance, and the Nolan principles of public life at all times;
- take appropriate action on any other relevant matter.

The General Equality Duty

In accordance with the Equality Act, whereby the Academy Trust is a public body, all committees must have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The following are the protected characteristics within the Equality Act:

- Age (not pupils)
- Disability
- Ethnicity and race
- Gender
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Religion and belief
- Sexual identity and orientation

Nolan 7 principles of public life

1. Selflessness – holders of public office should act solely in terms of the public interest.
2. 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.
3. Objectivity – holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. 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.
5. 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.
6. Honesty – holders of public office should be truthful.
7. Leadership – holders of public office should exhibit these principles in their own behaviours. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

a) Board of Trustees

Purpose

The Board of Trustees is accountable for the performance of the Trust. To discharge this accountability it will retain responsibility for:

- setting the vision and strategy for the Trust;
- ensuring the quality of educational provision within the Trust;
- challenging and monitoring the performance of each school within the Trust;
- managing the Trust's resources effectively;
- appointing the Headteachers, and Chief Finance Officer;
- ensuring that the Trust complies with charity and company law;
- ensuring that the Trust and each school complies with the Funding Agreements; and
- exercising reasonable skill and care in carrying out its duties.

The Board exercises the powers of the Academy Trust as set out in the Articles – it is able to make decisions about any area of Trust activity, and is the only body within the Trust able to take the 'Reserved Decisions'.

Membership, Meetings and Quorum

Membership: As set out in Articles 46 and 58 of the Articles of Association.

Quorum: As set out in Articles 117 and 119 of the Articles of Association.

Meetings: Article 109 of the Articles of Association requires at least three a year; the Board shall meet at the frequency set out in Appendix 3 with additional meetings as required.

Term of office: The term of office for all Trustees (except the CEO) is four years. Trustees are eligible for reappointment, although it is expected that Trustees would not serve more than the equivalent of three full terms (12 years) other than in exceptional circumstances specifically approved by the Members.

Chair and Vice-Chair: Elected at the final meeting of an academic year to take effect from 1 September for the following academic year. The Chair and Vice-Chair must not be employees of the Trust.

Reserved Decisions

The following are Reserved Decisions whereby the Board of Trustees would make the final decision and authority is not delegated to any Committee or individual:

- Approval of the vision and strategy for the Trust;
- Approval of the budget for each academy;
- Approval of the Annual Report and accounts;
- Approval of any changes to staff terms and conditions;
- Approval of any proposals for other schools to join Harrow Academies Trust (whether these are existing schools or Free School applications);
- Approval of any proposals for a school to leave Harrow Academies Trust;
- Appointment the Chief Executive (if one is to be appointed), Headteachers and Chief Finance Officer on the advice of the appropriate selection panel;
- Approval of the Scheme of Delegation and Financial Regulations; and
- Approval of the policies listed in Appendix Eight that require Board of Trustees approval.

Terms of Reference

The Board will make strategic and key financial / operational decisions to enable the Trust to perform as effectively and efficiently as possible. The Board will make decisions and receive monitoring / evaluation reports (with actions / decisions as necessary) regarding:

- The leadership and management of the trust, including the effective deployment of resources (including money, staff, and infrastructure such as site / buildings and ICT);
- The performance of the trust, including targets and measures of educational, financial, and operational performance; and
- The compliance of the trust with its legal and contractual obligations, including safeguarding (including prevent), health and safety, equalities, and the approach to risk identification and management.

Chair's Action

In accordance with Article 102 of the Articles of Association it is recommended that in the event that the Chair, or Vice Chair if the Chair is unavailable, is of the opinion that a matter of urgency exists and a delay in exercising the function would likely be seriously detrimental to the interests of the Trust, any school within the Trust, any pupil or their parent or a person who works at the Trust, then they may exercise any function of the Company which can be delegated to an individual but not any function relating to the exclusion of pupils.

b) Audit and Compliance Committee of the Board of Trustees

Purpose

The role of the Audit and Compliance Committee is to maintain an oversight of the Trust's governance, risk management, internal control and value for money framework.

Membership, Meetings & Quorum

The membership will consist of at least three Trustees, excluding the Chair of Trustees and the Accounting Officer who may not be members of the Committee. The committee may co-opt up to two external members.

The Audit and Compliance Committee will be quorate if three members are present and 50% of members present are members of the Board of Trustees.

The meeting schedule will be as set out in Appendix Four with additional meetings as required.

The Audit and Compliance Committee will meet at least three times a year.

The clerk for this committee will be appointed by the committee members.

Terms of Reference

The duties of the Audit and Compliance Committee are to:

External audit and internal scrutiny / extended assurance

1. Advise the Members on the appointment, following procurement, or the dismissal of the external and regularity auditor ("external auditor");
2. Note the re-appointment of the external auditor following their initial appointment by the Members, subject to a requirement to re-tender the service at least every five years (or to recommend re-tendering at a shorter interval if that is appropriate);
3. Meet with the external auditor, without management present, at least annually;
4. Direct the programme of internal scrutiny, including approving the work programme annually, and any appointment of an external organisation.
5. Review the ratings and responses on the risk register to inform the work programme.
6. Ensure risks are being addressed appropriately through internal scrutiny.
7. Receive all reports from internal scrutiny / extended assurance and reports from other organisations commissioned by the academy trust in the area of compliance and consider any issues raised, the associated management response and action plans at each meeting.

Compliance

1. Monitor Health and Safety arrangements and compliance, including any notifications to external organisations such as the HSE;
2. Monitor GDPR arrangements and compliance, including cyber security, including notifications to Information Commissioners Office;
3. Ensure information submitted to DfE and ESFA that affects funding, including pupil number returns and funding claims (for both revenue and capital grants) completed by the trust is accurate and in compliance with funding criteria.
4. Monitor compliance with statutory or Funding Agreement requirements;

Risk

1. Consider the appropriate tolerance of risk across HAT's activities and advise the Board as appropriate;
2. Identify and investigate potential risks that – if realised – would have a material impact upon HAT's operations or performance.
3. Monitor and review the HAT risk register, ensuring that appropriate management controls are in place to reduce risks once identified;
4. Ensuring that each school has, maintains and responds to its own risk register, and that there is appropriate escalation of key school risks to the HAT risk register;

General

1. Advise the Board of Trustees and Accounting Officer on the adequacy and effectiveness of HAT's governance, compliance, risk management, and internal financial and non-financial control systems / frameworks;
2. Monitor outstanding audit and inspection recommendations (including Health and Safety) from whatever source and ensure any delays to implementation dates are reasonable;
3. Consider outputs from other assurance activities by third parties including ESFA financial management and governance reviews, funding audits and investigations.
4. Monitor allegations and incidents of fraud or irregularity (and lead the investigation of any such potential fraud or irregularity involving Headteacher, CFO or CEO);
5. Monitor the management of potential conflicts of interest;
6. Contribute to the Board's self-evaluation, including proposals to improve the effectiveness of the Committee and / or of HAT governance; and
7. Review, recommend and approve policies as required by the Scheme of Delegation.

Within its purpose, and so long as it is compliant with the Articles and this Scheme of Delegation, and so long as it does not undermine a decision of the Board of Trustees, the Committee may make any decision necessary to ensure compliance and the effectiveness of the academy trust. The Committee may make a recommendation to the Board about any topic.

c) Local Governing Body of an open school

Purpose

- To set the curriculum for the school and monitor standards to ensure that every pupil makes good progress and achieves well.
- To set the School Development Plan and monitor its implementation to ensure that provision continues to improve.

Membership, Meetings & Quorum

Membership: As approved by the Board. The LGB may invite other members of staff to attend in a non-voting capacity. There must always be at least two governors who were, at the time of their appointment, parents of children at the school; if the LGB is unable to recruit parent governors in two consecutive processes of seeking nominations, the Board shall be entitled to appoint individuals in the accordance with Articles 54A and 56.

The following LGB structure will apply:

Pinner High LGB	<ul style="list-style-type: none">• 1 Headteacher (ex-officio)• 1 staff• 2 parents• Up to 10 appointed by the Board, which would normally be expected to include at least one parent.• 0 Co-opted
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The LGB expects the Board (when appointing Governors), and itself when co-opting Governors, to appoint individuals who between them have many of the following skills / experiences:

- Educational leadership / governance expertise, including SEND expertise
- Expertise in other public services delivering to our community (i.e. health, children's services)
- Financial understanding
- Legal expertise
- Commercial / contracts expertise
- Property expertise (such as surveyor, construction, architect)
- Human Resources expertise
- Marketing and business development expertise
- Local community knowledge and expertise

This list is not exhaustive

Appointment of Governors:

- Headteacher – ex-officio
- Parents: Parent governors shall be appointed by the following process:
 - Seeking nominations from all parents based upon skill sets that the LGB's skills audit and the school improvement plan indicate are most important for effective governance of the school;
 - If there are fewer nominations than vacancies, and if the nominees have appropriate skills sets, the nominees are appointed by the LGB, and the LGB then seeks to appoint additional parents with appropriate skills as parent governors to fill any vacancies (posts can be held vacant until the following term where the LGB considers this appropriate, such as to enable parents of an incoming year group to be eligible);
 - If there are more nominations than vacancies, Governors will develop a shortlist of the nominations who have appropriate skill sets (and this process may involve meeting nominees), and an election will be held where the parents / carers of each

child attending the school on the date that the election starts are entitled to vote (one vote per child) for the shortlisted nominees. The nominee with the largest number of votes will be appointed by the LGB; if there was more than one vacancy this process shall be repeated until all vacancies are filled (i.e. if two vacancies, the two nominees with the most votes shall be appointed).

- Staff: The staff governor shall be appointed by the following process:
 - Seeking nominations from staff;
 - If there is only one nomination, the nominee is appointed by the LGB. If there remains a vacancy due to a lack of nominees, the LGB may approach and, with their consent, appoint an eligible individual.;
 - If there are more nominations than vacancies, an election will be held whereby every member of staff employed by HAT at Pinner High School on the date that the election starts would be entitled to vote (one vote per member of staff) for the nominees. The nominee with the largest number of votes will be appointed by the LGB.
- LGB Co-opted: Co-opted by ordinary decision of those Governors who are not themselves co-opted based on the skills / experience that is required by the LGB to ensure its effectiveness.
- Board appointed: Appointed by ordinary resolution of the Board based on the skills / experience that is required by the LGB to ensure its effectiveness.

Term of office:

- Headteacher / Head of School: Ex-officio
- Parent / Staff Governors: 4 years
- LGB Co-opted: LGB to specify a term of not longer than 4 years
- Board appointed: 4 years. The Board may remove a 'Board appointed governor' at any time (even during their term of office) if they believe that the person has not adequately fulfilled the role of Governor.

Individuals will be eligible for re-election or re-appointment.

All Governors must comply with the provisions within the Articles of Association for ineligibility as if they were Trustees of the Trust.

Governors of the school must declare conflicts of interest in accordance with the Articles of Association and Trust policy as if they were Trustees of the Trust.

Meetings: As set out in Appendix Four with additional meetings as required.

Meetings of the LGB will be quorate if 5 or one-half of Governors are present (whichever is the greater); this provision applies to every part of the meeting.

Each Governor shall have one vote and shall be able to vote by proxy if they have notified the Chair in advance of their views. All decisions require a majority of the persons present and entitled to vote. The Chair will have a second and casting vote if necessary. Resolutions can be passed in writing, signed by all eligible Governors, and this will be as effective as if the resolution had been passed at a meeting.

Chair and Vice-Chair: Elected by the LGB at the first meeting each school year. The Chair and Vice-Chair must not be employees of the Trust.

Terms of Reference

Subject to the provisions of the Articles, this Scheme of Delegation and the Reserved Decisions, the LGB may make any decision necessary to provide high quality education within the school. The objectives of the LGB are to ensure that:

- Student performance, progress and outcomes are maximised;

- Resources of the school are used effectively; and
- The school complies with statutory regulations and the Funding Agreements.

Specifically, the LGB is to:

- Approve the School Development Plan and monitor its implementation, ensuring that it focuses upon:
 - Maintaining and, where necessary, improving the quality of teaching;
 - Closing any identified gaps in performance, be these subjects or identified groups of students;
 - Continuous Professional Development of staff;
- Approve the curriculum and monitor its delivery;
- Recommend educational targets to the Board of Trustees and, once approved, monitor progress towards those targets;
- Determine and implement the admissions policy and arrangements for the school in accordance with admissions law and DfE codes of practice;
- Monitor staff and financial resources in accordance with this Scheme of Delegation;
- Ensure that Governors have the appropriate skills and knowledge to perform their role, including undertaking training as required; and
- Review and adopt policies in accordance with this Scheme of Delegation.

A LGB may set up a Working Group where appropriate to explore or oversee a time-limited project or issue. At the time of its establishment, the LGB shall establish Terms of Reference for the Working Group, including membership and any delegated authority (if it is to have delegated authority, the majority of individuals on the Working Group and at any meeting making a decision must be Governors, there must be three Governors present at any meeting making decisions).

d) Students, Standards and Achievement Committee (one per LGB of an open school)

Purpose

The role of the Students and Achievement Committee is to:

- Ensure that all students are safe and well-supported so as to maximise their physical and emotional well-being;
- Ensure that the progress and outcomes for all students are maximised through an effective curriculum, high quality teaching and learning, and effective support and intervention; and
- Undertake its operational responsibilities/duties as set out in Appendix 6.

Membership, Meetings and Quorum

- Membership: At least half of all Governors of the LGB, although all Governors are entitled to attend the Committee.
- Quorum: 3 Governors who are entitled to vote.
- Chair: To be elected by the Committee at its first meeting each academic year.
- Meetings: As set out in Appendix Four with additional meetings as required.

Terms of Reference

In order to carry out its Purpose, the Committee will:

- Review and determine the Admissions Policy for the school, including the prioritisation of applications
- Have an overview of the curriculum, including ensuring that it complies with statutory or contractual requirements, and of any proposed changes;
- Propose educational targets (including attendance, progress, and attainment), and monitor progress towards achieving them;
- Oversee, understand and monitor the School Self-Evaluation and the School Development Plans;
- Monitor school based, local and national performance data and reports (e.g. ASP), evaluating levels of progress, attainment and achievement and analysing the performance of different groups and subjects;
- Monitor provision to ensure that the school fulfils its responsibilities for pupils with special educational needs and with disabilities;
- Monitor the provision for and evaluate the progress and attainment of vulnerable groups e.g. children eligible for FSM (including use of pupil premium), looked after children, young carers, and evaluate the effectiveness of intervention strategies;
- Monitor the quality of teaching and learning and evaluate its impact;
- Receive external reviews of performance (including SIP reports) and monitor implementation of recommendations;
- Monitor and evaluate the range and the impact of extended activities on pupil learning;
- Monitor application of child protection and other policies relevant to safeguarding to ensure compliance with legislation and local practice, and propose policy or procedure improvements as necessary;
- Monitor attendance, punctuality and exclusions;
- Monitor application of the school's behaviour and discipline policies, and monitor incidences of bullying, discrimination, etc and advise on appropriate strategies;
- Monitor provision to help students make informed decisions for a healthy lifestyle – physically, emotionally and socially;
- Monitor feedback from students, staff, families, the community; and
- Review and approve policies as set out in the Scheme of Delegation.

e) Finance and Resources Committee (one per LGB of an open school)

Purpose

The purpose of the Finance and Resources Committee is to ensure that the staffing, financial, and infrastructure (buildings and ICT) resources of the school are effective, efficient, and support the objective of maximising student outcomes at every school.

The Finance and Resources Committee has operational responsibilities/duties as set out in Appendices 6 and 7.

Membership, Meetings and Quorum

- Membership: At least half of all Governors of the LGB, although all Governors are entitled to attend the Committee.
- Quorum: 3 Governors who are entitled to vote.
- Chair: To be elected by the Committee at its first meeting each academic year.
- Meetings: As set out in Appendix Four with additional meetings as required.

Terms of Reference

In order to carry out its Purpose, the duties of the Finance and Resources Committee are to:

Finance

- Approve the banking arrangements for the school, including keeping the bank mandate and credit cards under regular review;
- Develop the proposed budget for the following financial year and then recommend the budget to the Board of Trustees for approval;
- At each meeting, receive, review, and challenge budget monitoring reports detailing the financial position of the school, including actual income and expenditure, commitments, virements and current budget, forecast outturns, asset register changes, and any decisions taken under delegated authority that should be reported to the committee;
- Scrutinise and review the cost and quality of shared services;
- Use benchmarking data from within and beyond the trust to scrutinise financial and operational performance;
- Make financial decisions regarding expenditure and virements in accordance with Appendices 6 and 7, or make recommendations to the LGB / Board where actions are required that exceed the authority of the committee;
- Scrutinise performance of major service contracts (such as catering, cleaning, grounds maintenance);
- Review and recommend treasury management to the Board;
- Maintain the stability of the school and trust financial position by monitoring cashflow;
- Ensure insurance arrangements are in place;
- Receive assurance reports from the Auditor and ensure that recommendations are actioned;
- Review and approve policies as required by the Scheme of Delegation.

HR

- Scrutinise staffing information, including ensuring that the staffing structure is effective and efficient, monitoring vacancy / agency levels and recruitment, monitoring staff leaving and the reasons for this, monitoring staff attendance, and monitoring the implementation of recruitment, performance management and the pay policies;
- To be directly involved in recruitment of senior staff in accordance with the Scheme of Delegation and ensure that individuals involved are suitably trained;

- To lead succession planning at school and trust level;
- Lead reviews of HR policies to ensure that they remain compliant and support the Academy Trust being an employer of choice and recommend these policies to the Board;
- Review and approve policies as required by the Scheme of Delegation.

Premises

- Monitor the infrastructure at the school to ensure that the site and buildings are safe and fit for purpose (and seek funds for any necessary works);
- Ensure premises / ICT / Health and Safety issues are captured within the School Development Plan (including accessibility planning) to improve the effectiveness and / or efficiency of the school;
- Ensure that the school complies with testing / inspections requirements;
- Oversee capital expenditure plans and school strategy for the management of assets;
- Scrutinise the effectiveness of any community use of school premises; and
- Review and approve policies as required by the Scheme of Delegation.

Risk

- To regularly review the key risks facing the school and the proposed mitigating actions, feeding into the overall Trust risk register.

f) Local Governing Body of a school in the pre-opening phase

Purpose

The purpose of the Committee is to prepare a school for a successful launch within Harrow Academies Trust.

Subject to provisions of these Terms of Reference, the Companies Act 2006, the Articles, the Scheme of Delegation, and to any directions given by the Trustees, the Local Governing Body may exercise all the powers of the Company within their remit.

Membership, Meetings & Quorum

Membership: As set by the LGB, including any directions provided by the Board.

The term of office of a Governor appointed prior to the school opening (excluding the Headteacher once appointed) shall be until the end of the second term of the school being open. This is to provide for a phased transition. Individuals will be eligible for re-election or re-appointment to the LGB of the open school.

Community Governors shall be sought by an appropriate process that seeks individuals with the necessary skills.

All Governors must comply with the provisions within the Articles of Association for ineligibility as if they were Trustees of the Trust.

Governors of the school must declare conflicts of interest in accordance with the Articles of Association as if they were Trustees of the Trust.

Meetings: The LGB shall meet as required; it is anticipated that the LGB will meet approximately monthly for the 18 months prior to opening.

Meetings of the LGB will be quorate if 3 or one-third of Governors are present (whichever is the greater); this provision applies to every part of the meeting.

Each Governor shall have one vote and shall not be able to vote by proxy. All decisions require a majority of the persons present and entitled to vote. The Chair will have a second and casting vote if necessary. Resolutions can be passed in writing, signed by all eligible Governors, and this will be as effective as if the resolution had been passed at a meeting.

Chair and Vice-Chair: Elected by the LGB at the first meeting each school year, at which meeting the LGB would also confirm which governor would be appointed to the Board. The Chair and Vice-Chair must not be employees of the Trust.

Terms of Reference

The LGB is empowered to develop the detailed proposals for the new school, and to implement these proposals.

The LGB will lead the interface with the DfE, ESFA, and Ofsted for pre-opening assessments.

The following table outlines the decision making powers of the Trustees and LGB of a school in the pre-opening phase.

Decision	Taken by
Governance	

Determination of LGB structure for a school that is not yet open	Board of Trustees (LGBs to recommend to BoT)
Appointment of trust-appointed governors	Board of Trustees (LGBs to recommend individuals or the skill sets desired)
Appointment of co-opted governors	LGB
Appointment of Chair and Vice-Chair of LGB	<ul style="list-style-type: none"> • 2 years before opening: Board to appoint Chair from a Board-appointed governor; LGB to elect Vice-Chair • 1 year before opening: LGB to elect Chair and Vice-Chair
Approval of policies for the new school	As set out in Appendix Eight (the “policy grid”)

Staffing	
Appointment of Headteacher	LGBs to lead process and recommend to Board which makes the final decision
Approval of staffing structure for first year of opening	Board to set overall budget framework (such as % of budget to be spent on staffing, operating surplus requirements), and LGB to then set staffing structure within that.
Appointment to approved posts	Headteacher; LGB involved for posts reporting directly to the Headteacher

Financial	
Approval of budget for PDG usage	Board of Trustees
Authorisation of spend from PDG budget	As set out in the PDG budget approval
Authorisation to submit PDG usage returns to DfE	Chief Financial Officer (reporting to Board / LGBs before or after submission as required by DfE timeframe)
Determination of Trust top-slice for first year of opening	Board of Trustees
Approval of budget for first year of opening	Headteacher / Chief Financial Officer to recommend budgets to LGB and then to Board for final decision

Student experience	
Approval of admissions policy for first year of opening	LGB
Approval of prioritised on time applications for first year of opening	LGB
Approval of late applications for first year of opening (if spaces, or managing the waiting list)	Headteacher
Approval of school day	LGB
Approval of school year	LGB
Approval of school uniform	LGB
Approval of curriculum for first year of opening	LGB
Approval of school policies (i.e. curriculum, SEN, behaviour, home-school agreement etc)	LGB (Headteachers are expected to work together to have a common ‘policy’ with school specific ‘procedures’)

Site and Capital project	
Approval of the permanent site for the school	LGB to recommend to Board for decision
Approval of any temporary site / accommodation arrangements for the school	LGB to recommend to Board for decision
Approval and management of any interim usage of the school site and entering into associated agreements	LGB
Approval of any land transfer documentation (freehold or leasehold)	LGB following advice from ESFA
Appointment of design team for capital works	LGB following advice from ESFA
Approval of accommodation schedule / scope of capital project	LGB

Approval of feasibility study	LGB
Appointment of contractor	LGB following advice from ESFA regarding procurement process and tender evaluation
Approval of planning application submission	LGB
Approval of final capital project	LGB
Approval of any variations to the agreed scheme	LGB

Other	
Approval of SEN SLA with local authority	LGB
Approval of whether the new school has a nursery	LGB

LGBs and staff are able to further delegate, but responsibility remains with the LGB or person to whom the above table delegates responsibility.

g) Headteacher Performance Review Committee

A panel of three individuals, including at least two Trustees (and Chaired by a Trustee), to meet annually with the Headteacher to set and review objectives for the Headteacher and to make a salary determination in accordance with the Trust's Pay Policy.

h) Pay Committee (one per LGB of an open school)

Purpose

The Committee is responsible for determining the pay and undertaking the pay review for staff in accordance with the trust's Pay Policy.

Membership, Meetings and Quorum

Membership: 5 Governors, with no Governors who are employees being eligible for this Committee due to conflicts of interest.

Quorum: 3 Governors who are entitled to vote.

Meetings: As required.

Terms of Reference

The committee's principal duty is to determine the pay and undertake the pay review for staff (except Headteacher) in accordance with the trust's Pay Policy. In order to carry out this duty, the committee will:

1. Determine as set out in the Pay Policy:
 - a. taking account of the recommendation of the Headteacher, the pay progression of each eligible teacher at the annual review carried out by the Pay committee in accordance with the Pay Policy;
 - b. the award of points on the Leadership Pay Spine for the Headteacher and leadership team;
 - c. progression on to and on the Upper Pay Range;
 - d. all other discretionary payments as set out in the Pay Policy;
2. Receive information regarding support staff job evaluation, pay bands and pay progression as appropriate.
3. Report to the Trust Board:
 - a. that a meeting has taken place and the general purpose and outcome of that meeting without identifying specific individuals;
 - b. in respect of its decisions in relations to staff pay without identifying specific individuals so that the annual pay budget can be determined from time to time;
4. Have regard to the School Development Plan and any budget information (including views of the Trust Resources Committee) when determining discretionary payments;
5. Minute clearly the reasons for all decisions and report the fact of these decisions (on an anonymised basis) to the next meeting of the Trust Board;
6. Provide anonymised information to the LGB and Trust Board from the last three years, which shows the patterns of progression of teachers.

Appendix Three: Panels

The following Panels may be convened as required.

1. Complaints Panel – convened as required and subsequent report to the next LGB meeting, including any lessons learned for the school and / or recommendations for policies or procedures.
2. Employment Appeals Panels – convened as required for grievance, dismissal, or dismissal appeal hearings and report and report to the next LGB / Board meeting as appropriate, including any lessons learned for the school and / or recommendations for policies or procedures.
3. Headteacher / Deputy Headteacher appointment Panel – convened as required and report to the next LGB / Board meeting as appropriate, including any lessons learned for the school and / or recommendations for policies or procedures.
4. Pupil Exclusions Panel – convened as required and report to the next LGB meeting, including any lessons learned for the school and / or recommendations for policies or procedures.

Individuals should only be part of a panel after they have received suitable training.

In each situation, the Panel will include the appropriate number of Governors (as specified in the relevant policy or, if not specified, three Governors) who have not previously been involved with the incident and have no prior knowledge of the incident concerned. For complaint hearings, the panel shall include an individual who is independent from the management and running of any school within the Trust.

Each committee will have an appropriately qualified clerk.

The committee will follow procedures as set down in the relevant policy or as set out in law as appropriate.

If a second or appeal panel is required, this shall include three different Governors.

If a Headteacher is the subject of the staffing issue or complaint, the roles above undertaken by governors will instead be undertaken by Trustees.

Appendix Four: Annual cycle of meetings and key agenda items

Autumn term	Spring term	Summer term
<ul style="list-style-type: none"> LGB 1 LGB SS&A 1 	<ul style="list-style-type: none"> LGB F&R 2 LGB SS&A 2 	<ul style="list-style-type: none"> LGB F&R 3 LGB SS&A 3
Half-term		
<ul style="list-style-type: none"> LGB F&R 1 LGB Pay Committee 1 LGB 2 BoT A&C 1 BoT 1 Members 1 	<ul style="list-style-type: none"> LGB 3 BoT A&C 2 BoT 2 	<ul style="list-style-type: none"> LGB 4 BoT A&C 3 BoT 3 Members 2

All meetings may have policy reviews in accordance with the requirements of Appendix Eight.

At the first meeting of the year, each committee and sub-committee will determine the dates and timings of its meetings (in accordance with this Appendix Four) for the academic year to maximise attendance and effectiveness.

Meeting	Agenda items
LGB 1 By end of September	Elect chair and vice chair Plan agenda / key issues for the year Initial outturn for previous financial year Review any contextual changes (DfE policy, Ofsted framework etc)
LGB Students, Standards and Achievement 1 By end of September	Review exam / national test results for previous academic year Review progress against previous School Improvement Plan New cohort pupil profile Propose educational targets for this academic year Propose School Improvement Plan Propose School Evaluation Form (SEF)
LGB Finance and Resources 1 1 st week in November	Initial outturn for previous financial year (school for LGB sub-committee; by school and for trust overall for Board committee)) End of Year Audit findings / action plans DfE / ESFA policy update (including latest AFH) Month 1 Finance Report Staffing data
LGB Pay Committee 1 4 th week in November	Determine salary / pay progression for relevant staff.
LGB 2 4 th week in November	Committee reports Whether to consult on changes to admissions policy Month 2 Finance Report Staffing for next year
Board A&C 1 Committee Immediately before BoT 1	Annual Report and Accounts Auditor Report / Management Letter Extended assurance report(s) / actions Risk register Compliance Report
BoT 1	Elect chair and vice chair Plan agenda / key issues for the year Review any contextual changes (DfE policy, Ofsted framework etc)

2 nd week in December	Approve educational targets for this academic year (LGB to propose to BoT) Approval Annual Report and Accounts
Members 1 Immediately after BoT 1	Annual Report and Accounts Any Member decisions required (Trustee appointments, Special Resolutions)
[SS&A meeting for Admissions] [January]	Prioritisation of admissions applications Determination of admissions policy for next year + 1 (if consultation, if it was necessary, has concluded)
LGB F&R 2 3 rd week in January	Month 4 Finance Report Staffing data + staffing for next year Review of major school / trust contract performance (catering, cleaning, grounds) Term 1 extended assurance report(s)
LGB S&A 2 4 th week in January	Term 1 safeguarding, absence / exclusions, behaviour Term 1 student progress and achievement data / report APS / comparative performance data Term 1 HT and SIP reports Approve Admissions Policy for next year + 1 (by 28/2) Updated SEF / SIP following validated data SEN review / policy Pupil premium review
LGB 3 2 nd week of March	Committee reports Approve SEND Policy review and update Month 6 Finance Report (half-year full review) Initial budget assumptions for next year
Board A&C 2 Committee Immediately before BoT 2	Extended assurance report(s) / actions Risk register Compliance report
BoT 2 3 rd week of March	Key performance reports from each school (inc term 1 data) Staffing for next year SEND policy review and update Month 6 Finance Report Initial budget assumptions for next year
LGB F&R 3 1 st week of May	Projected current year financial outturn predictions Initial budget for next financial year – review and challenge Term 2 extended assurance report(s)
LGB SS&A 3 2 nd week of May	Term 2 safeguarding, absence / exclusions, behaviour data / report Term 2 student progress and achievement data / report Term 2 HT and SIP reports (CEO for BoT) Projected performance in national KS assessments Updated SEF
LGB 4 3 rd / 4 th week of June	Committee reports Month 9 Finance Report / Projected financial outturn for current year Review of the school year Term 3 extended assurance report Recommend budget for next year to Board Pay Policy
BoT A&C 3 Immediately before BoT 3	Extended assurance programme for next year Extended assurance report(s) / actions Risk register Compliance Report

	H&S review (including statutory inspections)
BoT 3 1 st week of July	Key performance reports from each school (inc term 2 data and projected examination performance) Month 9 Finance Report / Projected financial outturn for current year Review of the trust year Policies: Scheme of Delegation, Pay. Approve budget for following financial year
Members 2 Immediately after BoT3	Trust performance (educational, financial, operational), including following year budget / priorities Review of Board and Trustee performance Any Member decisions required (Trustee appointments, Special Resolutions)

Appendix Five: Expectations of Members, Trustees, and Governors

The Role of a Member

The Members fulfil a strategic role as guarantors, where the most visible part of their role is to appoint (and if necessary remove) Trustees but they also have to approve changes to the name of the Academy Trust and the Articles of Association.

Each Member is liable for up to £10 if the Trust becomes insolvent.

Requirements of Members (or those representing corporate Members)

The requirements of Members are to:

1. To understand the strategy of HAT and the broader educational context;
2. To understand the requirements of the Member role and appoint suitable individuals as Members, or remove Members if that is necessary, in accordance with the provisions of the Articles of Association (such as Article 12 requiring there to be not less than three members, and Article 12A which prevents any employee being a Member);
3. To understand the requirements of the Trustee role and appoint suitable individuals as Member appointed Trustees, or remove Member appointed Trustees if that is necessary, in accordance with the provisions of the Articles of Association. Members' are expected to take account of the skills, knowledge and experience already on the Board when appointing Trustees, and also to consider the skills that are most necessary in order to deliver the strategy of HAT;
4. Review performance of the Board of Trustees, including Member appointed Trustees, and challenge, and if necessary remove, Member appointed Trustees where those individuals have not, in accordance with the Articles or in the reasonable opinion of the Members, contributed sufficiently to the leadership of the trust;
5. Consider requests from the Board for decisions reserved to Members (such as changing the name of the trust, changing the Articles of Association of the trust);
6. Challenge the strategy and performance of the Board through General Meetings.
7. To attend General Meetings, and ensure that they have read any associated reports in advance and so are able to contribute effectively; and
8. To be involved in other processes that require Member decisions, whether by General Meeting or written resolution.

Likely Time Commitment for Members (or those representing corporate Members)

In terms of the time commitment, it is likely to be:

1. Attendance at two scheduled General Meetings a year.
2. Involvement in processes for appointing or removing Members or Trustees, which may involve attending a General Meeting or completion of written resolutions.
3. Involvement in other processes that require Member resolutions.

Person Specification for Members (or those representing corporate Members)

An effective Member will demonstrate:

1. A commitment to securing the best educational outcomes for all children;
2. A commitment to the vision, values, and objectives of the trust;
3. An ability to question effectively;
4. An ability to appoint effective trustees, with appropriate skill sets, to lead the trust; and
5. The decisiveness to remove Trustees where they are ineffective.

The Role of a Trustee

The individuals on the Board of Trustees are called Trustees (while the individuals on a Local Governing Body are called Governors).

The Board of Trustees is accountable for the performance of the Trust. It is responsible for the leadership of the Trust, and for establishing delegations to LGBs and to Headteachers for the day to day operational management of the schools within the Trust.

To discharge its accountability the Board will retain responsibility for:

1. setting the vision and strategy for the Trust;
2. ensuring the quality of educational provision within the Trust;
3. challenging and monitoring the performance of each school within the Trust;
4. managing the Trust's resources effectively;
5. appointing the Headteachers, and Chief Finance Officer;
6. ensuring that the Trust complies with charity and company law;
7. ensuring that the Trust and each school complies with the Funding Agreements; and
8. exercising reasonable skill and care in carrying out its duties.

The role of a Trustee is not to manage operations – that is the role of Headteachers and senior staff; the role of Trustees is to set strategy and hold the Headteachers to account for delivery of that strategy and performance (including compliance).

The Board of Trustees is a corporate body, which means:

- No Trustee can act on their own without proper authority from the Board of Trustees;
- All Trustees carry equal and collective responsibility for decisions made; and
- The overriding concern of all Trustees is to the success of the Trust overall.

Obligations of Trustees

It is important that Trustees understand their responsibilities under company and charity law, as well as the role of being the legal Governing Body for all schools within the trust.

The latest version of the DfE 'Governance Handbook' (<https://www.gov.uk/government/publications/governance-handbook>) identifies the three key roles of the Governing Body as being:

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

The responsibilities for Trustees / Directors under charity and company law are to:

<p>Trustee responsibilities are to:</p> <ul style="list-style-type: none">• ensure the charity is carrying out its purposes for the public benefit;• comply with the charity's governing document and the law;• act in the charity's best interests;• manage the charity's resources responsibly;• act with reasonable care and skill; and• ensure the charity is accountable	<p>Director responsibilities are to:</p> <ul style="list-style-type: none">• act within their powers;• promote the success of the company;• exercise independent judgment;• exercise reasonable care, skill and diligence;• avoid conflicts of interest;• not to accept benefits from third parties; and• declare any interest in proposed transactions or arrangements.
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Requirements of Trustees

There are four key requirements for each Trustee:

Be compliant

1. Ensure that you are, and remain, compliant with the requirements of the Articles of Association and DfE regarding eligibility to be a Trustee.
2. Ensure that you at all times comply with these expectations for Trustees.
3. Ensure that you comply with policies of the Academy Trust that apply to Trustees, including the Scheme of Delegation, the Financial Procedures, and the policy and practice regarding conflicts of interest.

Be prepared

1. Build your knowledge of the Trust through reading, discussion, and meeting the Headteachers and Chair of Trustees.
2. Understand the legal framework for the Trust and its operations – including familiarity with the Articles of Association, Funding Agreement, Scheme of Delegation, and Ofsted inspection framework – and seek clarification where necessary.

Actively participate

1. Attend meetings of the Board of Trustees, and any committees or working groups that you are part of.
2. Read all papers for meetings in advance of the meetings and then ask questions that are either clarifications or that aid further understanding of the issues and so help discussion about the decisions required.
3. Contribute at meetings, ensuring that you speak, act, and vote in what you believe to be the best interests of the Trust.
4. Commit to training and development opportunities organised by or through the Trust.

Act appropriately

1. Work as a member of a team and form effective relationships with other Trustees / Governors and with senior staff.
2. Respect confidentiality of information and opinions and the need for the Board to have in-depth and private discussions.
3. Act within the framework of the policies of the Trust and its legal obligations.
4. Respect all Board decisions and support them in public.

The role of the Chair of Trustees

The Chair of Trustees has a key strategic role. In addition to the obligations and requirements upon all Trustees that are outlined above, the Chair of Trustees will:

1. Be available for a Headteacher as required in the event of urgent situations, and – where necessary – authorise Chairs' Action;
2. Liaise with the Headteacher and Clerk to set the agenda for Board meetings and to ensure that decisions taken at meetings are implemented and that actions are undertaken *;
3. Support the Headteacher in engagement with major partners, such as the Local Authority, including attendance at and contribution to events organised for Chair of Governors / Trustees *;
4. Support the Headteacher in engaging with schools that may join the Trust *;
5. With the Headteacher, lead engagement with the Members, including regarding any vacancies on the Board to ensure that Members' understand the necessary skills / knowledge / experience that the Board requires;
6. Meet with each new Trustee as part of their induction and ensure that they are able to quickly add value to the Board;
7. Meet with the Chairs and Vice Chairs of each LGB with appropriate regularity to ensure effective engagement, understanding, support and challenge within the Trust *

8. Items marked with an asterisk (*) may be undertaken by or with the Vice Chair by agreement. All items may be undertaken by the Vice Chair in the absence of the Chair.

Likely Time Commitment for Trustees

In terms of the time commitment, for those Trustees other than the Chair and Vice Chair it is likely to be:

- Attendance at approximately six Board or Committee meetings as well as two meetings a year with the Members;
- Attendance at any additional ad-hoc Trustee meetings required during the year;
- Attendance at any agreed training sessions;
- Attendance at any necessary Trustee Panels; and
- The Headteacher may request attendance from Trustees at events for staff or students and Trustees at one school or combined between several schools within the Trust and Trustees are encouraged to attend if possible.

Person Specification for Trustees

An effective Trustee will demonstrate:

- A commitment to securing the best educational outcomes for all children;
- A commitment to the vision, values, and objectives of the trust;
- Strong communication skills in listening, speaking and writing;
- An ability to evaluate and make use of a wide range of information and data;
- The capacity to develop specific knowledge and understanding of the trust and its community;
- The ability to question in a manner that encourages reflection and helps move discussion forward;
- A sense of fairness;
- A commitment to equalities;
- Tact and diplomacy;
- An ability to work as a member of a team;
- An ability to respect confidentiality; and
- A commitment to participate in training and self-evaluation.

The Role of a Governor (of an open school)

The individuals on a Local Governing Body are called Governors (while the individuals on the Board of Trustees are called Trustees).

The Local Governing Body is collectively accountable to the Trustees for the performance of the school that it oversees, and is accountable for decisions that it makes under delegated authority from the Trustees.

The objectives of the LGB are to ensure that:

- Student performance, progress and outcomes are maximised;
- Resources of the school are used effectively; and
- The school complies with statutory regulations and the Funding Agreements.

Specifically, the LGB is to:

- 1) Approve the School Development Plan and monitor its implementation, ensuring that it focuses upon:
 - a) Maintaining and, where necessary, improving the quality of teaching;
 - b) Closing any identified gaps in performance, be these subjects or identified groups of students;
 - c) Continuous Professional Development of staff;
- 2) Approve the curriculum and monitor its delivery;
- 3) Recommend educational targets to the Board of Trustees and, once approved, monitor progress towards those targets;
- 4) Determine and implement the admissions policy and arrangements for the school in accordance with admissions law and DfE codes of practice;
- 5) Monitor staff and financial resources in accordance with this Scheme of Delegation; and
- 6) Review and adopt policies in accordance with this Scheme of Delegation.

The role of a Governor is not to:

- Manage operations – that is the role of the Headteacher and senior staff; the role of Governors is to set strategy and hold the Headteacher to account for delivery of that strategy and performance
- Assess the quality of teaching, or the quality of individual staff – that is the role of the Headteacher through teaching and learning and performance management processes; the role of Governors is to ensure that students are making appropriate progress and that educational and HR policies are appropriate and being implemented

Requirements of Governors

There are four key requirements for each Governor:

Be compliant

1. Ensure that you are, and remain, compliant with the requirements of the Articles of Association and DfE regarding eligibility to be a Trustee as if you were a Trustee.
2. Ensure that you at all times comply with these expectations for Governors.
3. Ensure that you comply with policies of the Academy Trust that apply to Governors, including the Scheme of Delegation, the Financial Procedures, and the policy and practice regarding conflicts of interest.

Be prepared

1. Build your knowledge of the school through reading, discussion, and meeting the Headteacher and Chair of Governors.
2. Understand the legal framework for the school and its operations – including familiarity with the Articles of Association, Funding Agreement, Scheme of Delegation, and Ofsted inspection framework – and seek clarification where necessary.

Actively participate

1. Attend meetings of the Local Governing Body, and any working groups that you are part of.
2. Read all papers for meetings in advance of the meetings and then ask questions that are either clarifications or that aid further understanding of the issues and so help discussion about the decisions required.
3. Contribute at meetings, ensuring that you speak, act, and vote in what you believe to be the best interests of the school (while some Governors are elected by a particular part of our community, the responsibility of all Governors is to the school as a whole).
4. Agree to undertake a 'Lead Governor' role and fulfil it diligently.
5. Commit to training and development opportunities organised by or through the Trust.

Act appropriately

1. Work as a member of a team and form effective relationships with other Trustees / Governors and with senior staff
2. Respect confidentiality of information and opinions and the need for the LGB to have in-depth and private discussions.
3. Act within the framework of the policies of the Trustees, Local Governing Body and legal requirements.
4. Respect all Local Governing Body decisions and support them in public.

Lead Governor roles

In addition to being part of the LGB, Governors will be expected to have a 'Lead Governor' role which will involve developing a greater understanding of a particular aspect of school life. The Governor will be expected to meet relevant staff and ask questions and seek evidence (including dip-sampling / audit of information) to ensure that policies and procedures are being followed and that performance is as reported to the LGB / Board and is acceptable.

The anticipated Lead Governor roles would be:

- Chair of the LGB – to support and challenge the Headteacher and liaise with the Board of Trustees
- Child protection and safeguarding – to review child protection issues / cases, to ensure that statutory and trust policies are being followed, and contribute to reviews of trust policies to ensure that they remain effective
- Vulnerable pupils and SEND – to understand the strategy/ies for supporting vulnerable pupils including those with SEND; to monitor performance of those pupils and seek evidence for the effectiveness of the school support for these pupils; and to contribute to the review of SEND provision and strategies.
- Chair of Students, Standards and Achievement – to lead the Committee in understanding and challenging provision for all students at all schools to maximise their well-being, progress and attainment.
- Chair of Finance and Resources – to lead the sub-committee in understanding and challenging the school budget and Management Accounts, to have oversight of significant procurement processes, to seek evidence about the management of contracts, to understanding the staffing structure and challenge its effectiveness and efficiency, and to understand the infrastructure of the school and formulate appropriate maintenance and investment strategies.
- Risk Management – to have oversight of, and undertake auditing of, approach to Risk Management and risk assessments, including those for educational visits, health and safety,

and premises inspections; to seek evidence of implementing recommendations and learning lessons.

The role of the Chair of Governors

The Chair of Governors has a key role within the LGB. In addition to the obligations and requirements upon all Governors that are outlined above, the Chair of Governors will:

1. Meet with the Headteacher monthly to understand current performance, issues and opportunities;
2. Be available for the Headteacher as required in the event of urgent situations;
3. Liaise with the Headteacher and Clerk to set the agenda for LGB meetings and to ensure that decisions taken at meetings are implemented and that actions are undertaken *;
4. Support the Headteacher in engagement with major partners, such as the Local Authority, including attendance at and contribution to events organised for Chair of Governors *;
5. With the Headteacher, lead engagement with the Trustees, including regarding any Board appointed vacancies on the LGB to ensure that Trustees' understand the necessary skills / knowledge / experience that the LGB requires;
6. Meet with each new Governor as part of their induction and ensure that they are able to quickly add value to the LGB;
7. Agree annual priority areas for focus for each of the Governors, and have an individual annual meeting with each Governor to review their contribution and agree areas for focus and development during the following year;
8. Meet with the Chairs and Vice Chairs of the other LGBs and the Chair and Vice Chair of Trustees with appropriate regularity to ensure effective engagement, understanding, support and challenge within the Trust *;
9. Items marked with an asterisk (*) may be undertaken by or with the Vice Chair by agreement. All items may be undertaken by the Vice Chair in the absence of the Chair.

Likely Time Commitment for Governors

In terms of the time commitment, for those Governors other than the Chair, Vice Chair, and Chairs of a Committee, it is likely to be:

- 4 full LGB meetings a year, which will probably be in the evening;
- Attendance at Committee meetings (one or two committees, each of which meet once a term);
- A termly visit into school as part of your Lead Governor role to meet with the relevant member(s) of staff;
- Attendance at any agreed training sessions;
- Attendance at any necessary Governor Panels (such as for staff or student matters) – these are set up as required and are not expected to be required often; and
- The Headteacher may request attendance from Governors at school events for staff or students and Governors are encouraged to attend if possible (such as new parents' evenings, school shows, staff training days).

Person Specification for Governors

An effective Governor will demonstrate:

- A commitment to securing the best educational outcomes for all children;
- A commitment to the vision, values, and objectives of the school;
- Strong communication skills in listening, speaking and writing;
- An ability to evaluate and make use of a wide range of information and data;
- The capacity to develop specific knowledge and understanding of the school and its community;
- The ability to question in a manner that encourages reflection and helps move discussion forward;

- A sense of fairness;
- A commitment to equalities;
- Tact and diplomacy;
- An ability to work as a member of a team;
- An ability to respect confidentiality; and
- A commitment to participate in training and self-evaluation.

Appendix Six: Decision and Responsibility Matrix

This Appendix sets out significant decisions and responsibilities. For each thematic section, text introduces the philosophy and ethos of the trust, which sets the context for the subsequent decisions / accountabilities.

The key to the table is:

BoT – Board of Trustees or a committee with delegated powers

LGB – Local Governing Body with delegated powers

AO – Accounting Officer

HT – Headteacher of an academy within the Trust

CFO – Chief Finance Officer via the Accounting Officer

BM - Business or Finance Manager at an academy via the Headteacher or CFO.

A = Accountable via delegated powers from Board of Trustees

R = Responsible for undertaking the activity and reporting to the Accountable individual / Committee

Note: Actions taken by a properly constituted committee, or delegated to an individual director or to CEO / Headteacher, are taken on behalf of the Board of Trustees.

Governance

The Board is accountable for all decisions of the Trust, and the performance of all schools within the Trust. The AO is accountable to the Board for the effective use of public funds. Each LGB and Headteacher is responsible for the performance of their school(s).

The Board of Trustees approves the Scheme of Delegation for the Trust, and this details the committee structure along with terms of reference and membership, and outlines who is able to make what decisions (including approving policies). The Scheme of Delegation is reviewed at least annually. The Scheme of Delegation allows for the Trustees to vary the delegation to each LGB or office holder in response to the performance of and risk associated with that school.

Each committee (such as Board or LGB) elects its own chair and determines its detailed working arrangements within the framework set by the Scheme of Delegation.

	Standard delegation						Potential variation
	BoT	LGB	AO	HT	CFO	Other	
Appointing / removing Members						✓ Members	
Appointing / removing Member appointed Trustees	Involved					✓ Members	
Appointing / removing Co-opted Trustees	✓						
Approving the Articles of Association	Propose					✓ Members and Sec of State	
Approving a change of name of the Trust	Propose					✓ Members	
Appointing / removing the Chair and Vice-Chair of Board of Trustees	✓						
Appointing / dismissing the clerk to the Board	✓						
Appointing / dismissing the clerk to a Committee						Each committee	
Appointing the Chair of a committee, Local Governing Body, or sub-committee						Each committee	Board appoint Chair of LGB / Committees
Undertaking Board / Committee effectiveness review (including skills audit, review of collective and individual effectiveness and development needs, and succession planning)	✓	✓				Board and LGB	
Establishing additional committees or Working Groups etc (including Terms of Reference)	✓ Trust	✓ School					Board remove LGB ability to create committees.
Appointing or removing Board appointed Governors to a LGB	✓						
Appointing or removing co-opted Governors to a LGB		✓					
Approving the Scheme of Delegation (including the committee structures, delegations, and “policy grid”)	✓						

Approving the Annual Report and Accounts	✓					Members receive	
Determine whether other school(s) should join, or whether any school(s) should leave, the Trust	✓						

Financial management

The Board is accountable for the financial performance of the Trust, including receipt of all income due to the Trust and for the effective and efficient expenditure of public funds. The Accounting Officer is accountable to the Board and DfE for expenditure of public money, and the Chief Finance Officer leads the finance function to ensure that the financial policies and procedures approved by the Board are implemented consistently. The Board will approve assurance work to verify that these controls operate appropriately.

It is expected that the budget setting and budget monitoring processes are a combination of 'bottom up' and 'top down' processes – ie the Board would set the approach to central service charge and the delegated funds for each school (which would be expected to be the remainder of the funds provided for that school via the GAG and other government funding streams), each school would then develop a budget within its delegated funds in conjunction with the CFO and CEO, and the overall budget for the Trust would then be approved by the Board. Budget monitoring would similarly be undertaken at school and Trust level and reported to CFO/CEO, LGBs and the Board throughout the year, with a focus upon any potential variances and actions required to ensure that expenditure is within approved levels.

The Accounting Officer is accountable to the Board for compliance of the Trust with the Funding Agreements and the Academies Financial Handbook; the CFO is responsible for ensuring this compliance.

	BoT	LGB	AO	HT	CFO	Other	Potential variation
Maintaining a register of pecuniary and business interests of staff, governors, trustees and members					✓ for Staff	Clerk for BoT / LGB / Members	
Approving financial procedures (including treasury and accounting policies) in accordance with Appendix 8	✓						
Adhering to accounting policies and guidelines issued by the ESFA	✓	✓	✓	✓	✓	✓	
Maintaining accurate, reconciled and up-to-date records that provide financial and statistical information			✓	✓	✓		
Availability of records and documents for inspection by external auditor and responsible officer					✓	Finance Departments	
Approving appointment of external auditors	✓ (A&C)					Members after procurement	
Approving programme of internal scrutiny	✓ (A&C)						
Approving actions following external audit recommendations / findings	✓ (A&C lead)	✓			✓		

		(for relevant academy)					
Approving banking arrangements including bank mandates and credit cards	✓						
Oversight and maintenance of all cash across the Trust	✓				✓		
Approving the approach to cross-charging / central service charge							
Approving the budget each financial year in accordance with DfE timeframes (including use of any historic accumulated reserves)	✓						
Monitoring actual year-to-date income and expenditure against budget, including variants (monthly to all Trustees and Chair of LGB)	✓	✓	✓	✓	✓		
Approving the submission of applications for revenue or capital grants (if land title implications, Board approval required)				✓			
Approving lettings policy and fees		✓					
Approving applications for business / procurement cards					✓		
Submitting HMRC returns as required					✓		
Authorising expenditure for approved budgets, where financial procedures (such as procurement) have been followed	As set in Appendix 7 and financial procedures						Alter level of financial authority of Headteacher and / or LGB
Approving procurement waivers	As set in Appendix 7 and financial procedures						Alter level of financial authority of Headteacher and / or LGB
Approving the use of a projected in year underspend (Vs approved budget)	✓ if Trust	✓ if school					Board to retain decisions
Approving virements between budgets	As set in Appendix 7 and financial procedures						Alter level of financial authority of Headteacher and / or LGB
Approving expenses	Line manager for staff, Chair for HT and CEO						Alter level of financial authority of Headteacher and / or LGB
Approving any disposal of non-land assets	As set out in financial procedures						Alter level of financial authority of Headteacher and / or LGB
Approving any writing off of debts	As set out in financial procedures						Alter level of financial authority of Headteacher and / or LGB
Entering into or granting a freehold or leasehold interest in land or any charge / restriction on legal title	✓						Note: ESFA consent may be required

Investigating potential financial irregularities (not involving a Headteacher, or CFO or CEO)			✓				
Investigating financial irregularities (involving a Headteacher, or CFO or CEO)	✓						
Complying with VAT and Corporation Tax regulations					✓		
Reviewing Insurance cover in response to risk assessment and analysis			✓ decision		✓ lead		

HR / Staffing

For Headteachers, the Articles require that Trustees appoint a Headteacher, but it is expected that the selection panel would include Governors and Trustees, and that this selection panel would make a recommendation to the Trustees about whether to appoint and, if so, who. Similarly, Headteacher performance management would involve Trustees and Governors with a salary recommendation to Trustees.

For Leadership and TLR posts, it is expected that any posts that become vacant would be discussed by the Trust SLT to consider the needs of the school and the overall trust. It would be the CEO's decision about whether to recruit for the same or a different post, and to instigate any consequent changes to budgets. Headteachers would make recruitment decisions for other staff within their schools, with an expectation that they would – through Trust SLT – collaborate with other schools to ensure a staffing structure that is as effective, efficient, and resilient as possible; this may include establishing new joint posts across two or more schools.

For other HR decisions, the principle is that decisions should generally be made by Headteachers where they affect that school only, and by the CEO where they affect the overall Trust, with Governors and Trustees involved for decisions regarding leadership posts or staff in those posts.

	Standard delegation						Potential variation
	BoT	LGB	AO	HT	CFO	Other	
Approving cost of living increase (if adopting national award with no Trust policy decisions required)			✓				
Approving cost of living award (if any Trust policy decisions are required)	✓	Involved					
Approving the staffing establishment for the Trust	✓						
Approving the staffing establishment for a school		✓					Require Board approval
Appointing the AO and CFO	Decision		Leads				
Appointing Headteachers	Decision	Involved	Involved				
Performance management of the Headteachers (including salary)	✓	✓				HT Performance Review Committee	SIP involved
Performance management of the CFO			✓				
Approving the commencement of recruitment for posts other than posts appointed by the Board that are within the approved staffing establishment (i.e. like for like replacements or approved new posts)				✓			

Approving job evaluation / salary grades for posts (at appointment and any regrading following changes to job description)			Equal pay check	✓	Affordability check		
Appointing staff who directly report to the Headteacher		Involved	✓				
Appointing other teaching staff (including NQTs)				✓			
Appointing other support staff				✓ School		CFO / FM involved as necessary	
Approving HR policies in accordance with Appendix 8	✓						
Authorising payroll provision					✓	FM	
Authorising payroll					✓ For Trust payroll	Business Manager for each school	
Initiating a review of staffing structures / arrangements				✓			CEO or HT to initiate as appropriate (CEO approval if include Leadership / TLR posts)
Approval to implement changes to staffing structures / arrangements	✓	✓	✓	✓			Board if include redundancies within Leadership / TLR; LGB if include other redundancies; HT if no redundancies
Suspending or dismissing the AO, CFO or a Headteacher(s)	✓	Involved				LGB involved as appropriate	
Suspending staff besides the AO, CFO or a Headteacher			Involved	✓			CEO decision
Dismissing staff besides the AO, CFO, or a Headteacher				✓		This includes during probation period	
Approving any leaving payments (redundancy, dismissal, early retirement) in accordance with trust policy and ESFA requirements			✓	✓		Report to LGB / BoT as appropriate	CEO decision

Educational provision and student matters

It is expected that the LGB and Headteacher of a school will determine the educational provision and student matters, with accountability to the Board for progress and performance of students. The LGB will recommend targets to the Board.

	Standard delegation						Potential variation
	BoT	LGB	CEO / AO	HT	CFO	Other	
Ensuring compliance with safeguarding requirements	✓			Lead			
Ensuring compliance with regulations and Funding Agreement regarding educational provision	✓			Lead			
Determine changes to the school age-range, or the addition / removal or nursery or SEN provision		✓					Board make these decisions
Approving the school day and year		✓					Board make these decisions
Excluding a pupil (fixed term)				✓			CEO decision or require CEO involvement
Excluding a pupil (permanently)			Notified	✓			
Consulting on and determining an admissions policy for the school		✓					
Determining who will be offered a place in accordance with the admissions policy for the main entry year (ie YR, Y7, or Y12)		✓					
Approving in-year admissions in accordance with the admissions policy				✓			
Objecting to a SEN Statement / EHCP naming the school				✓			CEO decision or require CEO involvement
Approving any actions required following any external assessments of school performance	✓	✓					
Approving the attendance, progress and attainment targets for the school		✓					

Appendix Seven: Financial delegations (summary)

Topic	Item	Process / authorisation
(Note – require permission of ‘next level up’ for waivers over £10k – ie a waiver on a contract of £10-£50k revenue would require LGB approval)	Below £1k	No quote required: Consideration to be given to alternative suppliers and evidence attached if quotes have been sought. Budget Holder Approval and Finance Officer (as “Small Spend” Approver on web portal)
	All purchases £1k to £5k	At least 2 quotes required + budget holder approval and CFO approval (“Medium Spend” Approver on web portal)
	All purchases £5k - £10k	3 quotes required + budget holder approval and CFO approval (“Medium Spend” Approver on web portal)
	All purchases £10k - £50k (revenue and capital)	3 quotes required + HT approval (“Large Spend” Approver on web portal)
	All purchases £50k -£100k (revenue and capital)	3 formal tenders + LGB approval (full LGB or Finance and Resources Committee)
	All purchases over £100k (revenue and capital)	3 formal tenders + Board of Trustees approval.
	Over OJEU threshold	Follow OJEU rules, Board of Trustees approval
Budget Virements	Between staffing budgets (unlimited)	Headteacher
	Under £50k with other budgets but within in-year funding	Headteacher
	Beyond in-year funding	Board of Trustees
Debt write offs and asset disposals (non land)	Under £1000	Headteacher
	£1000 - £5000	LGB
	Over £5k	Board of Trustees (with ESFA consent as required)
Asset disposals (land)	Any license or lease	Board of Trustees (with ESFA consent as required)
Investments	Up to £100k	LGB
	Over £100k	Board of Trustees

CFO:

- Prepare and submit returns to ESFA / HMRC
- Authorise payroll (unless CFO has made adjustments, in which case HT / DHT authorises)

Authorise BACS / sign cheques on behalf of the academy trust: HT, DHT – always requires two individuals. In the case of BACS payments, one individual to review and sign off the paperwork, and the second individual to authorise the online payment.

Appendix Eight: Policy grid

Trust policies and procedures

Name of Policy	Statutory / Website	Frequency of Review	Date for next review	Responsibility for review	Approved by
Articles of Association	-	Standing doc	As required	HT	Members
Conflicts of Interest policy / procedure	-	3 years	Summer 22	HT	Board
Complaints Policy	s/w	3 years	Summer 22	HT	Board
Data Protection / records management policy / privacy notices	s/w	3 years	Spring 24	Head of Ops	Board
Equality Statement	-	Annual	Summer	Head of Ops/CFO	Board
Financial Regulations	-	3 years	Summer 24	CFO	Board
Financial Procedures	-	Annual	Summer 22	CFO	Accounting Officer *
Freedom of Information Policy	s/w	3 years	Summer 22	Head of Ops	Board
Governor / Trustee allowances Donations; Fraud Avoidance; Gifts and Hospitality; Charging and Remission; Debtors and Debt Recovery; Competitive Tendering.	s/w	3 years	Summer 24	CFO	Board
Health & Safety	s	Annual	Summer 22	Head of Ops	Board
H&S Risk Assessment	-	Annual	Summer 22	Head of Ops	Board
HR Policies (Appraisal / Performance Management, Capability, Code of Conduct, Disciplinary, Family Friendly, Flexible Working, Grievance, Induction, Parental Leave, Probation, Recruitment, Redundancy, Sickness Absence, Special Leave, Whistleblowing)	-	3 years	Spring 22	HT	Board
Investment	s	3 years	Summer 22	CFO	Board
Pay Policy	-	Annual	Each September	HT	Board
Register of Business Interests Trustees	s/w	At least annually	Each September	Clerk	-
Safeguarding and child protection policy	s	3 years	Summer 22	HT	Board

Allegations against staff procedures	s	3 years	Spring 22	HT	Board
Scheme of Delegation	w	Annual	Each summer	HT	Board

* After consultation with Chair of Finance and Resources of the LGB

Pinner High School policies and procedures

[Note – this list is being updated to reflect policy approvals by the LGB during 2020/21]

Below is a list of the policies and procedures adopted by the Pinner LGB.

The LGB is authorised to establish additional policies / procedures as it considers appropriate. These will then be included in the next annual update of this policy schedule.